

**MEETING MINUTES
NPDES TECHNICAL ADVISORY COMMITTEE**

Date and Location: May 7, 2019, 2:00 – 3:30 p.m.
OC Public Works/OC Water and Recycling, Room 467
300 N. Flower St., Santa Ana, CA

ITEM # 1 Introductions

Amanda Carr, Technical Advisory Committee (TAC) Chair, County of Orange
Jim Merid, TAC Member, 2nd District, City of Huntington Beach
Frank Sun, TAC Member, 3rd District, City of Orange
Masoud Sepahi, TAC Member, 4th District, City of Placentia
Joe Ames, Alternate TAC Member, 5th District, City of Mission Viejo
Bret Plumlee, Orange County City Managers Water Quality Association – Water Quality Committee (OCCMA-WQC) Alternate Chair, City of Los Alamitos
Christa Johnson, OCCMA-WQC Member, City of Laguna Beach
Jill Ingram, OCCMA-WQC Member, City of Seal Beach
Lisa Zawaski, Alternate OCCMA-WQC Member, City of Dana Point

ITEM # 2 Approval of November 16 TAC Meeting Minutes

The January 17, 2019 meeting minutes were presented to the TAC.

TAC and OCCMA-WQC Recommended Action: Approve the January 17, 2019 meeting minutes.

Motion: *Approve meeting minutes.*

Outcome: *Approved unanimously.*

ITEM # 3 Legal Update

a) Julia Woo, County of Orange

Ms. Woo provided an overview of the proposed revised definition of Waters of the United States (WOTUS) and noted that the County submitted a comment letter on April 15 requesting clarification distinguishing the MS4 from WOTUS and point sources from WOTUS.

She then explained *Paradise Irrigation District v. Commission on State Mandates* and the opinion following rehearing, where the Court of Appeals affirmed the original opinion that the appellants have fee authority, even if they try and fail to impose the fee due to defeat by majority protest, and therefore cannot claim subvention. When asked if anyone has pursued stormwater fees by property lot, Ms. Woo noted that Los Angeles County pursued a stormwater parcel tax based on the impervious area.

Additionally, Ms. Woo touched on the *City of Duarte v. State Water Resources Control Board* and *City of Gardena v. Regional Water Quality Control Board, Los Angeles*, where the cities challenged the 2012 MS4 permit requirement for Water Quality-Based Effluent Limitations (WQBEL). This Permit requires numeric effluent limitations for municipal dischargers, whereas the Clean Water Act (CWA) does not. The Court found that the numeric WQBELs are more stringent than CWA requirements. The two cities were

instructed to submit proposed judgements, which redlined the numeric requirements, within 10 days of the April 18, 2019 ruling.

TAC and OCCMA-WQC Recommended Action: Receive and file.

Outcome: Received and filed.

ITEM # 4 FY 2019-20 NPDES Stormwater Program Shared Costs Budget and Programmatic Updates

a) Cindy Rivers and James Fortuna, County of Orange, OC Environmental Resources

Mr. Fortuna began the budget review by taking questions from TAC and OCCMA-WQC members. Referencing the budget versus expenditures table displaying years 2015 to 2020, Ms. Johnson asked if the budget included stormwater program training for municipal staff and where the budget line item was located for training. Mr. Fortuna confirmed that municipal staff training is included in the budget. Mr. Fortuna explained that there was not a specified line item amount for training in FY 2019-20, rather that the training budget was a portion of the \$250,000 overall program implementation budget. Mr. Fortuna also noted that multiple training activities were conducted in FY 2018-19, which totaled approximately \$100,000 in professional services costs.

As the alternate Chair for the OCCMA-WQC, Mr. Plumlee requested a summarized version of the budget via email, so he can share the information with the OCCMA. County staff agreed to provide a budget summary and noted it as an action item.

TAC and OCCMA-WQC Recommended Action: Recommend FY 2019-20 budget for approval.

Motion: Recommend FY 2019-20 budget for approval.

Outcome: Approved unanimously.

ITEM # 5 Selection of New Chair for the Orange County City Managers Association Water Quality Committee

a) Jacqueline Sedighi, County of Orange, OC Environmental Resources

The OCCMA-WQC members were given the opportunity to select a new Chair.

TAC Recommended Action: Select a Chair for the OCCMA-WQC.

Motion: Approve Bret Plumlee, City of Los Alamitos as Chair.

Outcome: Approved unanimously.

ITEM # 6 Adopt A Channel

a) Kimberly Buss, County of Orange, OC Environmental Resources

Ms. Buss began the presentation with a brief history of Adopt A Channel, including how it started after a successful pilot program with Disney. In December 2014, the Orange County Board of Supervisors approved the countywide Adopt A Channel program, and since then 13 adopters have committed to

keeping the County's channels, creeks, bays, and ocean clean. The program thus far has collected approximately 14,000 pounds of trash and covered more than 70,000 square feet of graffiti in adopted segments. Ms. Buss also added that interested parties can visit the [Adopt A Channel Story Map](#), which describes the program, benefits of channel adoption, adoption tasks, current adopted and available sites, and how to become an adopter.

Mr. Sepahi asked how the County created the interactive map, and Ms. Buss replied that it was created by County staff using an Esri product called ArcGIS StoryMaps. Additionally, Tom Oliver, City of Los Alamitos, and Mr. Plumlee asked if the County can present Adopt-A-Channel to the Orange County Waste Commission and other agencies to which Ms. Buss replied that the County is happy to present at Permittees' request. Ms. Carr added that, depending on the audience, the County can come prepared with specific channels available to adopt.

TAC and OCCMA-WQC Recommended Action: Encourage Permittees to promote Adopt-A-Channel

Outcome: Interested parties will reach out to County staff.

ITEM # 7 Comprehensive Human Waste Source Reduction Strategy Work Plan Update

a) Cindy Rivers, County of Orange, OC Environmental Resources

Ms. Rivers described the development process and methodology of the Comprehensive Human Waste Source Reduction Strategy (CHWSRS) Work Plan, which will guide efforts to reduce pathogen health risk. Work Plan development thus far has been coordinated through the Management Committee for the South OC WMA Integrated Regional Water Management group, and water and wastewater agencies and public stakeholder have provided input on the proposed approach. The CHWSRS Work Plan uses a tiered approach outlining a step-by-step process for delineating catchments, assessing beach water quality data, prioritizing catchments, conducting source investigation monitoring, and performing source abatement and follow-up monitoring. Mr. Merid asked if the County coordinated with the water and wastewater agencies through a cooperative agreement and what was their level of involvement, to which Ms. Rivers responded that they were unresponsive at first but showed concern after reviewing the initial prioritization map. They have since reviewed the draft CHWSRS Work Plan multiple times through the Management Committee meetings.

TAC and OCCMA-WQC Recommended Action: Receive and file.

Outcome: Received and filed.

ITEM # 6 Written Reports

TAC Recommended Action: Receive and file.

Outcome: Received and filed.

ITEM # 7 TAC Member Comments

No TAC member comments.

ITEM # 8 Public Comments

No public comments.

ITEM # 9 Adjournment

Chair, Amanda Carr adjourned the meeting.

OTHERS IN ATTENDANCE

County Representatives

Chris Crompton, County of Orange
Grant Sharp, County of Orange
Cindy Rivers, County of Orange
James Fortuna, County of Orange
Jacqueline Sedighi, County of Orange
Andy McGuire, County of Orange

Permittee Representatives

Kim Buss, County of Orange, County Compliance
Alex Waite, City of Tustin
Thomas Lo, City of Irvine
Tom Oliver, City of Los Alamitos
Craig Foster, City of Santa Ana
Tom Herbel, City of Huntington Beach
Devin Slaven, City of Lake Forest