

Environmental Cleanup Allocation Committee

**December 11, 2008
Meeting Minutes**

Committee Members Present:

Chairperson, Garry Brown, Orange County Coast Keeper
Vice-Chair Mary Anne Skorpanich, County of Orange-Watershed and Coastal Resources Program
Mark Adelson, Santa Ana Regional Water Quality Control Board
John Bahorski, City of Cypress
Karen I. Baroldi, Orange County Sanitation District
Tim Casey, City of Laguna Niguel
Paul D. Jones, Irvine Ranch Water District
Joe Parco, City of Santa Ana
Hector B. Salas, Caltrans
Sat Tamaribuchi, The Irvine Company
Dick Wilson, City of Anaheim

Committee Members Present via Teleconference:

James Smith, San Diego Water Quality Control Board

Committee Members Absent:

William Cooper, UCI

Orange County Transportation Authority Staff Present:

Ellen Burton
Julianne Brazeau
Marissa Espino
Hal McCutchan
Monte Ward

Guests:

David Hunt, Willdan Engineering
Melanie Schlotterbeck, Vice-Chair, Environmental Oversight Committee
Wallace Walrod, Orange County Business Council
Katie Wilson, Willdan Financial Services

Members of the Public

Doug Dancs, City of Cypress
Dave Hudson, Rudat
Keith Linker, City of Anaheim
Nancy Palmer, City of Laguna Niguel

1. Welcome

Chairperson Garry Brown welcomed committee members and started the meeting at 10:10 a.m. Garry informed the Committee that James Smith would be joining the meeting via teleconference.

2 Approval of the November 2008 Meeting Minutes

Chairman Garry Brown asked if there were any corrections or changes to the November 2008 Meeting Minutes. There being no corrections, a motion was made by Paul Jones and seconded by Mark Adelson to approve the November 13, 2008 ECAC meeting minutes.

3. Presentation Item

Freeway Environmental Mitigation Program

Melanie Schlotterbeck, Vice-Chair, Environmental Oversight Committee (EOC) provided a presentation outlining the background of the EOC, what the process is to move the program forward, where they are in the process and the next steps. The EOC is made up 12 members makes recommendations to the OCTA Board of Directors regarding the allocations of revenue, programmatic mitigation, and monitors the implementation of the master agreement. Melanie explained how OCTA can mitigate now for future freeway projects. The initial step in the inventory impact is to figure out where the freeway projects occur and what if any impacts there are adjacent to the freeway. OCTA recently adopted the Green Vision Map as an initial inventory for acquisition and restoration opportunities. Outreach efforts will soon begin to find other opportunities not on the Green Vision Map and the ECAC is encouraged to provide input.

Mary Anne Skorpanich asked if public access is a plus or negative. Melanie said it is usually not looked upon favorably because often it would require fencing the area off, but hopefully that approach will change. Monte Ward explained that OCTA is not in the business of long-term management of property. OCTA is interested in finding companies that have an inventory of properties they are already managing set aside for same use. Orange County is fortunate to have large contiguous areas set aside in this fashion.

Mary Anne Skorpanich if discussions with resource agencies have occurred about potentially pairing a project that has some habitat value with water quality treatment capabilities. Melanie said these projects would probably be looked upon favorably to leverage funding.

John Bahorski asked if the EOC is working with Rivers and Mountains Conservancy in the development of the Green Vision Map. Melanie said that there are 65 groups that worked together to create the Green Vision Map. The EOC has not met directly with the Conservancy, however; Melanie via her connections has kept the committee apprised of the work being done in Los Angeles County.

Paul Jones asked if a countywide HCP/NCCP was to be formed similar to the one that already exists in middle Orange County or if parcels could be added to the existing HCP/NCCP. Melanie said the current HCP/NCCPs do not cover the areas of all the freeway impacts. Monte said a countywide HCP/NCCP would compliment the current study area.

Chairperson Garry Brown asked if the Green Vision Map is being adopted or is it just a point of inventory. Melanie said that map is more of an inventory or initial step in what properties are available for restoration.

Sat Tamaribuchi asked if there is an idea of the extent of impacts. Monte said that he does not have specific acreages, but preliminary compilations have been done. Mostly we will be looking at the areas of the 91/Santa Ana Canyon and I-5 South Irvine.

Mary Anne Skorpanich said that some of the water quality issues can have some cross-over effects with habitat issues. Chairperson Garry Brown also reminded the committee that projects with cross-over potential could share the funding with our money going to the focus at hand.

Environmental Cleanup Program Funding Guidelines Approach and Consultant Introduction

David Hunt, Wallace Walrod and Katie Wilson introduced themselves as the team that will be working with the Committee on drafting the funding guidelines. Also, team member Joe Dauchy, not in attendance, will be a part of the team. David explained that there are four key study issues, which are 1) outreach and communications, 2) defining the contents of the funding guidelines, such as proper scoring criteria, identify opportunities to get the most benefit, coordinate with this committee to give opportunities for participation, utilize performance metrics for the committee to see what technologies are actually working, and overseeing administrative costs, 3) maintenance of efforts requirements, and 4) promote BMPs that are proven to work.

Sat asked if there is a requirement for funds to be used on new technologies as he believes that funds should not be used to “develop” new technologies. Mary Anne Skorpanich said that new technology may be built into the guidelines as the projects span over 30 years and as such, BMPs will be evolving. Hector Salas said that this money is not meant to be a pilot program, but we should use proven technologies that are not outdated.

Ellen Burton indicated that Measure M usually does not allow maintenance of efforts to use revenues to supplant existing local funds, but to supplement them. John Bahorski said not all local agencies are at the same level and those agencies that have already implemented BMPs should not be penalized for obtaining funds, but should receive credits. Monte said this Committee will need to find a way to balance these MOEs.

Chairperson Garry Brown asked Monte Ward to discuss timeframes. Monte said the program funding guidelines approach would be completed by Willdan in June/July 2009. The guidelines would be presented to Board of Directors for approval in the Fall, subsequently first call for projects would happen at the end of 2009.

Monte Ward also stated the projections for M2 are about 20% below the 2005 forecast. It would be wise to look at pay-as-you go programs for the first couple of years until the economy rebounds.

Sat Tamaribuchi asked if water quality projects are being looked at for the economic stimulus package. Monte said this Committee should discuss this at the January meeting. Per Monte, OCTA has already located \$2.4 billion in shelf-ready transportation projects. Chairperson Gary Brown said this Committee may want to be ready to endorse some shelf-ready projects for the proposed economic stimulus package. Ellen Burton said there will be a press conference on December 19 at 9 a.m. in Brea and we are looking to have a coalition in attendance. Marissa Espino passed around information regarding the press conference and shelf-ready projects. Tim Casey suggested "green" projects may be looked upon favorably for addition to the economic stimulus package.

4. Transportation Pollution Nexus Definition

The Committee reviewed the definition and made comments.

Changes were made to the definition to include activities related to "other ground transportation systems." In addition, "groundwater dewatering discharges" was included as a pollutant category.

A motion was made by Mary Anne Skorpanich and seconded by Hector Salas to approve the item with corrections.

5. RWQCBs' Water Quality Priorities

Hal McCutchan addressed the item in the committee members' agenda package and asked the committee to review the priorities for discussion at the January meeting.

Chairman Garry Brown recommended the committee review the guidelines and agendaize this item for next meeting.

6. 2009 ECAC Meeting Schedule

Marissa Espino passed out the 2009 meeting calendar.

7. Public Comments

There were no comments from the public.

8. Next Meeting – January 8, 2009

9. Committee Member Reports

Chairman Garry Brown reported this was Sat Tamaribuchi's last meeting in an official capacity as he will be retiring. Sat said he has not found out for sure if he can continue participating in the committee.

Mary Anne Skorpanich announced the American Society of Civil Engineers and UCI Civil and Environmental Engineering Affiliates will be kicking off an update of Orange County's infrastructure report card.

Dick Wilson attended a meeting on storm water runoff and handed out brochures.

10. Adjournment

The meeting adjourned at 11:50 a.m.