

**AGENDA**  
**NEWPORT BAY WATERSHED EXECUTIVE COMMITTEE**  
Regular Meeting

October 20, 2010  
1:30 - 3:30 p.m.

Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618-3102

**John M. W. Moorlach, Chair**  
County of Orange

**Peer Swan, Vice Chair**  
Irvine Ranch Water District

**Kathryn McCullough**  
City of Lake Forest

**Claudia Alvarez**  
City of Santa Ana

**John Nielsen**  
City of Tustin

**Fred Ameri**  
Santa Ana Regional Water Quality Control  
Board

**Ed Pert**  
California Department of Fish and Game

**Nancy Gardner**  
City of Newport Beach

**Christina Shea**  
City of Irvine

**Wendy Leece**  
City of Costa Mesa

**Sat Tamaribuchi**  
The Irvine Company

[http://www.ocwatersheds.com/NewportBay\\_ExecComm.aspx](http://www.ocwatersheds.com/NewportBay_ExecComm.aspx)

The Newport Bay Watershed Executive Committee welcomes you to this meeting and encourages your participation. This agenda contains a brief general description of each item to be considered. Except as otherwise provided by law, no action shall be taken on any items not appearing in the following agenda. However, items may be taken up in a different sequence. Any member of the public may ask the Executive Committee to be heard on the following items, as those items are called. Those persons addressing the Executive Committee are requested to give their names for the record.

**WELCOME, INTRODUCTIONS, AND PLEDGE OF ALLEGIANCE**

Discussion Calendar

**ITEM # 1. MINUTES OF THE AUGUST 18, 2010 MEETING**

Recommended Action:

Approve the minutes of the August 18, 2010 meeting.

**ITEM # 2. ORANGE COUNTY TRANSPORTATION AUTHORITY'S ENVIRONMENTAL CLEANUP PROGRAM**

Garry Brown, Chairman of OCTA's Environmental Cleanup Committee, will provide an update of the water quality grant programs from OCTA.

Recommended Action: Receive and file.

**ITEM # 3. UPDATE ON NEW SELENIUM TOTAL MAXIMUM DAILY LOAD**

Wanda Cross, Santa Ana Regional Water Quality Control Board, will present a status update on the proposed revisions to the Total Maximum Daily Load for selenium in the Newport Bay Watershed.

Recommended Action: Receive and file.

**ITEM # 4. CIENEGA SELENIUM AND NITROGEN REMOVAL PROJECT**

Paul Weghorst and Fiona Sanchez, Irvine Ranch Water District, will provide a status update on the development of the Cienega Filtration Project.

Recommended Action: Receive and file.

**ITEM # 5. UPDATE ON MANAGEMENT COMMITTEE WORK EFFORTS**

Staff will present an update on current work efforts underway by the Management Committee.

Recommended Action: Receive and file.

Consent Calendar, Items 6-7

The Staff Report contains written updates on projects. All matters are approved by one motion unless pulled by a Board Member for discussion for separate action. At this time, any member of the public may ask the Board to be heard on any item on the Consent Calendar.

**ITEM # 6. UPDATE ON ONE WATER-ONE WATERSHED PLAN**

Staff will present an update on the project prioritization process for the OWOW Integrated Regional Water Management Plan.

Recommended Action: Receive and file.

**ITEM # 7. COMPLETION OF THE UPPER NEWPORT BAY ECOSYSTEM RESTORATION PROJECT**

Recommended Action: Receive and file.

**ITEM # 8. EXECUTIVE COMMITTEE MEMBER COMMENTS**

**ITEM # 9. PUBLIC COMMENTS**

At this time, members of the public may address the Executive Committee regarding the subject matter jurisdiction of the Executive Committee, provided that no action may be taken on the agenda items unless authorized by law. Comments shall be limited to five minutes per person and twenty minutes for all comments, unless otherwise set by the Chair subject to the approval of the Executive Committee.

**ITEM # 10 ADJOURNMENT**

Next meeting date:

December 15, 2010

1:30 - 3:30 PM

Irvine Ranch Water District, 15600 Sand Canyon Avenue, Irvine, CA

**NEWPORT BAY WATERSHED EXECUTIVE COMMITTEE**  
**Draft Meeting Minutes**

**Date and Location:** August 18, 2010 – 1:34 p.m. – 3:26 p.m.  
Boardroom of the Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618-3102

**Participants:** John M. W. Moorlach, Board of Supervisors and Committee Chair  
Fred Ameri, Santa Ana Regional Water Quality Control Board  
Nancy Gardner, City of Newport Beach  
Paul Jones, Irvine Ranch Water District  
Wendy Leece, City of Costa Mesa  
Michele Martinez, City of Santa Ana  
Kathryn McCullough, City of Lake Forest  
Christina Shea, City of Irvine  
Sat Tamaribuchi, The Irvine Company

**Agenda Item 1 – Welcome & Introductions**

The meeting was called to order by Chair Mr. Moorlach at 1:34 p.m. followed by self-introductions. Mr. Moorlach also welcomed Ms. Martinez, alternate member for the City of Santa Ana.

**Agenda Item 2 – Minutes from June 16, 2010 meeting**

The minutes of the June 16, 2010, meeting were presented to the Executive Committee.

*Motion: Approve minutes for June 16, 2010*

*First/Second: Ms. Sheal/Ms. Gardner*

*Outcome: Approved*

**Agenda Item 3 – Santa Ana Funding Area Proposition 84 Efforts**

Ms. Celeste Cantu, General Manager from Santa Ana Watershed Project Authority (SAWPA) presented an overview on the One Water One Watershed (OWOW) integrated regional water management plan and the current Project Evaluation Process. Mr. Cantu described the water management strategies of the plan and the components for an ideal OWOW project. SAWPA received 297 projects from 64 sponsors to be included in the plan at a total cost of \$3.6 billion; the funding request for all projects totals \$1.7billion. Ms. Cantu also provided some insight on how the OWOW Steering Committee will utilize requirements from Proposition 84 to rank projects in the plan. There are four major components:

1. Establish evaluation criteria and relative weights for each criterion
2. Define performance indicators and score projects
3. Multiply score by weight of importance of criteria, and
4. Rank projects.

Following her presentation Ms. Cantu invited all to attend the next Project Ranking Public Hearing conducted by the OWOW Steering Committee scheduled for August 26, 2010. All projects are posted on the SAWPA website and comments on these various projects are always welcome. There will be two subsequent meetings on September 23 and 30<sup>th</sup> to begin discussions of which projects to submit for the first round of integrated plan implementation grant.

Mr. Ameri asked what the guidelines are for prioritizing the projects. Ms. Cantu shared that the projects are being objectively analyzed for project benefits such as the amount of recycling, pollutant removal, habitat restoration and environmental restoration. Ms. Gardner asked what the next steps are beyond bond money. Ms. Cantu replied that working together will benefit all in the long run with achieving future goals since it is harder to obtain funding for stand alone projects. Ms. Gardner asked if there is someone in SAWPA that will be monitoring or comparing all projects to find more collaborative or more synergistic ways that we can all work together. Ms. Cantu shared that that responsibility will fall within each individual organization. Mr. Moorlach thanked Ms. Cantu for coming to the meeting and providing such useful information to all.

*Motion: Receive and file*  
*First/Second: Mr. Ameri/ Ms. Shea*  
*Outcome: Approved*

#### **Agenda Item 4 – San Diego Creek Flood Control Channel Design Capacity**

Mr. Phil Jones, P.E., Manager from OC Public Works Flood Control Design provided a comprehensive report, as requested by the Committee in the previous meeting, with detailed information regarding the history of San Diego Creek Flood Channel and the flood capacities there. Ms. Shea shared her appreciation for the County's hard work and effort for the past eight years. She noted that the presentation provided a more thorough understanding of the type of work that is involved with maintaining the creek and obtaining permits for the work. Ms. Leece asked what the next mandate was in order to be in compliance. Mr. Jones shared that they developed an operations and maintenance plan to control the vegetation and sediment in the facility that they hope to be able to implement by March 2011, this way enabling them to actively maintain the facility will assure that its 100 year flood capacity is met. Ms. Gardner asked if the operations maintenance manual is approved how long will it be before the permits have to be renewed. Mr. Jones is hoping that they may approve the permits for ten years. Normally it is a five-year period but the determination has not yet been made by the regulatory agencies. The Committee thanked Mr. Jones for his time and asked that the presentation be posted on the OC Watersheds website.

*Action Item: Post both presentations on the OC Watersheds website.*

*Motion: Receive and File*  
*First/Second: Mr. Moorlach/ Ms. Leece*  
*Outcome: Approved*

### **Agenda Items 5 – 9 Consent Calendar**

Ms. Leece noted that the City of Costa Mesa is not party to the sediment agreement and maintains a neutral position in decisions associated with sediment concerns in the bay.

*Motion: To approve Consent Calendar*  
*First/Second: Mr. Moorlach/ Ms. McCullough*  
*Outcome: Approved*

### **Agenda Item 10 – Executive Committee Comments**

None

### **Agenda Item 11 – Public Comments**

Mr. Irwin Haydock advised the Committee that there is a grant available to fund a watershed coordinator through the Department of Conservation. The due date is in October.

### **Agenda Item 12 – Adjournment**

Meeting adjourned at 3:26 p.m.

Next meeting date:

October 20, 2010

1:30 – 3:30pm

Irvine Ranch Water District, 15600 Sand Canyon Avenue, Irvine, CA

**Attendees:** Blake Anderson, Newport Bay Naturalist and Friends  
Doug Anderson, City of Tustin  
Dennis Baker, Newport Bay Naturalists and Friends  
Patrick Bauer, City of Costa Mesa  
Vincent Gin, OC Public Works/OC Engineering  
Darren Haver, UC Cooperative Extension  
Irwin Haydock, Resident  
Matthew Hicks, Townsend Public Affairs  
Phil Jones, County of Orange  
John Kabashima, UC Cooperative Extension  
Nardy Khan, County of Orange  
Jack Keating, Newport Bay Naturalists & Friends  
Dean Kirk, The Irvine Company  
Sonica Kohli, County of Orange  
Nadeem Majaj, County of Orange  
Lyndine McAfee, Nature Reserve of Orange County  
Larry McKenney, RBF Consulting  
Joe Parco, City of Santa Ana  
Danielle Richards, County of Orange

Doug Shibberu, Santa Ana Regional Water Quality  
Mark Tetterer, Irvine Ranch Water District  
Alex Waite, City of Tustin  
Denise Weaver, County of Orange  
David Webb, City of Newport Beach  
Greg Woodside, Orange County Water District

**Committee Staff, County of Orange:**

Amanda Carr  
Chris Crompton  
Jamie Habben  
Betty Ruano  
Mary Anne Skorpanich  
Marilyn Thoms



STAFF REPORTS  
NEWPORT BAY WATERSHED EXECUTIVE COMMITTEE  
OCTOBER 20, 2010

**ITEM # 1. MINUTES OF THE AUGUST 18, 2010 MEETING**

**Recommended Action:** Approve the minutes of the August 18, 2010 meeting shown in Attachment A.

**ITEM # 2. ORANGE COUNTY TRANSPORTATION AUTHORITY'S ENVIRONMENTAL CLEANUP PROGRAM**

Mr. Garry Brown, Chair of the OCTA Environmental Allocation Committee, will present an overview of the Committee's work on two upcoming grant programs. An extension of Measure M, the sales tax initiative for transportation, was approved by Orange County voters with funds for addressing existing water quality problems. The Environmental Allocation Committee is developing two grant programs to be described in the presentation.

**Recommended Action:** Receive and file.

**ITEM # 3. UPDATE ON NEW SELENIUM TOTAL MAXIMUM DAILY LOADS**

Ms. Terri Reeder, staff with the Santa Ana Regional Water Quality Control Board, will provide a brief status report on the development of state selenium Total Maximum Daily Loads (TMDLs) and site-specific objectives (SSOs) for the Newport Bay Watershed, including Big Canyon Wash. The Santa Ana Basin Plan would be amended to incorporate tissue-based selenium objectives specific to these watersheds; the SSOs would then become the basis of the targets and allocations established in the TMDLs.

The Regional Water Board selenium TMDLs would replace the selenium TMDLs that were promulgated by U.S. Environmental Protection Agency (USEPA) in June 2002. Unlike the USEPA TMDLs, the Regional Board's TMDLs will include an implementation plan. The selenium TMDLs and SSOs are currently planned to be considered by the Santa Ana Regional Water Board mid-2011. They will become effective once approved by the State Water Resources Control Board, state Office of Administrative Law and the USEPA.

**Recommended Action:** Receive and file

#### **ITEM # 4. CIENEGA SELENIUM AND NITROGEN REMOVAL PROJECT**

Upper Newport Bay is a significant ecological and recreational resource in Orange County, California. The Newport Bay Watershed encompasses 154 square miles; the San Diego Creek Watershed at 122 square miles constitutes about 80% of the same area. The watershed is undergoing urbanization from what was previously open and agricultural use. The Santa Ana Regional Water Quality Control Board (Regional Board) has identified sediments, nutrients, pathogens and toxic pollutants (including selenium) as impairing beneficial uses in Upper Newport Bay and San Diego Creek. The Cienega Project is part of the Irvine Ranch Water District's Natural Treatment System (NTS) which is designed to remove sediment, nutrients, pathogens and other contaminants from dry weather runoff and help prevent these contaminants from reaching the biologically sensitive Upper Newport Bay. The purpose of the Cienega Project is to remove selenium and nitrogen from surface water in Peters Canyon Wash before entering Upper Newport Bay via San Diego Creek.

The Project is located along the east edge of Peters Canyon Channel near the intersection of Harvard Avenue and Barranca Parkway in Irvine. This is an ideal location for the facility because it is downstream from most of the marshy lowland area yet upstream from Upper Newport Bay. The Project is designed to be a cornerstone in a regional cooperative effort to improve water quality in Newport Bay and to comply with existing NPDES permit and TMDL requirements that are being implemented by the EPA and RWQCB. The Project will assist local agencies in the regional effort to reduce selenium and nutrients as required by the EPA and the RWQCB.

IRWD has spent a number of years evaluating alternatives for the removal of selenium in surface waters that discharge into the Upper Newport Bay. Beginning with the NTS Master Plan in 2005, bench test studies were performed and a subsurface rock filter design was recommended for pilot testing the removal of selenium. In 2006, a demonstration project was constructed at the current project site at Peters Canyon Wash. In early 2010, a detailed evaluation of the rock filter performance by Geosyntec consultants concluded that this demonstration facility decreased selenium concentrations, but recommended that several modifications to improve operations. Based on that recommendation, a prescreening analysis of three alternative treatment systems was performed by HDR consultants in 2010. Based on economic and non-economic evaluations, HDR recommended the ABMet system as the most reliable and cost-effective approach to implementing a full-scale selenium removal project. In addition, the ABMet system offered the lowest risk that and included a process guarantee. HDR completed the project design report for the Project on July 23, 2010.

The total project construction costs, including design, are estimated to be approximately \$19.8 million. The Project was selected to receive federal funding of 25 percent of costs up to a maximum of \$5.5 million through ARRA. Other potential grant funding sources that

have been identified include Measure M Tier II or Proposition 84 grants. Any remaining capital cost is expected to be provided through funding partnerships with dischargers who must comply with NPDES permit and TMDL regulatory requirements.

In August 2010, IRWD’s Board approved a contract award to HDR consultants to complete project design, and to ESA consultants to prepare an Addendum to the NTS Environmental Impact Report for the Project. Any decision to move forward with the construction of the Project will be dependent upon the development of the funding agreements and receipt of commitment letters from project participants, as well as any supplemental grant funding.

**Recommended Action:** Receive and file.

**ITEM # 5. UPDATE ON MANAGEMENT COMMITTEE WORK EFFORTS**

The Management Committee has been working on several issues, including direction from the Executive Committee’s June 16, 2010, discussion of the Sediment Management Program shown in the table below.

<p>Obtain cost estimates for a long term study of the viability of In-Channel Basin 1. Send letter to Regional Water Quality Control Board requesting removal of Basin 1 maintenance requirements from the Sediment Total Maximum Daily Load (TMDL).</p>	<p>In progress.</p> <ul style="list-style-type: none"> <li>• Initial discussion held with Regional Board staff about modifying the TMDL to exclude maintenance of In-Channel Basin 1. Letters are being prepared outlining proposed modifications to the Sediment TMDL and to the sediment monitoring requirements.</li> <li>• Study costs are estimated at \$30-\$50,000. Need for the study will be determined based on the Regional Board’s requirements for additional analysis.</li> </ul>
<p>Discuss expanding cost share partners to the Sediment Control Program Agreement.</p>	<p>In progress. Initial discussions were held.</p>
<p>Provide a management plan and a proposed budget for including the Borrego Canyon Wash and the Serrano Creek Stabilization Projects in Implementation Agreement D98-034.</p>	<p>In progress. Management Committee reviewed cost estimates for both projects.</p>

Prepare funding options and a payment plan for including the balance of the local cost share for the Upper Newport Bay Ecosystem Restoration Project in the sediment control implementation agreement.	Completed. Payment was due in August 2010 and the County of Orange funded approximately \$1.8 million for the completion of the project.
Conduct an assessment of long term funding options for future maintenance dredging of Upper Newport Bay.	Deferred until next year

Members of the Management Committee are participating with other cost-share partners for the Nutrient, Fecal Coliform, and Toxics TMDL in two studies to be initiated this year. The first study is a two-phase investigation of hydrologic dynamics of the watershed to better understand how to address selenium. The first phase is a water balance investigation to identify inputs of water such as irrigation and rainfall and their relative effects on rising groundwater. In the second phase of this study, the exchange between groundwater and surface water will be modeled. This model, combined with data on selenium concentrations in groundwater, will help inform the most cost effective placement of selenium treatment systems. The two phases are anticipated to be completed over a three-year period.

Management Committee members are also participating in another subcommittee of TMDL cost-share partners for a long term funding study to identify new potential revenue sources for water quality compliance programs. This funding study is also anticipated to be a multi-year effort. Finally, the Management Committee has begun planning future agenda topics for 2011 that will be presented to the Executive Committee for consideration.

**Recommended Action:** Receive and file.

#### CONSENT CALENDAR, ITEMS 6-7

The Staff Report contains written updates on projects. All matters are approved by one motion unless pulled by a Committee Member for discussion for separate action. At this time, any member of the public may ask the Committee to be heard on any item on the Consent Calendar.

**Recommended Action:** Receive and file staff reports for Items 5 and 6.

**ITEM # 6. UPDATE ON ONE WATER-ONE WATERSHED PLAN**

Ms. Celeste Cantu, General Manager of SAWPA, provided an overview of the One Water One Watershed (OWOW) integrated regional water management planning efforts at the August 18, 2010, meeting. SAWPA's call for concept proposals deadline was June 30, 2010 and they received 297 completed applications from 64 agencies with a total project cost of \$3,558,764,373. Total funding requested by the applicants was \$1,735,825,400. Agencies in the Santa Ana Funding Area from North and Central Orange County submitted 118 of those projects. Projects were ranked using the following rating criteria:

• Water supply benefits	22%
• Water quality/salt management benefits	12%
• Cost effectiveness	12%
• Restoration/flood management benefits	10%
• Active partnerships	9%
• Project readiness	9%
• Natural hydrology and land use	8%
• Cost match	7%
• Watershed-focused recreation benefits	5%
• Environmental justice and tribe benefits	4%
• Climate change	2%

From the 297 ranked projects in the plan, projects were screened for potential funding in the first funding cycle of IRWMP grants from Proposition 84. Approximately \$12 million is available in the first cycle for the Santa Ana Region. Steps for screening were as follows:

- Minimum readiness of 30% of plans completed (135 projects)
- Maximum of one project per project proponent (35 projects)
- Project and scoring review of the top 25 projects by an Independent Panel, with some scores revised based on this review

Three portfolios of projects were prepared for funding consideration by the OWOW Steering Committee. The three portfolios were determined by limiting the maximum grant award to 10 percent (11 projects), 17.5 percent (7 projects), or 25 percent (6 projects) of the \$12 million available. The Steering Committee solicited comments through the OWOW website and held a public hearing on September 23, 2010, to receive oral comments. At their meeting on September 30, 2010, the Steering Committee approved a strategy to limit projects to no more than \$1 million, resulting in the list of 13 projects shown in the table below as Portfolio 4.

The SAWPA Commission will ratify the list of projects approved by the OWOW Steering Committee. The grant application is due in January, 2011, to the California Department of Water Resources.

OWOW Project List for Funding

Reducing cap to \$1M will fund 13 projects (2 additional)

Ranking	Project No	Agency	Project cost	Requested Proposition 84 amount	PORTFOLIO 3 Requested amount with \$1.2M cap	PORTFOLIO 4 Requested amount with \$1.0M cap
1	1190	San Bernardino County Flood Control District	\$ 10,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
2	1272	Santa Ana Watershed Project Authority	\$ 8,600,000	\$ 2,000,000	\$ 1,200,000	\$ 1,000,000
3	1211	Orange County Sanitation District (OCSD)	\$ 100,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
4	1171	Eastern Municipal Water District	\$ 12,900,000	\$ 3,000,000	\$ 1,200,000	\$ 1,000,000
5	1240	Western Municipal Water District	\$ 6,700,000	\$ 1,675,000	\$ 1,200,000	\$ 1,000,000
6	983	City of Huntington Beach	\$ 5,500,000	\$ 3,200,000	\$ 1,200,000	\$ 1,000,000
7	1250	City of Ontario	\$ 20,000,000	\$ 10,000,000	\$ 1,200,000	\$ 1,000,000
8	1015	City of Menifee	\$ 6,000,000	\$ 3,500,000	\$ 1,200,000	\$ 1,000,000
9	1227	West Valley Water District	\$ 1,500,000	\$ 1,200,000	\$ 1,200,000	\$ 1,000,000
10	1136	Orange County Water District	\$ 23,218,000	\$ 5,804,500	\$ 1,200,000	\$ 1,000,000
11	1082	City of Corona	\$ 800,000	\$ 400,000	\$ 400,000	\$ 400,000
12	1278	Irvine Ranch Water District	\$ 38,000,000	\$ 3,000,000		\$ 1,000,000
13	1016	Santa Ana Watershed Association	\$ 1,167,846	\$ 875,000		\$ 600,000

**ITEM # 7. COMPLETION OF THE UPPER NEWPORT BAY ECOSYSTEM RESTORATION PROJECT**

Upper Newport Bay is one of the last remaining coastal wetlands in Southern California that continues to play a significant role in providing critical habitat for a variety of migratory waterfowl, shorebirds, and endangered species of birds and plants. The Upper Newport Bay Ecological Restoration Project will ensure the long-term viability of this diverse salt marsh ecosystem.

This project will restore endangered species habitats and improve sediment-trapping basins that will comply with the requirement of the Sediment TMDL promulgated by the Regional Water Quality Control Board and at the same time provide a mixture of critical habitats required by the Resources Agencies. The U.S. Army Corps of Engineers is providing 65 percent of the federal cost share. The County of Orange along with the Department of Fish and Game are the local sponsors. The State of California has allocated \$13 million for the project as part of the local cost share. The primary objectives of the project are to manage sedimentation within the Bay by increasing the capacity of sediment basins, restoring and enhancing estuarine habitats, and improving educational and recreational opportunities.

A construction contract for Phase I was awarded on September 26, 2005. The authorized project entails dredging access channels and two sediment basins; removal of a least tern island in Basin I and reconstruction of the island adjacent to Basin II; restore side channels around New, Middle and Shellmaker Islands; and, restore wetland habitat near Northstar Beach. Approximately 2.3 million cubic yards of material will be dredged, of which 2 million cubic yards will be placed at the LA-3 ocean disposal site. The Phase I work was completed in July, 2009.

October Update: The contractor completed Phase II work on September 4, 2010. Clean up will continue until the contractor's contract expires on October 31, 2010, with close-out expected 90 days thereafter. A Ribbon Cutting has been scheduled for November 6, 2010 and will be attended by U.S. Senator Feinstein.

**ITEM # 8. EXECUTIVE COMMITTEE MEMBER COMMENTS**

**ITEM # 9. PUBLIC COMMENTS**

At this time, members of the public may address the Executive Committee regarding the subject matter jurisdiction of the Executive Committee, provided that no action may be taken on the agenda items unless authorized by law. Comments shall be limited to five

minutes per person and twenty minutes for all comments, unless otherwise set by the Chair subject to the approval of the Executive Committee.

## **ITEM # 12. ADJOURNMENT**

Next meeting date:

December 15, 2010

1:30 – 3:30 PM