

## Attachment A

### NEWPORT BAY WATERSHED EXECUTIVE COMMITTEE Draft Meeting Minutes

**Date and Location:** December 15, 2010, 1:42 p.m. – 3:23 p.m.  
Newport Beach Public Library  
1000 Avocado Avenue, Newport Beach, CA 92660

**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  
Kathryn McCullough, City of Lake Forest  
John Nielsen, City of Tustin  
Mike Loving, City of Irvine  
Paul Jones, Irvine Ranch Water District  
Sat Tamaribuchi, The Irvine Company

#### **Agenda Item 1 – Minutes of the October 20, 2010 Meeting**

The minutes of the October 20, 2010, meeting were presented to the Executive Committee.

*Motion:* Approve minutes for October 20, 2010

*First/Second:* Ms. Gardner/Mr. Tamaribuchi

*Outcome:* Approved

#### **Agenda Item 2 – Update on Nitrogen and Selenium Management Program Best Management Practice (BMP) Strategic Plan**

Amanda Carr presented an update on the Nitrogen & Selenium Management Program to the Committee. This overview covered the following areas:

- Time Schedule Order
- NSMP Dischargers/Strategic Plan Parties
- BMP Strategic Plan Purpose and Vision
- Structure of Strategic Plan
- Early Action Tasks
- Phase I – Phase II
- Next Steps to be taken

Following the presentation, Ms. Gardner thanked the County of Orange for including the idea of possibility utilizing a groundwater replenishment system in the future. Mr. Ameri expressed his satisfaction with the progress of this strategic plan. Mr. Tamaribuchi suggested that the Committee's focus should be on working with the Regional Board during the next seven years collecting the science and data analysis to help determine what the real impacts on birds and

fish are in this watershed. Ideally we will be able to conclude that few if any other treatment projects will be needed. Mr. Tamaribuchi also suggested that a letter be prepared by the County and Cities requesting endorsements to allow funding for the Cienega Project.

### **Agenda Item 3 – Cienega Selenium and Nitrate Removal Project**

Paul Jones provided a brief update on the Cienega Selenium and Nitrate Removal Project. The following topics were covered:

- Project Update
- Development Activities
- Regulatory Compliance
- Funding
- Project Implementation Step and Schedule

During the discussion of the funding plan, Ms. Garner expressed her concern about not having the proper support in the future if issues should arise with Big Canyon Wash. She mentioned that her City is willing to contribute financially and supports resolving these upstream issues but would like some reassurance that the stakeholders will participate in whatever projects might be needed there. Ms. Skorpanich noted that the goal has always been for the partners to work on solutions for the whole watershed.

Ms. McCullough also expressed her concerns about not having the proper solutions implemented in Serrano and Borrego Creek. She would like updates on these two creeks before any other contributions are asked from Lake Forest. Ms. Skorpanich will provide an update on status report and timeline on these creeks at the next meeting.

City of Costa Mesa's comments on this topic were presented by Patrick Bauer:

- Costa Mesa believes the Cienega project proposed by Irvine Ranch Water District (IRWD), is a viable project to address nutrient and selenium concerns in the Newport Bay Watershed. However, the timeline proposed to ensure capturing Bureau of Reclamation grant monies is very aggressive given the economic conditions.
- Costa Mesa is requesting a presentation at a City Council meeting by technical staff from IRWD and the Regional Board explaining the need, the City's funding commitment, and direct benefits to the City.
- Costa Mesa requests confirmation in writing from the Regional Board indicating compliance with the Selenium and Nutrient TMDLs if this project is constructed.
- Costa Mesa requests continued refinement of the cost share formula, putting more responsibility on Orange County Flood Control District. Costa Mesa's contribution of selenium has been measured in the Santa Ana Delhi channel which is not owned or maintained by the City of Costa Mesa. Costa Mesa has no long term dewatering

projects, nor has any data been provided indicating high levels of selenium originating from City owned infrastructure. Currently there are no short term dewatering construction projects requiring dewatering in this watershed.

- Costa Mesa commits to continue working with County staff to determine a fair and equitable cost share formula. The City requests confirmation of removal of State land (OC Fairgrounds, Fairview Hospital) along with CalTrans right of way and Toll Road right of way from the cost share formula.
- Under the current operations and maintenance proposal, Costa Mesa would continue to be impacted with these costs due to lack of service coverage in the watershed from IRWD. This costs need to be clearly determined and made part of the above-mentioned presentation to City Council.

#### **Agenda Item 4 – 2011 Meeting Dates**

Meeting dates for 2011 were approved as follows:

February 16  
April 20  
June 15  
August 17  
October 19 (optional, as needed)  
November 16

#### **Agenda Item 5 – Executive Committee Member Comments**

Ms. Gardner would like to discuss during the next meeting the Committee's participation with SAWPA and report on the grant distributions and also discuss whether or not Central Orange County should be its own region for Proposition 84 funding. Ms. Skorpanich replied that an opportunity for additional regions to be qualified by the state is not expected in the next six months, as suggested the April meeting for this topic. Mr. Jones wants to discuss the possibility of qualifying for the Tier II funding program through Measure M for the Cienega project.

#### **Agenda Items 6 – Public Comments**

Irwin Haydock thanked the Chair and requested permission to provide a presentation to the Committee sometime next year. Mr. Moorlach and the Committee agreed to this and the date set for Mr. Haydock's presentation is April 20, 2011. Dennis Baker also requested permission to provide a presentation which will be scheduled for the June 15, 2011.

#### **Agenda Item 7 – Adjournment**

Meeting adjourned at 3:23pm.

**Attendees:**

Alex Waite, City of Tustin  
Blake Anderson, Newport Bay Naturalist and Friends  
Danielle Richards, County of Orange  
David Webb, City of Newport Beach  
Dean Kirk, The Irvine Company  
Dennis Baker, Newport Bay Naturalists and Friends  
Doug Anderson, City of Tustin  
Dough Stack, City of Tustin  
Fiona Sanchez, Irvine Ranch Water District  
Gene Estrada, City of Orange  
Irwin Haydock  
Jack Keating, Newport Bay Naturalists & Friends  
Joe Parco, City of Santa Ana  
Mark Tettemer, Irvine Ranch Water District  
Mike Loving, City of Irvine  
Patrick Bauer, City of Costa Mesa  
Robert Woodings, City of Lake Forest  
Roger Mallett, Newport Bay Naturalists & Friends

**Committee Staff, County of Orange:**

Mary Anne Skorpanich  
Chris Crompton  
Amanda Carr  
Betty Ruano