

Measure M2 Environmental Cleanup Allocation Committee

July 14, 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
Gene Estrada, City of Orange
Joe Parco, City of Santa Ana
Hector B. Salas, Caltrans
Dick Wilson, City of Anaheim

Committee Members Absent:

John Bahorski, City of Cypress
Tim Casey, City of Laguna Niguel
William Cooper, UCI
Chad Loflen, San Diego Water Quality Control Board
Tom Rosales, General Manager of the South Orange County Wastewater Authority
Sat Tamaribuchi, Environmental Consultant

Orange County Transportation Authority Staff Present:

Kurt Brotcke, Planning Director
Marissa Espino, Senior Community Relations Specialist
Janice Kadlec, Public Reporter
Charlie Larwood, Planning & Analysis Section Manager
Dan Phu, Project Development Section Manager
Monte Ward, OCTA Consultant
Kelley Jimenez, Strategic Communications Coordinator

Guests

Ken Susilo, Geosyntec

1. Welcome

Chair Mary Anne Skorpanich welcomed everyone, and began the meeting at 10:10 a.m. Chair Skorpanich announced Paul D. Jones has left the Irvine Ranch Water District and accepted another position in Riverside County, therefore his position on the ECAC is now vacant. A recruitment is underway to fill this vacant ECAC position.

2. Approval of the June 2011 Minutes

Chair Mary Anne Skorpanich asked if there were any additions or corrections to the June 9, 2011 meeting minutes. There were no corrections or additions requested. A motion was made by Gene Estrada and seconded by Garry Brown to approve the June 9, 2011 meeting minutes as presented. The motion passed unanimously.

3. 2010/11 Tier 1 Grant Call for Projects Updates

As an update, Charlie Larwood distributed a complete list of Tier 1 Call for Projects Funding Recommendations. The list included the 34 funded projects and the 13 unfunded projects. He talked about the next steps in the program.

Charlie Larwood and Monte Ward gave an update on the 2010/11 Tier 1 Grant Call for Projects which included lessons learned from the first call for projects and the program objectives of Tier 1 versus Tier 2 programs.

Garry Brown suggested abandoning the “all or nothing” scoring system and developing a more varied scoring process based on the worthiness of the project.

Marissa Espino reported on outreach efforts to the cities who did not reply to this first Tier 1 Call for Projects.

Chair Mary Anne Skorpanich asked the evaluation committee if they felt the proportion of points given to the various categories was correct. Garry Brown said there was one question he felt was interesting – “If a certain BMP is being proposed, how were other options evaluated?” Most of the cities never responded to this question, yet the question was given significant points.

Chair Mary Anne Skorpanich said at the last ECAC meeting there was a discussion on whether to go into more detail on which expenses within the projects were eligible for the funding. There were some projects that involved changing of irrigation systems and also changing plants. Are plants an eligible expense? The next round of funding should include some guidelines on what is eligible or not eligible for funding.

Monte Ward observed the desired intent for Tier 1 was to distribute the funds as widely as possible and to provide some assurances that, with a reasonable level of effort, the local jurisdictions can participate. He believed this goal was accomplished. In this first round of funding there was a great deal of enthusiasm to make it as easy as possible to participate and now refinements need to be made that allow for obvious distinctions or judgments about the quality of the projects and their impacts.

4. CTFP Funding Guidelines Overview

Kurt Brotcke gave an overview of the Comprehensive Transportation Funding Program (CTFP) Funding Guidelines which just completed its Call for Projects. He drew parallels and pointed out similarities between the CTFP and the Tier 2 Call for Projects. He spoke on four different areas of lessons learned:

1. Clearly link program guidelines and evaluation criteria to the M2 Ordinance.
2. Provide unambiguous evaluation criteria where possible.
3. Use existing CTFP process to the extent possible.

4. Areas to watch.

Chair Mary Anne Skorpanich suggested the ECAC think about making the transportation nexus question a yes/no question for a threshold for eligibility or apply some type of scoring for the degree of nexus.

Garry Brown said one of the things that is not being addressed is the benefits or what is all this being compared to. The ordinance does not particularly state it, but it is the intent. Nowhere is the term "receiving water." He wondered if the program should be evaluated on benefits to receiving waters and how is receiving waters defined. On the other hand, should the benefits be defined to satisfy the issues related to a transportation project? At some point it needs to be defined where the benefits are being compared to. Once this is defined, things may become clearer.

Joe Parco asked how they dealt with ties in the CTFP. Kurt Brotcke said they have not had to deal with ties; they had enough differential in the points.

Chair Mary Anne Skorpanich asked if they had a standard for dealing with a construction phase or a planning phase. Kurt Brotcke said they did not. He suggested they emphasize implementation. Monte Ward said it comes down to the question of at the end of the time period, what is there to show for the allocation of funds? Is it an operating project that provides benefits or is it a plan? It is important to lean toward those things that are tangible. Charlie Larwood said the question is how transportation water projects and general water projects are distinguishable, then glean whether there are co-benefits.

Garry Brown asked how project delays are handled. Kurt Brotcke said under M2, local agencies are provided one twenty-four-month delay. Chair Mary Anne Skorpanich asked if this is an extension on the completion date or the award date. Kurt Brotcke said this is an extension on the award date on a fiscal year basis.

5. Tier 2 Study Update/Report on Subcommittee Meeting.

Charlie Larwood, Ken Susilo, and Monte Ward presented an update on the M2 Environmental Cleanup Program Discussion Guidelines. Charlie Larwood said these tie back to the subcommittee meeting where they looked at how the scoring may be divided.

Ken Susilo reviewed some different types of Tier 1 & 2 projects, guideline general categories, and potential weighting factors for Tier 2 guidelines.

Chair Mary Anne Skorpanich asked if the Committee thought the transportation nexus guidelines should be a yes/no check box or a range of values. Gene Estrada said it is an important question and, in his opinion, it should be a range of values. Monte Ward suggested it would be a good idea to do a blend of yes/no and some measurement. It should be put on the table as a starting point for discussion.

Chair Mary Anne Skorpanich suggested the Committee should think about whether hydromodification impacts from a treatment system are the kind of things to fund with this program.

Hector Salas said large projects like hydromodification is something beyond this program. He suggested focusing on pollutants and a retrofit type of program.

Chair Mary Anne Skorpanich suggested addressing this issue and putting it in the guidelines to let it be known whether it is covered or not.

The Committee discussed the Tier 2 guidelines: general categories, the potential weighting factors and made suggestions.

Garry Brown observed the entire program is based on water quality and environmental clean-up. Therefore, as valuable as habitat enhancement is, it is not the goal of this program nor is to enhance recreation or to add to open space. These are great side benefits but they are not what M2 is funding and should not give these benefits higher scores.

Monte Ward said, at this point in the process, the matter should be put to rest by saying – show the water quality benefits, show that it is a cost effective project, show that it will have a beneficial impact on a real problem and then there can be a discussion on other benefits.

Dick Wilson said all projects have other benefits so there should be some sort of priority ranking for these extra benefits. Chair Mary Anne Skorpanich agreed, but wanted to make sure the ancillary benefits are used as tie breakers but not as a main driver in which projects get funded.

Dan Phu asked if there should be a way to differentiate between a project which is very costly to maintain in the long run versus a project which will be less costly. Ken Susilo said there is a semi qualitative way to answer this question - in BMP collection, there is an element of cost effectiveness.

Monte Ward said there is a need to avoid a situation where a single entity comes in with a project that is effective only within that jurisdiction. Chair Mary Anne Skorpanich said this can be avoided if adequate weighting is given to the degree to which a project addresses important problems.

In conclusion, Ken Susilo asked the Committee to think about the following topics for the next guidelines discussion:

1. Shifting and new categories
2. Put some thought into what weights to put on questions

3. Should certain pollutants be prioritized over others?
4. If the pollutant is to be discharged into strategic waters, how much should this be prioritized?
5. How should the information the County has provided on chemistry, toxicology, physical habitat, etc. be prioritized?

6. Short Term Six-Month Look Ahead Schedule

Monte Ward presented a Tier 2 Study meeting schedule outlining when information will be presented and when an anticipated decision will be made at the Committee and Subcommittee level.

7. Public Comments

No one from the public spoke.

8. Committee Member Reports

There were no committee member reports.

9. Next Meeting – August 11, 2011

The next meeting of the ECAC will be Thursday, August 11, 2011 at 10 a.m. in the OCTA offices.

10. Adjournment

The meeting adjourned at 12:05 p.m.