

# Measure M2 Environmental Oversight Committee

**April 3, 2013  
Meeting Minutes**

## **Committee Members Present:**

Chair Patricia Bates, OCTA Board of Directors  
Vice-Chair Melanie Schlotterbeck, Measure M Support Groups  
Lori Donchak, OCTA Board of Directors  
Chris Flynn for Sylvia Vega, Caltrans  
Nancy Jimeno, California State University, Fullerton  
Philip La Puma, Measure M2 Taxpayers Oversight Committee  
David Mayer, CA Department of Fish and Wildlife  
Dan Silver, Endangered Habitats League  
Jonathan Snyder, US Fish and Wildlife Services

## **Committee Member(s) Absent:**

Veronica Chan, US Army Corps of Engineers  
Dave Means, California Wildlife Conservation Board

## **Orange County Transportation Authority Staff Present:**

Marissa Espino, Senior Strategic Communications Specialist  
Lesley Hill, Planning Department Project Manager  
Janice Kadlec, Public Reporter  
Ken Smart, OCTA Legal Counsel  
Monte Ward, Measure M Consultant

### **1. Welcome**

Chair Patricia Bates called the Environmental Oversight Committee (EOC) meeting to order at 10:00 a.m. She asked Philip La Puma to lead the Pledge of Allegiance.

### **2. Approval of the February 6, 2013 Minutes**

A motion was made by Melanie Schlotterbeck, seconded by Lori Donchak, and passed unanimously to approve the February 6, 2013 EOC meeting minutes as presented.

### **3. Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) Update**

Lesley Hill gave an update on the progress OCTA staff has made on the NCCP/HCP as well as the corresponding environmental document. Because a higher level of detail was required for some documents, the draft document will be ready approximately three months later than previously reported. Jonathan Snyder said the goal was when the documents are ready to be released to not only have buy-in from

the local level but also from the regional level and have all the information to make the findings and issue a biological opinion. David Mayer agreed with the previous statements. His agency just needed a few things expanded for clarity purposes, which will make it easier to issue the permit when the time comes.

Melanie Schlotterbeck asked if the Resource Management Plan and the access issues will be delayed until the Fall of 2014. Lesley Hill said yes, the NCCP/HCP will need to be issued before the Resource Management Plan (RMP) because the RMP is based on the recommendations and guidelines in the NCCP/HCP.

Nancy Jimeno asked if the wildlife agencies are requesting more evidence the lands OCTA has purchased are adequate for assurances in the NCCP/HCP. Jonathan Snyder said he believes it has more to do with the information in the environmental documents – information which will help make the findings and information consistent with how the documents are presented for projects. There does not seem to be any problem with the NCCP/HCP and the direction of the approach, it is just the details in the document.

Monte Ward said because the properties have been purchased and staff is currently completing the biological baseline surveys, there is a level of information which will be helpful in terms of the review of the documents and the findings. The recommendation from the resource agencies is to include this in the documentation so time has been spent on how to do this and how it is reflected in the documents. This is where the extended time is, but it is also where the benefits are.

#### **4. Public Comments**

There were no public comments.

#### **5. Committee Member Reports**

Dan Silver said he wanted to express his concerns over a letter sent out from one of the equestrian groups. In reading the letter from the group(s), it did not appear they were listening very clearly to information presented by Dan Phu when he explained the nature of the environmental program and what their expectations should be. He felt the letter was not well informed as to why the land is being purchased and their expectations indicated an overwhelming sense of entitlement. He was concerned this group would not be a good partner in an access program.

Marissa Espino said this letter was from an equestrian group OCTA staff met with in February. It was a productive meeting and they were open to listening to the goals of the program. They also shared some concerns and OCTA is in the process of drafting a letter addressing these concerns. The response letter will be ready the following week and will be quite detailed in order to make sure the primary goal of the program is clear.

Melanie Schlotterbeck said she met with Vanessa Mascia and Laurie Hughes and discussed approximately 10 different concerns from the equestrians who board their horses on the Thier Property. She documented these concerns in a memo to OCTA staff and Chair Patricia Bates. She also did a site tour to help her better understand the issues. Melanie Schlotterbeck and OCTA staff will do a follow-up meeting to discuss the next steps for the top three issues.

Chair Patricia Bates commented it will be an educational process and hands-on meetings are very important. The voters of Orange County were very clear they wanted the program and the environmental coalition worked very closely with OCTA to make sure the mitigation program moved forward. It is very important to get everyone on the same page to understand it is all about accelerating the delivery of the Measure M Freeway Environmental Mitigation Program. The stakeholders have the opportunity to provide input, but the major goal is to ensure the required conservation, preservation, and mitigation is in place. Chair Patricia Bates said Orange County has set an exceptional precedent in making this program happen.

Monte Ward updated the committee on the recent audit of the mitigation program as part of the OCTA audit cycle. The audit was very favorable and there were no findings of any sort or any corrections needed.

Monte Ward announced a new public member to the EOC – Derek McGregor. He is expected to be approved on Monday, February 8. Derek McGregor was a member of the Measure M Taxpayers Oversight Committee and is currently on the OCTA Citizens Advisory Committee.

Vice Chair Melanie Schlotterbeck reported she did presentations on the OCTA environmental program in Newport Beach for the Orange County Natural History Series, the Sacramento Regional Advance Mitigation Working Group, and at the California Council of Land Trust Annual Conservation Conference. In general, people are very interested in the program.

#### **6. Next Meeting – TBD**

The next EOC meeting will be determined at a later date.

#### **7. Closed Session**

- a. Pursuant to Government Code Section 54956.9 – potential litigation – one item
- b. Pursuant to Government Code Section 54956.8 to discuss the price and terms of payment for the acquisition of the following real properties:

The EOC adjourned to Closed Session at 10:20 a.m. Ken Smart reported he did not anticipate any reporting after the Closed Session.

The negotiator for OCTA is Dan Phu. The negotiators for the real properties are as specified.

<u>Real Property</u>	<u>Geographic Area</u>	<u>Assessor's Parcel Number</u>	<u>Owner's Negotiator</u>	<u>Acreage</u>
<b>Irvine Mesa Corridor</b>	Cleveland Nat'l	105-060-02, 105-060-09, 105-060-19, 105-051-36, 876-011-02, 876-011-03, 876-011-19, 876-011-07, 876-011-08, 876-011-11, 876-011-18, 105-051-18, 876-021-15, 876-021-04, 876-021-05, 105-051-33, 105-051-21, 105-051-57, 105-201-12, 105-201-11	David Meyers	670
<b>Holtz Ranch (CCRC Farms LLC)</b>	Cleveland Nat'l Forest	876-034-01, 876-041-01, 105-051-83, 105-051-84, 105-051-85, 105-070-93	Brad Schnepf	327.9
<b>MacPherson</b>	Cleveland Nat'l Forest	105-051-06, 105-051-08	Craig MacPherson	216.7
<b>Mitchell Properties West</b>	Trabuco	842-081-12	Steven U. Parker	101.7
<b>Saddleback Meadows</b>	Trabuco	856-071-01/09, 856-072-01/51, 856-073-01/58, 856-074-01/45; 856-075-01/57, 856-081-01/11, 856-082-01/44, 856-083-01/46, 856-084-01/37, 856-085-01/41, 856-086-01/37, 856-091-02/11, 856-092-01/42, 856-093-01/25, 856-094-01/34, 856-095-01/62, 856-096-01/57, 856-097-01/34, 856-098-01/37	William Fleissig	222
<b>Saddleback Valley Christian School</b>	San Juan Capistrano	121-070-57, 67, 68	Ed Sauls and Ed Carney Saddleback Valley Christian School	67.9
<b>Sky Ranch</b>	Trabuco	842-021-4, 05, 07, 08 and 842-031-04, 05, 08, 09	Dave and Michael Eadie	526.9
<b>Takahashi (Baker Square LLC)</b>	Cleveland Nat'l Forest	105-051-12	Carl Reinhart	643
<b>Watson</b>	Trabuco	858-021-10, 11	Dave and Michael Eadie	98.3

## 8. Adjournment

Closed session adjourned at approximately 11 a.m. and there were no further actions reported in public session.