

City of Newport Beach

Coastal/Bay Water Quality Citizens Advisory Committee Minutes

Date: September 8, 2011
Time: 3:00 p.m.
Location: Fire Conference Room

1. Welcome/Self Introductions

Committee Members present:

Chairwoman/Mayor Pro Tem Nancy Gardner
Dennis Baker
Janet Rappaport
Tom Houston
George Drayton
Roberta Jorgensen
Jim Miller

Guests present:

Larry Honeybourne, Orange County Healthcare Agency
Rob Steiner, WaterSmart
Monica Mazur
Alyssa Duranty, Orange County Register
Jerry King, resident
Jim Mosher, resident

Staff present:

John Kappeler, Water Quality Manager
Shane Burckle, Water Conservation Coordinator
Michelle Clemente, Marine Protection & Education Supervisor
George Murdoch, General Manager Utilities
Evelyn Tseng, Revenue Manager
Shari Rooks, Public Works Specialist

2. Approval of Previous Meeting's

The minutes from the August 11, 2011, meeting were approved.

3. Old Business

(a) Bay and Ocean Bacteriological Test Results

Monica Mazur reviewed recent water quality test results within Newport Bay and along the ocean shoreline.

4. New Business

(a) Larry Honeybourne updated the committee on the Annual Water Quality Report, please see attached PowerPoint presentation on **Sewage Spills and Beach Closures**. Larry also updated the committee on the new **EPA Recreational Water Quality Testing Criteria**.

- Sewage spills have been reported to OCHCA since 1987 to date.

- Prior to 1992 you did not have to report a sewage spill to the Health Department, you were only required to report it to the Regional Board and the Board would only report to the Health Department if the spill was over 1,000 gallons.
- In 2000 the Register did a story on sewage spills and that led to investigations, which led to new Waste Discharge Requirements that were issued by the Regional Water Quality Control Board. These new requirements essentially put all the waste collections systems (including the City of Newport Beach) under the new regional waste discharge requirements that didn't exist prior to year 2000.
- Subsequently, the State Board implemented those same requirements on every single waste discharge facility statewide.
- Systems are getting better from an infrastructure standpoint and people are maintaining the systems better and we hope this downward trend continues.
- Causes for closures have been tracked since 1999 and we found that 93% of spills are attributed to line blockages and 7% are attributed to line breaks. 56% of line blockages are due to roots; 20% due to grease; 8% due to paper and 9% due to debris.
- SB482 has passed both branches of the legislature and is sitting on the Governor's desk. Not certain if he will sign it, but if signed it would provide sustainable (not to exceed \$1.8M/year) funding for a minimum of four years for the AB411 Ocean & Bay Monitoring Program.
- Collaborative Regional Monitoring Program could mean a wastewater agency could be collecting watershed samples and a watershed group might be collecting wastewater samples, but in order for this to work the Regional Boards have to agree and they will have to change their NPDES permits.
- EPA entered into a consent decree with Federal court and agreed they would develop a Recreational Water Quality Criteria and to develop a rapid results methodology to tell people what the water quality is today, not 24 hour later by late 2012.
- It doesn't really make sense to use Rapid Methods (QPCR) testing along the entire coastline when 95% of the time the water quality is great. If you are going to use Rapid Methods you should probably use them at the sites where you know there may have a problem.
- The EPA Rapid Method is likely going to be permissive and you will not be required to use it.
- The current Rapid Method measured DNA of the bacteria and doesn't distinguish whether it is alive or dead and this may raise a problem for wastewater agencies and their compliance requirements.

(b) George Murdoch updated the committee on the City's **Tiered Water Rates Program**.

- Although people use the term "tiered rates" the term "water budgets" is probably a more appropriate term to use.
- The 2008/2009 Delta smelt issue created a huge water supply problem for us because half of our supply went away. OC Grand Jury reported there was an endless supply of water in Southern California when there really wasn't and they also reported on Water Budgets not Water Rationing. Our Mayor and Council responded to that and said we would be looking at tiered rates or water conservation measures to try to help budget, not ration folks through ordinances.
- Sierra Club did an evaluation of the cities in Orange County as to their water conservation plans and Newport Beach was rated #2 just after the city of Anaheim.

- Regionally we are on target for meeting the Governor's 20% reduction by 2020 requirement.
- Tiered rates could be done and we could use our billing system to charge more if a user went over a certain gallon amount, but we have such diversity in the city that it really wouldn't be fair. Water budgets would be a better option and they have been used successfully in the city of San Juan Capistrano.
- All the factors involved in setting up water budgets can be quite complicated and our current Pentamation system is not capable of doing something like this. It would take \$10K to upgrade our existing system.
- Grant funds made available after the Grand Jury report in 2009 for agencies to study water conservation were secured by the Municipal Water District of OC and offered them to its member agencies (Newport being one) to study implementing the tiered rate water budget. Unfortunately right after that the economy took a down turn and the funds were frozen and basically went away.
- In May of 2011 the funds came back and what we now intend to do is put together a MOU with MWDOC and bring to Council the request for Newport Beach and 13 other agencies to use the federal funding to study implementing a tiered water rate. If we do join with the other agencies we would get approximately \$34K reimbursed now for any of the efforts we've done thus far.
- There will be an additional \$34K available if we proceed to studying implementing a water budget.
- It was suggested that Newport just target the irrigation customers as 75% of our population is using water for irrigation. We would still need to calculate it and implement a billing system that would support that.

ACTION: Shane/George to take a proposal to Council in October to enter into the study with the 13 other agencies and move forward to study tiered rates and water budgets.

(c) Presentation by Rob Steiner on the WaterSmart Software, Inc., and the company's web-based software pilot program. Please see PowerPoint presentation attached.

- WaterSmart has a Pilot Program for their product that they would like the City of Newport to participate in. (Specifically the Spyglass / Port Street neighborhoods).
- The Pilot Program runs for a 12-month period and they have two cities in the program and would like to fill four more slots.

ACTION: **Shane Burckle** to get logistics out of the way by determining if this is something we want to do, and if so, get the contractual items taken care of and then the IT data integration with Revenue and InfoSend, and shoot for a roll out of the product in the Port Streets sometime in November.

5. Public Comments on Non-Agenda Items - None

6. Topics for Future Agendas

- (a) Bacteriological Dry-Weather Runoff Gutter Study (Phase III)
- (b) OCTA Measure M2
- (c) Coastal Dolphin Research Program
- (d) Banning Ranch Environmental Impact Report (EIR)

- (e) Big Canyon Project
- (f) Cienega Project
- (g) Prop 84 ASBS Grant Program
- (h) Update on "Green Streets"

7. Set Next Meeting Date

The next meeting date was set for October 13, 2011, at 3 PM in the Fire Conference Room.

8. Adjournment

The meeting was adjourned at 4:55 pm.