

AGENDA
NEWPORT BAY WATERSHED EXECUTIVE COMMITTEE

September 18, 2019
1:30 – 3:30 p.m.

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

Peer Swan, Chair
Irvine Ranch Water District

Michelle Steel, Vice Chair
County of Orange

Farrah N. Khan
City of Irvine

Dr. Allan Bernstein
City of Tustin

William von Blasingame
Santa Ana Regional Water Quality Control Board

Duffy Duffield
City of Newport Beach

Fuad Sweiss
City of Santa Ana

Katrina Foley
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 JUNE 19, 2019 MEETING**
Recommended Action: Approve the action minutes of the June 19, 2019 meeting
- ITEM # 2. UPDATES ON SELENIUM, ORGANOCHLORINE COMPOUNDS, AND FECAL COLIFORM TMDLS**
Presented by: Jian Peng, County of Orange
Recommended Action: Receive and File
- ITEM # 3. DWR FEEDBACK ON NORTH AND CENTRAL ORANGE COUNTY IRWM PROJECTS**
Presented by: Christy Suppes, County of Orange
Recommended Action: Receive and File
- ITEM # 4. EXECUTIVE OFFICER REPORT**
- ITEM # 5. EXECUTIVE COMMITTEE MEMBER COMMENTS**
- ITEM # 6. PUBLIC COMMENTS**
- ITEM # 7. 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
SEPTEMBER 18, 2019

ITEM # 1. MINUTES OF THE JUNE 19, 2019 MEETING

**ACTION MINUTES
NEWPORT BAY WATERSHED EXECUTIVE COMMITTEE**

Date and Location: June 19, 2019; 1:42 - 3:13 p.m.
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine, CA 92618

Audio recording for the June 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: 00:00:00)

Roll Call/ Self-Introductions (Recording: 00:42)

Peer Swan, Chair	Irvine Ranch Water District
Thomas Lo, <i>Alternate for Farrah N. Khan</i>	City of Irvine
Austin Lombard for <i>Dr. Allan Bernstein</i>	City of Tustin
William von Blasingame	Santa Ana Regional Water Quality Control Board
Duffy Duffield	City of Newport Beach
Katrina Foley	City of Costa Mesa
Scott Voigts	City of Lake Forest
Nabil Saba for <i>Fuad Sweiss</i>	City of Santa Ana
Carla Navarro	California Department of Fish and Wildlife
Amanda Carr, Executive Officer	County of Orange

ITEM # 1 Approval of Minutes (Recording: 00:01:09)

The minutes of the March 20, 2019 meeting were presented to the Executive Committee.

Recommended Action: Approve the minutes of the March 20, 2019 meeting

Motion: Approve minutes
First/Second: Duffy Duffield/Dean Kirk
Outcome: Approved unanimously
Abstain: Unanimously Approved

ITEM # 2 IRWM Status for North and Central Orange County (Recording: 00:01:34)
Beatrice Musacchia, County of Orange

Ms. Beatrice Musacchia provided an update on the Cooperative Agreement with the Santa Ana Watershed Project Authority and the Prop 1, Round 1 Integrated Regional Water Management (IRWM) Grant Funding. Ms. Musacchia provided a summary of the terms. Ms. Musacchia explained that thirty percent of total available funds would be allocated to priority projects identified in The OC Plan and it would also be added as a separate chapter to the OWOW Plan. These terms would allow projects in North/Central Orange County to be rated and ranked based on the criteria in The OC Plan.

Mr. Scott Voigts, City of Lake Forest asked for the budget of the projects and how much money would be allocated for the grants. Ms. Musacchia informed him that it would be thirty percent of the 22 million dollars that were allocated to the Santa Ana Funding Area, which is approximately 6.2 million dollars after administrative costs.

Chair, Peer Swan was under the impression that Orange County would receive 22 million dollars. Ms. Suppes explained to him that the allocation for this round is 22 million dollars of which ten percent is for Disadvantaged Communities, five percent is for Administrative Costs, and then thirty percent is for Orange County projects. Ms. Suppes offered to provide a full breakdown of the Santa Ana Funding Area funding allocation, which is as follows:

Proposition 1 Allocation	State Costs (10%)	Previous Awards (Planning and DAC Involvement)	Implementation Grant Funding				North/Central Allocation – General Implementation Funding	
			Round 1 DAC	Round 1 General	Round 2 DAC	Round 2 General	Round 1	Round 2
\$63,000,000	\$6,300,000	\$6,550,000	\$2,205,000	\$21,925,000	\$4,095,000	\$21,925,000	\$6,248,625	\$6,248,625

Recommended Action: Recommend approval of IRWM cooperative agreement to County of Orange, Orange County Water District, and Orange County Sanitation District.

Chair, Swan provided comments and concerns regarding the OWOW Plan, the Clean Water Bond Act and the IRWM Project selection process.

Motion: Approve the IRWM cooperative agreement to County of Orange, Orange County Water District, and Orange County Sanitation District.

First/Second: Scott Voigts/Nobel Saba

Outcome: Approved unanimously

**ITEM # 3 Time Schedule Order for Fecal Coliform TMDL (Recording: 00:24:27)
Amanda Carr, County of Orange**

Ms. Reeder informed the Committee that this item was not ready to be presented to Committee since many changes have been made, it may have to be recirculated for public review and there are some legal matters that need to be addressed. The Santa Ana Regional Water Quality Control Board will reevaluate the matter and bring it back later.

Recommended Action: Remove item from the agenda until the Santa Ana Regional Water Quality Control Board is ready to present it to the Committee.

Outcome: Affirmed without a vote

ITEM # 4 Update on Regional Board Workshops on Proposed Copper TMDL and Action Plans for Zinc, Mercury, Arsenic, and Chromium for Newport Bay (Recording: 00:24:55)
Terri Reeder, Santa Ana Regional Water Quality Control Board and Dave Webb and John Kappeler, City of Newport Beach

Ms. Terri Reeder, Santa Ana Regional Water Quality Control Board, presented an overview of the public workshops that were held by the Regional Board May 9 and 19, 2019 to receive comments on the proposed amendments to the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) to incorporate TMDLs for copper, and Non-TMDL Action Plans for zinc, mercury, arsenic, and chromium in Newport Bay. Primary comments were received from the boating community, City of Newport Beach staff, OC Coastkeeper and students from UC Irvine and Orange Coast College. The next public hearing is scheduled for September 13, 2019.

Mr. Duffy Duffield, City of Newport Beach asked for clarification regarding the source of the copper in upper Newport Bay since he was under the impression that some of it came from San Diego Creek. Ms. Reeder explained that a small amount comes from San Diego Creek and the circulation from the lower Bay into the upper Bay is a larger source.

Mr. John Kappeler, City of Newport Beach, provided an update on the City's actions with respect to copper and stated that the City of Newport Beach has partnered with the Department of Pesticide Regulation (DPR) on their six-year study and is actively involved in dredging the harbor which will improve circulation. The paint metal levels are going down which will have a positive impact over time. Mr. Kappeler asked the Regional Board to do what they do with other TMDLs and watch this for six years to better assess what the problems are and the course of action.

Recommended Action: Receive and file

ITEM # 5 Executive Officer Report (Recording: 01:04:04)
Christy Suppes, County of Orange

Ms. Christy Suppes, provided an overview of the existing Public Education Outreach efforts the County of Orange invests in focusing on different programs to educate children and young adults.

Ms. Suppes provided an update of the San Diego Creek (405-405) Sediment Removal Maintenance Project and the San Diego Creek (Campus to 405) Maintenance Project. Mr. Swan pointed that there is stagnant water in the middle of Woodbridge that is not draining into the Creek. He is concerned that at some point this may cause a vector problem. Mr. Jian Peng, County of Orange offered to follow up with Operations and Maintenance to provide a status on the issue. After several site reconnaissance trips and discussions with other County and Orange County Vector Control District staff, Mr. Peng determined that the issue was transient in nature and did not pose environmental or health hazard to the residents.

ITEM # 6 Executive Committee Member Comments (Recording: 01:14:04)

Chair Swan opened the floor for Executive Committee Member comments, there were no member comments.

ITEM # 7 Public Comments (Recording: 01:14:19)

Chair Swan opened the floor for public comment, there were no public comments.

ITEM # 8 Adjournments (Recording: 01:14:30)

Meeting adjourned at approximately 3:13 p.m. The next regular meeting is scheduled for September 19, 2019.

Non-Committee Attendees:

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
John Kappeler	City of Newport Beach
Kelly Dalton	City of Costa Mesa
Mark Tettermer	Irvine Ranch Water District
Marsha Westropp	Orange County Water District
Terri Reeder	Santa Ana Regional Water Board

Committee Staff: Christy Suppes, Jian Peng, Beatrice Musacchia, Maria Tamez

ITEM # 2. TMDL UPDATES

Presentation by: Jian Peng, County of Orange

Recommended Action: Receive and File

Mr. Jian Peng, County of Orange, will provide a status update for each of the following TMDLs:

Organochlorine Compounds TMDL

The Organochlorine Compounds TMDL has a compliance deadline of December 31, 2020 and an effort is underway to revise the TMDL to update its numeric targets, implementation plan,

and compliance schedule. In a letter dated May 22, 2019, the Santa Ana Regional Water Quality Control Board informed the funding partners that a time schedule order (TSO) will be adopted before the TMDL deadline to allow sufficient time for the TMDL revision and basin plan amendment.

To assess compliance and provide information for the TMDL revision, a regional monitoring program has been implemented since 2012 in the freshwater portion of the watershed. In the summer of 2018, pursuant to a California Water Code 13267 Investigative Order, a major monitoring effort was carried out in the marine environment throughout Newport Bay. Similar monitoring activities will be carried out again in 2020 and 2023.

Selenium TMDL

On June 20, 2019, the US Environmental Protection Agency (EPA) approved the Selenium TMDLs Basin Plan Amendment and associated compliance schedule. The most immediate deliverables are due to the Santa Ana Regional Water Quality Control Board within three months of approval, and include the following:

- Submit Phase I BMP Strategic Plan for approval by the Executive Officer
- Submit Regional Monitoring Program for approval by the Executive Officer
- Submit Offset and Trading Program for approval by the Executive Officer

Additionally, the Santa Ana Regional Water Quality Control Board will be incorporating the Selenium TMDL into the operative dewatering permits for the watershed; the timeframe for this effort is December 2019. Dewatering permits are important for the operations of facilities run by the City of Irvine and Irvine Ranch Water District and for construction projects that need to remove and discharge groundwater.

The presentation will provide updates on each of the submittals being made in September and the status of the dewatering permits.

Fecal Coliform TMDL

A Time Schedule Order (TSO) including interim compliance measures was originally released by Santa Ana Regional Water Quality Control Board staff in May 2019, and was scheduled for Board consideration on June 14, 2019. However, the draft TSO has been postponed due to legal matters identified by the Santa Ana Regional Water Quality Control Board. Any further updates on the status of the TSO will be provided at the meeting.

ITEM # 4. DWR FEEDBACK ON NORTH AND CENTRAL ORANGE COUNTY IRWM PROJECTS

Presentation by: Christy Suppes, County of Orange

Recommended Action: Receive and File

On August 14, the Santa Ana Watershed Project Authority (SAWPA) hosted a Pre-Application IRWM Grant Program funding workshop (workshop) for the Department of Water Resources (DWR) and Santa Ana Funding Area project proponents. Project Information Forms (PIFs) were provided to DWR for each selected project for their review in advance of the workshop.

The purpose of the workshop was for DWR to ask questions of the project proponents and provide feedback in order to allow project proponents to address any issues prior to final application submittal. Ms. Suppes will provide an overview of comments received by DWR on the North and Central Orange County IRWM projects during the workshop, as well as formal written comments provided by DWR following the workshop.

ITEM #5. EXECUTIVE OFFICER REPORT

ITEM # 6. EXECUTIVE COMMITTEE MEMBER COMMENTS

ITEM # 7. PUBLIC COMMENTS

ITEM # 8. ADJOURNMENT

Next Meeting Date: December 18, 2019