

Environmental Cleanup Allocation Committee February 10, 2011, Meeting Minutes

Committee Members Present:

Chair Mary Anne Skorpanich, County of Orange-Watershed & Coastal Recourses Program
Vice Chair Garry Brown, Orange County CoastKeeper
Mark Adelson, Santa Ana Regional Water Quality Control Board (**Teleconference**)
John Bahorski, City of Cypress
Tim Casey, City of Laguna Niguel
William Cooper, UCI
Joe Parco, City of Santa Ana
Hector B. Salas, Caltrans
Sat Tamaribuchi, Environmental Consultant
Dick Wilson and Keith Linker City of Anaheim

Committee Members Absent:

Gene Estrada, City of Orange
Paul D. Jones, Irvine Ranch Water District
Chad Loften, San Diego Water Quality Control Board
Tom Rosales, Manager of the Southern California Wastewater Authority

Orange County Transportation Authority Staff Present:

Marissa Espino, Senior Community Relations Specialist
Janice Kadlec, Public Reporter
Charlie Larwood, Planning & Analysis Section Manager
Hal McCutchan, Environmental Programs Manager
Monte Ward, Measure M Consultant

Guests

Ken Susilo, Geosyntec
Wallace Walrod, Orange County Business Council

1. Welcome

Chair Mary Anne Skorpanich welcomed everyone and began the meeting at 10:10 p.m.

2. Approval of January 2011 Minutes

Chair Mary Anne Skorpanich asked if there were any additions or corrections to the January 13, 2011 meeting minutes.

Chair Skorpanich asked for the following correction: Page 2, Paragraph 8 - *Chair Mary Anne Skorpanich said there seem to be two issues: 1.) Identifying and prioritizing the problem, and 2.) Identifying the pollutants solutions.*

A motion was made by William Cooper, seconded by Sat Tamaribuchi, and carried unanimously to approve the January 13, 2011 meeting minutes as corrected.

3. Tier 2 Grant Program Study Update

Hal McCutchan and Charlie Larwood gave an update on the Tier 2 Grant Program Study. After studying the Program it was determined it would be very difficult to add in a dry flow component to the Program, where consideration can be made at a later time within the scoring or policy level.

Ken Susilo said they looked at the options of adding dry flow to the Program but this would entail a significant amount of data collection and would add to the cost. It would be better to catch this information with monitoring and from the stakeholders' input.

Sat Tamaribuchi said he did not understand why the problem is not enough information on dry flow. Ken Susilo said there is not enough quality of information. It is difficult to extract enough information to extrapolate up to the manufacturer and give enough information to pin point where the problem is.

Wallace Walrod said there is also the question of transportation nexus, how does dry flow fit in. Sat Tamaribuchi said every transportation system has drainage associated with it either an underground drainage pipe or landscaping. Ken Susilo said adding another layer of special analysis would require additional time, additional budget, and would not materially change the results.

Charlie Larwood said one of the other items in reviewing the Program was the Ordinance requirements of not supplanting required mitigation. Sat Tamaribuchi said the distinction is old projects versus new projects – old projects seem to generate these flows, on new projects there is opportunity to assign a mitigation requirement. This grant set aside funds to address existing problems.

Monte Ward said the issue whether to expand the scope of the contracted consultant as well as the timeframe for completion or can this issue be adequately addressed as part of the evaluation and scoring process. The basic question is when should this be done in the process?

Chair Mary Anne Skorpanich clarified what was being said, there is readily available data on quantity and quality for wet weather and there is quality information but not a good quantity of information for dry weather. Ken Susilo said it is possible to do the analysis, but questioned if it is good value to the overall project.

Chair Mary Anne Skorpanich said the only flaw she could see is there are some pollutants which manifest themselves as problems only in wetlands. If a strategic location for a project is being looked at, that will be driven by wet weather data only. She thought some qualitative and valuable information can be lost by doing this.

Garry Brown said he feels at some point we will do modeling for dry weather. Basically Tier 2 projects are designed for storm events and not dry flow. The assumption is projects designed for storm events will certainly catch the dry flow; this is where the current state of the art is. At this point we should go forward and design for storm event criteria but at some point in the future there will be a great deal of emphasis on dry flow.

Sat Tamaribuchi clarified he was hearing the original project is set up for storm flow, but the project could be adjusted to monitor dry flow. Monte Ward said this is correct and dry flow can be addressed when it arises.

Tim Casey asked for an explanation of how the product of the Tier 2 Study will help jurisdictions identify the best regional project at the appropriate location. Ken Susilo said the project would have both dry flow and wet flow benefits. There would have different ways to prioritize projects. An additional analysis will be done once the initial priority area has been identified. Tim Casey said if the study is going to identify issues of concern in a watershed area and do a project which will deal with wet weather conditions, is it logical to assume it will deal with dry weather also. Ken Susilo said it would depend on the beneficial contributions. He said he is not concerned some areas would be missed because there will be multiple opportunities at the front and back of the project for things to be added in.

Tim Casey said since the voters have identified money to improve water quality on a countywide basis, it should be done in the smartest and most effective way possible. Hopefully the deliverables of this study will help us keep moving in that direction.

John Bahorski said the outgrowth of this study is to identify potential sites, he is concerned if only wet weather flow is used smaller areas will be eliminated. Ken Susilo said the idea is to not do that, even small areas have significant water quality benefits. They would not want to rule out opportunities just because of the area.

Chair Mary Anne Skorpanich said she sees four potential issues:

- 1) What are the water quality problems for dry weather and wet weather (there is significant overlap here).
- 2) There is not a significant overlap between wet weather/dry weather BMP Types.
- 3) There is a good amount of wet weather/dry weather overlap in the BMP site.
- 4) On what basis should the wet weather/dry weather overlap be evaluated?

Chair Mary Anne Skorpanich said she suggested the wet weather/dry weather overlap should be evaluated in the "other" factors the committee plans to incorporate.

A motion was made by William Cooper, seconded by Tim Casey, and carried unanimously to proceed with the Tier 2 Grant Program Study as originally planned.

Chair Mary Anne Skorpanich observed the question is whether dry flow has as much of a transportation nexus as wet flow – she believed there was no difference between the two.

Charlie Larwood presented the Measure M2 Environmental Cleanup Program Tier 2 Grant Program Study Stake Holder Participation Document. He said one of things staff would like is feedback on where they are interested in seeing projects and does it match up on where the science goes and also just feedback on the technical analysis.

Dick Wilson said he would like to make sure the Technical Advisory Committee (TAC) and the NPDES Permittees are working together.

Monte Ward suggested to insure there is appropriate outreach to the water and sanitation groups. He would also like water quality groups like the Coastkeepers be included as stakeholders.

Ken Susilo went over the Tier 2 Study Master Schedule which included tasks and committee dates.

5. Tier 1 Call for Projects Update

Charlie Larwood presented an update on the Tier 1 Call for Projects. The Program was approved by the Highways Committee on February 7, and will be going to the OCTA Board of Directors on February 14, 2011.

Tim Casey asked if the Highways Committee had any significant questions on the Tier 1 Program. Chair Mary Anne Skorpanich said there was one comment urging OCTA staff to provide assistance to the smaller cities that might not have the experience putting together the applications. Marissa Espino said staff will be available on a one-on-one basis for any city requiring help.

Hal McCutchan reviewed the Tier 1 Grant Program Call for Project schedule. He also reviewed the BMP products and pricing from the companies selected for the Master Agreement. Chair Mary Anne Skorpanich said the Master Agreement is a standard purchasing agreement, which the cities may use at any time outside of M2 funding.

Chair Mary Anne Skorpanich asked if there was going to be an evaluation subcommittee for this program. Hal McCutchan said the scoring subcommittee will be comprised of three people, either Charlie Larwood or Hal and one other person possibly from the ECAC. Gary Brown suggested the subcommittee should be comprised of more committee members than staff. Charlie Larwood said the committee is not a subcommittee, but it is a scoring committee. Their job is to score

the projects and then these scores will be brought to the full ECAC with a staff recommendation. This is in line with other OCTA Combined Transportation Funding M2 projects; staff does the scoring and then brings them to the TAC. It is up to the ECAC if they would like to modify this.

Chair Mary Anne Skorpanich said anyone is interested in being on the scoring committee can email Hal McCutchan.

6. ECP Public Outreach

Melissa Espino reported on:

- Staff gave briefings on the Tier 1 Program to the Chair and Vice-Chair of the Highways Committee before presenting to the committee.
- On March 2, there will be a Workshop with the County on upcoming grant opportunities. Mary Anne Skorpanich, Garry Brown, and Gene Estrada will be participating on a panel.
- A "Save the Date" notice will be sent to all the cities (Public Works Directors, City Managers, and water related staff) for the two Tier 1 workshops on February 24, and February 28. A letter will be sent out after Board approval on February 14. The three BMP vendors are invited to attend and have their products on display.

7. Next Meeting – March 10, 2011

The next ECAC meeting will be March 10, 2011.

8. Committee Member Reports

Charlie Larwood distributed a notice of a State Water Resources Control Board Notice of Preparation of Environmental Impact Report/Initial Study Checklist and Notice of Public Workshops California Environmental Quality Act Scoping Meetings related to wetlands designations and water quality impacts.

Charlie Larwood said the report is a Notice of Preparation to revised the definition of a wetland. It was suggested that the ECAC become involve in providing a response as a result of varying differences that federal and state definitions may have. Charlie Larwood indicated that a change in the state definition may affect implementation of eligible projects under the Tier 2 Program.

9. Adjournment

The meeting adjourned at 11:30 a.m.