



# CITY OF NEWPORT BEACH

## WATER QUALITY/COASTAL TIDELANDS COMMITTEE

### AGENDA

Crystal Cove Conference Room, Building D, 2nd Floor  
100 Civic Center Drive, Newport Beach

Thursday, May 3, 2018 - 3:00 PM

#### *Water Quality/Coastal Tidelands Committee Members:*

Council Member Brad Avery, Chair  
Council Member Jeff Herdman, Vice Chair  
Dennis Baker, Member  
Louis Denger, Member  
Fred Galluccio, Member  
Lawrence Houston, Member  
George Robertson, Member  
Carl Cassidy, Member  
Richard McNeil, Member

#### **Staff Members:**

John Kappeler, Senior Engineer  
Lucie Delorme, Public Works Administrative Analyst

The Water Quality/Coastal Tidelands Committee meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Water Quality/Coastal Tidelands Committee agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Water Quality/Coastal Tidelands Committee. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact John Kappeler, Water Quality Enforcement Manager, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3218 or [jkappeler@newportbeachca.gov](mailto:jkappeler@newportbeachca.gov).

#### NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the Public Works Department 24 hours prior to the scheduled meeting.

- 1) **CALL MEETING TO ORDER**
- 2) **ROLL CALL AND INTRODUCTIONS**
- 3) **PUBLIC COMMENTS ON AGENDA ITEMS**

*Public comments are invited on agenda items any time during the meeting. Speakers must limit comments to five (5) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.*

- 4) **REVIEW AND APPROVAL OF MINUTES (5 min)**
- 5) **CURRENT BUSINESS (75 min)**

(a) Discovery Cube's OceanQuest Program (Colleen D'Aluisio) (30 min) Presentation on Discovery Cube's OceanQuest Program.

**Recommendation: Receive and File**

(b) Santa Ana Delhi Channel Pilot Trash Project (Ted Von Bitner) (30 min) Proposed Santa And Delhi Channel Trash Pilot Project.

**Recommendation: Committee Discussion**

(c) Resolution Opposing New Offshore Drilling (Dennis Baker) (15 min) Presentation and discussion on a new proposed resolution.

**Recommendation: Committee Discussion**

**6) ON-GOING BUSINESS (10 min)**

(d) Bay and Ocean Bacteriological Test Results (John Kappeler) (10 min) Review and discussion of recent water quality test results within Newport Bay and along the ocean shoreline.

**Recommendation: Receive and File**

**7) COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM) (10 min)**

- (a) Statewide Trash Provisions (June Meeting)
- (b) Vessel greywater discharge limitations (June Meeting)
- (c) UCI Oceans Cooperative Project (June Meeting)
- (d) Total Maximum Daily Load - Pesticides (June Meeting)
- (e) Newport Harbor Vessel Pumpout Program (July Meeting)
- (f) Safe Disposal of Prescription Medications (July Meeting)
- (g) Big Canyon Monitoring Results (July Meeting)
- (h) Public Education Sub-committee Update (August Meeting)
- (i) Irvine Ranch Water District (IRWD) Recycled Water Diversion (August Meeting)

**8) PUBLIC COMMENTS ON NON-AGENDA ITEMS (10 min)**

*Public comments are invited on agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Committee. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.*

**9) SET NEXT MEETING DATE (5 min)**

*Recommendation: Call next meeting for June 7, 2018*

**10) ADJOURNMENT**

# City of Newport Beach

## Water Quality/Coastal Tidelands Committee Meeting Minutes

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**Date:** April 5, 2018

**Time:** 3:00 p.m.

**Location:** Crystal Cove Conference Room, 100 Civic Center Drive, Newport Beach, CA 92660

**Meeting Minutes prepared by:**

1. The meeting was called to order at 3:01 p.m. by Chair, Councilmember Brad Avery.

### 2. Welcome/Self Introductions

**Committee Members present:**

Councilmember Brad Avery, Chair  
Tom Houston  
Dennis Baker  
Fred Galluccio  
George Robertson  
Louis Denger  
Carl Cassidy

**Guests present:**

Nancy Gardner, Orange Coast River Park  
Jim Mosher, Resident  
Hoiyin Ip, Sierra Club  
Billy Dutton, Help Your Harbor  
Darrell Ferguson, Help Your Harbor  
Bill Lane, City of Dana Point  
Mo Wise, IRWD  
Phillip Bettencourt, Resident

**Staff present:**

Lucie Delorme, Administrative Analyst  
John Kappeler, Senior Engineer  
Bob Stein, Assistant City Engineer  
Chris Miller, Harbor Resources Manager

The agenda for the Water Quality/Coastal Tidelands Committee was posted at 10:57a.m. on March 28, 2018, in the binder located in the entrance of the Council Chambers at 100 Civic Center Drive.

### 3. Public Comment on Agenda Items

None.

### 4. Review and approval of minutes

A motion to approve the minutes was made by George Robertson. Dennis Baker seconded the motion. The minutes were approved as presented, unanimously.

## 5. Current Business

(a).Newport Harbor Vessel Pumpout Program (Chris Miller) (20 min) Presentation on the Newport Harbor Vessel Pumpout Program.

### **Recommendation: Committee Discussion**

A staff report was provided by Chris Miller. The City owns and operates five pumpout stations, at four locations, in the Newport Harbor. The pumpout stations are not staffed, which often leads to misuse and equipment damage by users. An idea from Nancy Gardner was implemented, and staff placed placards on pumpout station equipment, which notified the public of the other pumpout locations. A pumpout location managed by the Harbor Patrol/Orange County Sheriff's has a long history of not being in service. It is located in a popular location, and Mr. Miller has attempted to work with the new Harbor Master to ensure the station's future functionality.

Dennis Baker inquired about the City's pumpout manufacturer. Mr. Miller stated there are essentially only two manufacturers of pumpout station equipment and parts are easily attained. Mr. Baker inquired as to the procedure by which the City could assume management of the County's pumpout station. Mr. Miller stated it would be preferred for the County to maintain the station. Nancy Gardner inquired about the City's contract with South Mooring. Discussion ensued as to how contracts function for pumpout station maintenance and the feasibility of the City maintaining that station. Fred Galluccio mentioned the challenge for experienced sailors to find a functional pumpout station. Mr. Miller noted there is an "app" called "Pumpout Nav" to locate pumpout stations.

Bob Stein inquired how pumpout stations are monitored. Mr. Miller mentioned the various reasons why pumpout stations will go out of service. Mr. Avery commented the City should be responsible for testing pumpout stations on a weekly basis, and suggested drafting a notification letter from the Chair of the Committee to the Chair of the OC Parks stating the concerns regarding water quality, functionality, and use.

Dennis Baker inquired if the City's Harbor Operations could provide monitoring of the pumpout stations. Chris Miller will contact Assistant City Manager Carol Jacobs to coordinate with Harbor Operations. Bob Stein mentioned OC Coastkeeper could hold the City liable for bacteria in the Bay and could assess fines. Carl Cassidy affirmed Brad Avery's position the City needs to enforce the permit conditions. Discussion ensued regarding the City's ability to cite for violations as related to the pumpout stations. Brad Avery asked if private pumpout stations are inspected annually and Chris Miller confirmed the City does not monitor the private pumpout stations. Mr. Avery suggested the City should have a stronger role in monitoring the private pumpout stations, especially noting the various users of the Bay (swimmers, sailors). Bob Stein requested this item be brought back at the next meeting for an update.

There was no further action taken on this item.

(b). Resolution Opposing New Offshore Drilling (Dennis Baker) (15 min) Presentation and discussion on a new proposed resolution.

**Recommendation: Committee Discussion**

A brief update was given by Dennis Baker. He would like the Water Quality/Coastal Tidelands Committee to recommend the City Council take an official position, via resolution, opposing any new offshore drilling. This would be consistent with the City's position in the General Plan.

Bill Lane, City of Dana Point, mentioned thirteen coastal cities are working on similar positions to oppose offshore drilling. Discussion ensued as to the format of the resolution/request and whether it should recommend amendments to the City's General Plan. There was consensus that staff would draft a proposed resolution, which would come to the Water Quality/Coastal Tidelands Committee for review before it was forwarded to the City Council.

A motion to direct staff to draft a sample resolution opposing offshore drilling and return to the Water Quality and Coastal Tidelands Committee for review was made by Dennis Baker. Fred Galluccio seconded the motion. The item was approved, unanimously.

(c). 2<sup>nd</sup> Annual Newport Harbor Underwater Cleanup (Billy Dutton) (15 min) Update on the June 2, 2018 Newport Harbor Underwater Cleanup Event.

**Recommendation: Receive and File**

A brief update was presented by Billy Dutton. He described the event which will be held on the first Saturday of June. They are expecting it to mirror last year's event in participation, with approximately 220 volunteers, including approximately 90 divers. Mayor "Duffy" Duffield will be donating 12 boats, which will transport the divers to the trash accumulation zones. The event is to bring awareness to the community regarding cleanup activities. A summit of the sixteen different organizations is also planned for coordinating efforts related to cleanup. The organizers expect to surpass the amount of trash collected over last year (1,100 pounds of trash was collected). The group will pre-dive the sites with Beach Cities Scuba, who is partnering in the event. Larger and heavier items will be lifted out of the Harbor by barge equipment outfitted with a crane. Discussion ensued regarding the amount and type of items which were identified in the clean up event and the continuing need for sponsorships and donations.

Tom Houston inquired whether batteries were found during the clean up event. Mr. Dutton affirmed that batteries had been found. Hoiyin Ip expressed her desire to participate in the event and inquired whether it could be a "zero-waste" event. Mr. Dutton stated the matter would have to be decided by the organization. She would like to have a "line" in the flyer.

There was no further action taken on this item.

(c). Single Use Plastics (Fred Galluccio/Hoiyin Ip) (25 min) Review and update on efforts to limit single use plastics.

**Recommendation: Committee Discussion**

A report was provided by Hoiyin Ip. A PowerPoint Presentation was displayed. She thanked the Committee for the opportunity to present and introduced various individuals who were in attendance. She spoke regarding the impact of single-use plastics and noted that packaging is one of the largest factors in municipal waste. It would be feasible for the City to join existing efforts toward “zero-waste.” She described alternatives to single-use plastics, described various levels of incremental change away from the use of single-use plastics, and methods of re-usable materials, including compostable utensils. She spoke about the positive impacts of real trash reduction and behavior change of the plastic bag ban laws. She spoke of efforts to reduce single use plastics with other cities. A joint effort with multiple jurisdictions can have a better impact. She proposed a “trash reduction campaign,” capitalizing on the water campaigns used by various entities, and suggested “copying” the successful campaign. She displayed various sign options. In closing, she inquired whether the City Council could schedule a study session to review various trash-reduction strategies and encouraging the reduction of single use plastics.

Fred Galluccio shared data on the real costs of replacement options for the use of plastic. There were various cost options, some of which are nominal. He indicated certain organizations, including Hoag Hospital and some public schools, are only using non-reusable plastics.

Dennis Baker requested that all members of the Committee watch the UCI YouTube video. He inquired about partnering with the “drought” signage utilized by Caltrans. He noted that when he is paddle boarding, there are still pieces of Styrofoam docks that are degrading into the water. He inquired whether there are sample/template policies the City can replicate. Ms. Ip stated she sent sample policies to staff from the Sierra Club.

John Kappeler confirmed he will email the “YouTube” video to the Committee.

George Robertson expressed support for educational campaigns and coordinating efforts with established organizations such as UCI. He also expressed support for the Committee to define and focus on what it wants to accomplish in this area. Ms. Ip stated she would like to keep single-use plastics out of restaurants for now.

Nancy Gardner inquired regarding PSA funding, referencing a recent PSA featuring Rob Machado. She expressed support for educational programs/efforts. Discussion ensued regarding various media opportunities including on-line and movie theatres, and modeling positive recycling behavior.

Brad Avery mentioned limits of imposing regulations on private restaurants, however expressed support for educational campaigns that seek to promote usage change. Discussion ensued regarding involving various existing organizations, such as the Restaurants’ Association, into educational campaigns and focusing on projects that are “do-able.” Tom Houston commented on the difficulties small business owners have in complying with the regulatory environment, however, expressed support for options that can be presented to small business owners that will encourage behavior change. Discussion ensued related to focusing on a particular educational issue, such as the use of plastic straws.

John Kappeler mentioned educational information can be provided to the Food Service Establishments (FSE) that staff monitors for grease trap/interceptor inspections. Ms. Ip offered to provide information for the flyers. Discussion ensued regarding options for the educational flyer, including providing a compelling message from organizations such as the Surfrider Foundation.

A motion to direct staff to coordinate with Ms. Ip to draft an informational flyer/letter/table tent and return to the Committee for its review and consideration; and to add this item to the Committee's Work Plan and Goals was made by Dennis Baker. Carl Cassidy seconded the motion. The item was approved, unanimously.

## **6. On-going Business**

(a). Bay and Ocean Bacteriological Test Results (John Kappeler) (10 min) Review and discussion of recent water quality test results within Newport Bay and along the ocean shoreline.

### **Recommendation: Receive and File**

John Kappeler provided the test results report, which were good for the reporting period. All back up samples were clean for the minimal "hits" that were received.

Darrel Ferguson inquired if the City will address "Abalone," which has been testing "high." Discussion ensued regarding the impact of animal waste on testing. Staff will return to the Committee with more information regarding the matter.

There was no further action taken on this item.

## **7. Committee Announcements or Matters Which Members would like Placed on a Future Agenda for Discussion, Action or Report**

- (a). Statewide Trash Provisions (June or July Meeting)
- (b). Pumpout Resolution (May)
- (c). Single Use Plastics Flier (May)
- (d). Vessel greywater discharge limitations (June or July Meeting)
- (e). Safe Disposal of Prescription Medications (May Meeting)
- (f). Discovery Cube OceanQuest (May Meeting)
- (g). UCI Oceans Cooperative Project (June Meeting)
- (h). Big Canyon Monitoring Results (June Meeting)
- (i). Total Maximum Daily Load – Pesticides (June Meeting)
- (j). Public Education Sub-committee Update (July Meeting)

## **8. Public Comments On Non-Agenda Items**

Dennis Baker shared a photo of the boom at the Santa Ana Delhi Channel, which is full of trash, including trash that has "gone over" the boom. He suggested bringing this item back at the next meeting for further review.

Billy Dutton offered to pick up the trash on Saturday.

Nancy Gardner announced a symposium on April 19, 2018, 7:00 p.m., at UCI Irvine, related to the impacts of homelessness on the environment. The website is [WWW.OCRiverPark.org](http://WWW.OCRiverPark.org).

**9. Set Next Meeting Date**

The next meeting date was set for May 3, 2018, at 3:00 pm in the Crystal Cove Conference Room, located at 100 Civic Center Drive, Newport Beach, CA 92660.

**10. Adjournment**

The motion to adjourn the meeting was made by Tom Houston. Fred Galluccio seconded the motion, with the motion passing unanimously. The meeting was adjourned at 4:41 p.m.

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Chair / Brad Avery