

AGENDA
NEWPORT BAY WATERSHED EXECUTIVE COMMITTEE

December 19, 2018
1:30 – 3:30 p.m.

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

Peer Swan, Chair
Irvine Ranch Water District

Andrew Do, Vice Chair
County of Orange

Melissa Fox
City of Irvine

Dr. Allan Bernstein
City of Tustin

William von Blasingame
Santa Ana Regional Water Quality Control Board

Marshall Duffield
City of Newport Beach

Fuad Sweiss
City of Santa Ana

Allan Mansoor
City of Costa Mesa

Scott Voigts
City of Lake Forest

Dean Kirk
The Irvine Company

Carla Navarro
California Department of Fish and Wildlife

Meeting information available at
<http://ocwatersheds.com/programs/ourws/wmaareas/wmacentraloc/nbexeccomm>

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. No action shall be taken on any items not appearing in the following agenda except as otherwise provided by law. Any member of the public may ask the Executive Committee to be heard on the following items, as those items are called. To speak on an agenda item, please provide a speaker request card to the Committee Staff. To speak on a matter not appearing in the agenda, please provide a speaker request card to the Committee Staff indicating Public Comments.

Welcome and Pledge of Allegiance

- ITEM # 1. ACTION MINUTES OF THE SEPTEMBER 19, 2018 MEETING**
Recommended Action: Approve the action minutes of the September 19, 2018 meeting
- ITEM # 2. 2019 PROPOSED MEETING SCHEDULE**
Presented by: Amanda Carr, County of Orange
Recommended Action: Review, Comment and Approve
- ITEM # 3. 2018 YEAR-END SUMMARY AND TOPICS FOR 2019**
Presented by: Amanda Carr, County of Orange
Recommended Action: Receive, Comment, and Provide Direction
- ITEM # 4. INTEGRATED REGIONAL WATER MANAGEMENT STATUS FOR NORTH AND CENTRAL ORANGE COUNTY AND POTENTIAL GOVERNANCE MODELS**
Presented by: Christy Suppes, County of Orange
Recommended Action: Review, Comment and Provide Direction
- ITEM # 5. MITIGATION PROGRAM OVERVIEW OF SAN DIEGO CREEK**
Presented by: Jennifer Shook, County of Orange
Recommended Action: Receive and File
- ITEM # 6. EXECUTIVE OFFICER REPORT**
- ITEM # 7. EXECUTIVE COMMITTEE MEMBER COMMENTS**
- ITEM # 8. PUBLIC COMMENTS**
- ITEM # 9. ADJOURNMENT**

Meeting information, including presentations, is available upon request.

To obtain copies, contact Maria Tamez at (714) 955-0603 or Maria.Tamez@ocpw.ocgov.com

AGENDA STAFF REPORTS
NEWPORT BAY WATERSHED EXECUTIVE COMMITTEE
DECEMBER 20, 2018

DISCUSSION CALENDAR, ITEMS # 1 - 4

ITEM # 1. MINUTES OF THE SEPTEMBER 19, 2018 MEETING

Date and Location: September 19, 2018; 1:37 - 3:24 p.m.
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine, CA 92618

Audio recording for the September 19th meeting will be available [here](#). Recording times noted in the minutes correspond to that item on the recording

Welcome and Pledge of Allegiance (Recording: 00:00:09)

Roll Call/ Self-Introductions (Recording: 00:46)

Peer Swan, Chair	Irvine Ranch Water District
Chris Gaarder, <i>Alternate for Andrew Do, Vice Chair</i>	County of Orange
William von Blasingame	Santa Ana Regional Water Quality Control Board
Melissa Fox	City of Irvine
Fuad Sweiss	City of Santa Ana
Dean Kirk	The Irvine Company
Scott Voigts	City of Lake Forest
Amanda Carr, Executive Officer	County of Orange

1) Approval of Minutes (Recording: 00:01:25)

The minutes of the June 20, 2018 meeting were presented to the Executive Committee.

Recommended Action: Approve the minutes of the June 20, 2018 meeting

Motion: Approve minutes
First/Second: Duffy Duffield/Melissa Fox
Outcome: Approved unanimously

2) Confirm Date of December 2018 Meeting (Recording: 00:01:50)
Amanda Carr, County of Orange

Ms. Amanda Carr asked for direction regarding the alternate date for the December meeting; which was December 12. The Executive Committee decided to keep December 19 as scheduled.

Recommended Action: Provide Direction

Outcome: Approved unanimously

**3) Executive Committee Letter of Support for Requests to OWOW Steering Committee Regarding the OC Plan (Recording: 00:3:30)
Amanda Carr, County of Orange**

Ms. Amanda Carr presented the draft letter of support for requests made to the One Water One Watershed (OWOW) Steering Committee regarding incorporation of the OC Plan into the OWOW Plan; noting that the specific requests include: (1) incorporation of the OC Plan as a chapter, rather than an appendix; (2) that Orange County projects be evaluated through the OC Plan, rather than the OWOW Plan; and, (3) that Orange County be allocated 38% of the funding area's IRWM grant funds. Ms. Carr went on to explain that allocation of state IRWM funds is largely based on population; however, Orange County was not receiving a proportionate amount of that funding, even though the majority of the funding area population reside in Orange County.

Mr. Voigts asked what the full allocation is; Ms. Carr informed him that Orange County is seeking 38% of approximately 63 million dollars. Mr. Voigts asked what the expected cost of the OC Plan was. Ms. Carr informed him that the OC Plan is an umbrella process to determine which projects qualify for funding, but the plan itself does not have a cost attached to it.

Chair Swan provided a brief summary of the negotiations that have transpired with SAWPA, and reiterated that the County is seeking allocation of the grant funds according to the methodology the State uses.

Recommended Action: Review, Comment and Provide Direction

Motion: Approve letter of support for signature by Chair

First/Second: Peer Swan/Melissa Fox

Outcome: Approved unanimously

**4) Copper (Cu) Total Maximum Daily Loads (TMDLs) and Action Plans for Zinc, Mercury , Arsenic and Chromium for Newport Bay Status Update (Recording: 00:11:46)
Jayne Joy, Santa Ana Regional Water Quality Control Board**

Ms. Jayne Joy, Santa Ana Regional Water Quality Control Board, provided a status update on the Copper TMDLs and Action Plans for Zinc, Mercury, Arsenic and Chromium for Newport Bay. Ms. Joy explained that action plans are a way to evaluate and monitor; they have numeric targets, but they do not have enforceable allocations such as with a TMDL. Ms. Joy said that the Regional Board will continue to monitor and evaluate water, sediment and fish tissue, the results of which will inform whether follow up is necessary and whether additional action plans for other constituents would need to be developed. Board staff met with the major responsible parties to discuss the TMDLs and Action Plans. Due to the work that still needs to be done, the TMDLs and the Action Plan will not be adopted in October; instead, workshops will be held to provide further stakeholder input and review of the proposed approach.

Recommended Action: Receive and file

Motion: Receive and file
Objections: None
Outcome: Received and filed

**5) Overview of the Santa Ana-Delhi Diversion Project ([Recording: 00:44:45](#))
Tyrone Chesanek, City of Santa Ana**

Mr. Tyrone Chesanek, City of Santa Ana, provided an overview of the Santa Ana-Delhi Diversion Project. The Project is a collaboration between the Cities of Santa Ana, Newport Beach, and Costa Mesa, County of Orange, Orange County Water District, and Irvine Ranch Water District, with an approximate cost of 9 million dollars. Mr. Chesanek explained that the project is intended to address current and future TMDL requirements and remove significant amounts of trash and debris from the Bay, and noted that the area treated by the diversion includes portions of Santa Ana (65%), Costa Mesa, Newport Beach, and unincorporated Orange County. The project is 95% complete and is pending approval of Caltrans encroachment permits; project completion is expected at the end of 2018, at which time a ribbon cutting ceremony will be held

Recommended Action: Receive and file

Motion: Receive and file
Objections: None
Outcome: Received and filed

**6) Overview of the City of Newport Beach Eel Grass Management Plan
([Recording: 00:52:36](#))
Chris Miller, City of Newport Beach**

Mr. Chris Miller, City of Newport Beach, and Adam Gayle, Anchor QEA, provided an overview of the city's eelgrass program, which is currently in its third year. Mr. Miller explained that the eelgrass project is linked to the city's dredging permit, which allows dredging under residential boat slips and marinas within the bay. Mr. Miller explained that the Newport Specific Plan was developed to allow temporary impact, and specifies the maximum amount of dredging that may occur annually while ensuring sustained eelgrass habitat.

Recommended Action: Receive and file

Motion: Receive and file
Objections: None
Outcome: Received and filed

**7) Report of the Fecal Coliform TMDLs Stakeholder Process and Next Steps
([Recording: 01:17:47](#))
Amanda Carr, County of Orange**

Ms. Amanda Carr, County of Orange, provided an update on the Fecal Coliform TMDL Stakeholder Process. Over the course of eleven meetings, the Stakeholder Group addressed

various topics such as technical, scientific, and legal regulatory concerns in establishing a path of action to address the bacteria issues in Newport Bay, which fall into two distinct categories: a recreational standard and a shellfish beneficial use standard. Ms. Carr said that a statewide process establishing bacteria targets was also incorporated into the process. During this process, different regulatory alternatives were studied, such as whether a TMDL or an Action Plan would be more appropriate. Ms. Carr noted that the next steps include holding additional meetings involving the Newport Bay Watershed Management Committee, which will provide feedback on the proposed regulatory path and implementation plan.

Recommended Action: Receive and file

Motion: Receive and file
Objections: None
Outcome: Received and filed

**8) Executive Officer Report (Recording: 01:37:36)
Amanda Carr, County of Orange**

Ms. Amanda Carr, County of Orange, showed images of the progress of the 405 to 405 Project; 20,000 cubic yards were expected to be removed from the channel that week. Ms. Melissa Fox said that she was very impressed by the undertaking, since she has not experienced any major traffic disruptions.

Ms. Carr stated that the State Board was considering adoption of the Selenium TMDL on September 20, 2018. No comments were received, so it was listed as a consent item.

Ms. Carr thanked the City of Newport Beach and Mr. Dave Webb for providing the Regional Board and the County of Orange with a tour of the Newport Bay BMP highlights on August 26, 2018, which was very informative. Ms. Carr highlighted the Santa Ana-Delhi Diversion project in particular as a unique facility with many overlapping BMP elements.

9) Executive Committee Member Comments (Recording: 01:41:10)

Mr. Fuad Sweiss asked if there were any studies that monitored sea level rise, if not, which entity is in charge of such studies and how does it affect the programs that were presented during the meeting. Ms. Amanda Carr, County of Orange, responded by stating that Southern California Coastal Water Research Project (SCCWRP) and UCI are collaborating on a study funded by a NOAA grant, which will assess whether sediment transport within the watershed will mitigate sea level rise in sensitive habitat areas within the Bay. They provided a presentation to the Executive Committee when they began their study and will return to present the results once the study is complete. Mr. Sweiss stated that he previously served as a policy advisor on sea level rise for the Mayor of San Francisco and would be happy to provide his expertise on that subject matter.

10) Public Comments (Recording: 01:43:25)

Chair Swan opened the floor for public comment, and Ms. Hoiyin Ip presented her trash removal strategies on behalf of the Sierra Club.

11) Adjournments (Recording: 01:47:56)

Meeting adjourned at approximately 3:24 p.m. The next regular meeting is scheduled for December 19, 2018.

Non-Committee Attendees:

Alex Waite	City of Tustin
Dalton Kelly	City of Costa Mesa
Craig Foster	City of Santa Ana
Dave Webb	City of Newport Beach
Devin Slaven	City of Lake Forest
Doug Shibberu	Santa Ana Regional Water Board
Mark Tettermer	Irvine Ranch Water District
Tyrone Chesanek	City of Santa Ana
Garry Brown	Orange County Coastkeeper
Bryan Choi	City of Irvine
Susan Brodeur	OC Parks
Khalid Bazmi	County of Orange
Jamie Habben	County of Orange
Carl Cassidy	

Committee Staff: Amanda Carr, Chris Crompton, Christy Suppes and Maria Tamez

ITEM # 2. 2019 PROPOSED MEETING SCHEDULE

Amanda Carr, County of Orange

Recommended Action: Approve the proposed 2019 meeting dates of March 20, June 19, September 18, and December 18

ITEM # 3. 2018 YEAR-END SUMMARY AND TOPICS FOR 2019

Presentation by: Amanda Carr, County of Orange

Recommended Action: Review, Comment, and Provide Direction

Topics presented in 2018 included:

- IRWM updates
- Lower Newport Bay dredging
- 2016-17 Sediment TMDL Annual Report Findings
- San Diego Creek 405 to 405 Freeway Sediment Removal Project
- Peters Canyon Channel Water Capture and Reuse Pipeline Project
- Update on Copper TMDLs and Action Plans for Zinc, Mercury, Arsenic, and Chromium for Newport Bay

- Santa Ana Delhi Diversion Project
- City of Newport Beach Eel Grass Management Plan
- Fecal Coliform TMDL Stakeholder Process Update

The following meeting topics are proposed for presentation at one of the four meetings in 2019. Executive Committee members are encouraged to provide the Executive Director with any additional meeting topics. Additional topics/issues that arise during the year will be proposed and vetted through the Management Committee.

- 2017-18 Sediment TMDL Annual Report Findings
- Project Update: University of California Irvine Study: Development of Modeling Tools To Manage Sediment For Sustainable And Resilient Coastal Lowland Habitat In Southern California
- Project Update: San Diego Creek 405 to 405 Freeway Sediment Removal
- IRWM/Prop. 1 updates
- Update on Fecal Coliform TMDL Stakeholder effort
- Update on Copper TMDLs and Action Plans for Zinc, Mercury, Arsenic, and Chromium for Newport Bay
- Update of Organochlorine Compounds TMDL

ITEM # 4. INTEGRATED REGIONAL WATER MANAGEMENT STATUS FOR NORTH AND CENTRAL ORANGE COUNTY AND POTENTIAL GOVERNANCE MODELS

Presentation by: Christy Suppes, County of Orange

Recommended Action: Review, Comment, and Provide Direction

The OWOW Steering Committee has not yet made a determination on the July 2018 requests made by OCWD, OCSD, and the County of Orange regarding incorporation of The OC Plan into the OWOW Plan. In order to maintain eligibility for the North and Central Watershed Management Areas (WMAs) to apply for Department of Water Resources (DWR) funding in the first round of Prop. 1 grants as an independent IRWM Region, a Region Acceptance Process (RAP) application was submitted to DWR on November 21. A decision on the RAP application is expected by the end of the year.

In preparation for approval of the proposed North Orange County IRWM Region, County staff have begun evaluating options for an IRWM governance structure that will improve agency engagement, public participation opportunities, and the decision-making process. Proposed governance models include: (1) the creation of an Executive Committee for the North WMA (to parallel the Newport Bay Watershed Executive Committee) and an IRWM coordinating committee comprised of representatives from the Executive Committees of each WMA; or, (2) the creation of an IRWM steering committee that will include representation from each of the four watersheds in the Region.

DWR has released a draft Proposal Solicitation Process and Schedule for Prop. 1, Round 1 IRWM Grant Implementation funds. The schedule will be unique to each funding area, with the first grant applications anticipated to be submitted to DWR in April 2019. A call for projects

seeking Prop. 1 IRWM grant funding in North and Central Orange County is expected in mid-to late December.

CONSENT CALENDAR, ITEM #5

ITEM # 5. MITIGATION PROGRAM OVERVIEW OF SAN DIEGO CREEK

Presentation by: Jennifer Shook, County of Orange

Recommended Action: Receive and File

Ms. Shook will provide an overview of OC Public Works compensatory mitigation program with a focus on the ongoing vegetation management in San Diego Creek from MacArthur upstream to I-405. The presentation will include background on the mitigation buffer along the east bank of the channel, an outline of permitted maintenance activities within this section of channel, the current status of the federal and State-listed Endangered least Bell's vireo, and ongoing coordination with regulatory and resource agencies to maintain this portion of channel as a wildlife corridor.

ITEM #6. EXECUTIVE OFFICER REPORT

ITEM # 7. EXECUTIVE COMMITTEE MEMBER COMMENTS

ITEM # 8. PUBLIC COMMENTS

ITEM # 9. ADJOURNMENT

Next Meeting date: March 20, 2019