

City of Newport Beach

Coastal/Bay Water Quality Citizens Advisory Committee Minutes

Date: November 10, 2011
Time: 3:00 p.m.
Location: Fire Conference Room

1. Welcome/Self Introductions

Committee Members present:

Chairwoman/Mayor Pro Tem Nancy Gardner
Michael Henn, Mayor
Dennis Baker
Janet Rappaport
George Drayton
Roberta Jorgensen
Randy Seton

Guests present:

Pam Johnson, California Dept. of Education
Matt Yurko, California Coastal Commission
Jim Mosher
Jack Skinner, SPON

Staff present:

John Kappeler, Water Quality Manager
Shari Rooks, Public Works Specialist
David Webb, Deputy PW Director / City Engineer
Michelle Clemente, Marine Protection & Education Supervisor
Bob Stein, Assistant City Engineer

2. Approval of Previous Meeting's

The minutes from the September 8, 2011, meeting were approved.

3. Old Business

(a) Bay and Ocean Bacteriological Test Results

John Kappeler reviewed recent water quality test results within Newport Bay and along the ocean shoreline.

4. New Business

(a) Matt Yurko, from the California Coastal Commission, presented an update on Community Based Restoration Program (See attached PowerPoint Presentation.)

- Newport Bay Program is the only CCC site specific program in the state.
- The program was started in 2002 with funds from the American Trader oil spill and covers 14 acres.
- Volunteers working to restore and protect the natural biological diversity of the Upper Newport Bay.
- The program is funded through grants, not tax dollars.

(b) **Pam Johnson**, from California Department of Education, presented their Water Quality Program Curriculum, "Inside the Outdoors." (See attached PowerPoint presentation).

- In view of the apparent lack of a holistic view of how we should handle our water resources, it may be prudent for us to focus on home grown watershed engineers at the grade school and high school levels.
- Cal EPA has put together the first approved program for K-12 that infuses science and watershed science for those grades.
- Materials are available online and **Bob Stein** asked the committee's opinion on asking the City to provide funding to make these materials available to City's schools.
- "Inside the Outdoors" program has outdoor science camps, field trips to wetlands, beach and mountain foothill sites, living history sites and serves approximately 150K students per year.
- "Traveling Science Class" teaches students about water and how much of the earth's surface is water and also provides Teacher Workshops to train teachers to teach the materials.
- For \$27-\$28K we could have a really good multi-year program for the 17 schools in Newport Beach. With approval from the City Manager and the Assistant City Engineer, there may be some funds available for a pilot program if the Committee recommends funding the program.
- **Chair Gardner** felt that the Committee could recommend to the Council that the City fund a portion, perhaps \$10K and look for matching funds from the County and/or other organizations.
- **Dennis Baker** suggested that there may be funds available from Fish & Game if the program were to incorporate oyster growing as part of the curriculum.
- Bill Cooper of UCI made the statement that if student demand was there and they want to matriculate to UCI, he would form a Watershed Curriculum.

ACTION: **Bob Stein** to let City Manager know that the Committee is recommending supporting this program and finding out how much the City would be willing to contribute towards the costs.

(c) **Bob Stein**, Assistant City Engineer presented an update on the new Total Daily Maximum Load (TDML) Proposed Cost Share Allocations. (See attached PowerPoint presentation).

- County has come up with a plan called "Source Benefits," and it says that half the planning money should come from those who are producing the pollution and half the money should be paid by those who will be benefiting when the pollution is cut off.
- **Bob Stein** has come up with a counter proposal based on source and conveyance and created a map showing the sources of five pollutant categories: nutrients, metals, selenium, organochlorines and fecal coliform and showing how these pollutants are being conveyed to *beneficial use* areas.
- A ruling by the 9th Circuit Court of Appeals on March 10, 2011, states that "The Clean Water Act bans the discharge of any pollutants by any 'person' regardless of whether that 'person' was the root cause or merely the current superintendent of the discharge." Question posed to Committee then, "are Peter's Canyon and San Diego Creek receiving waters or part of the MS4 conveyance system?"

- **Bob's** New TDML Cost Share Allocations based in Source/Conveyance 50/50 was presented to the Committee.
- Newport has advised the Regional Board that they are going to handle the selenium issue and have our own work plan for Big Canyon, we are out of the Swamp of the Frogs. Santa Ana has advised the Regional Board they are going to handle the Delhi Channel and they are out of the Swamp of the Frogs.

ACTION: Investigate the possibility of looking in-house or going outside and hiring a legal firm well versed with water quality issues and regulations to represent the City.

5. Public Comments on Non-Agenda Items

- Chair, Nancy Gardner asked to have Brad Gross put on next month's agenda so that a sub-committee, comprised of a member of the CBWQ Committee and a member of the Harbor Commission could work together to present something to the Tidelands Management Committee for consideration. She asked for volunteers interested in being on that sub-committee.

6. Topics for Future Agendas

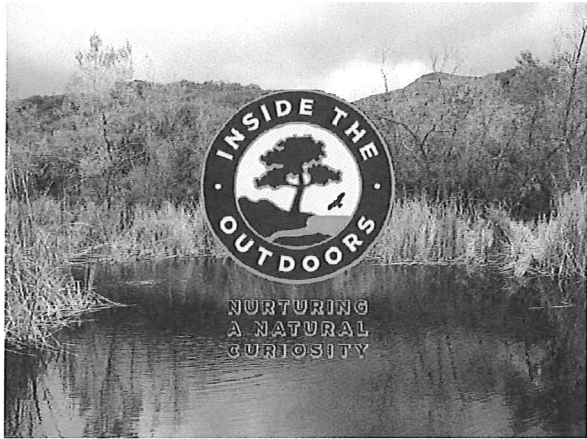
- (a) Bacteriological Dry-Weather Runoff Gutter Study (Phase III)
- (b) Prop 84 ASBS Grant Program
- (c) Green Streets Program
- (d) Big Canyon Project
- (e) Coastal Dolphin Research Program
- (f) California Coastal Commission – Community Based Restoration Project
- (g) Department of Education – Water Quality Program
- (h) Ocean Wave Generator

7. Set Next Meeting Date

The next meeting date was set for December 8, 2011, at 3 PM in the Fire Conference Room.

8. Adjournment

The meeting was adjourned at 4:45 pm.



Inside the Outdoors

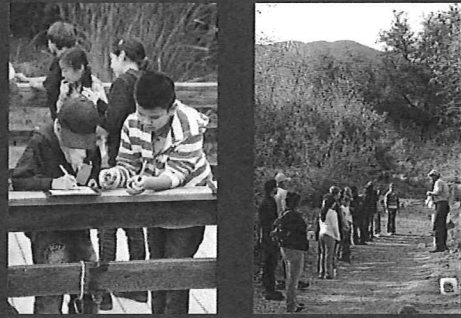
- ...administered by the Orange County Department of Education
- ...self-funded
- ...aligned with California Content Standards and Environmental Principles & Concepts
- ...serves five counties



Outdoor Science School

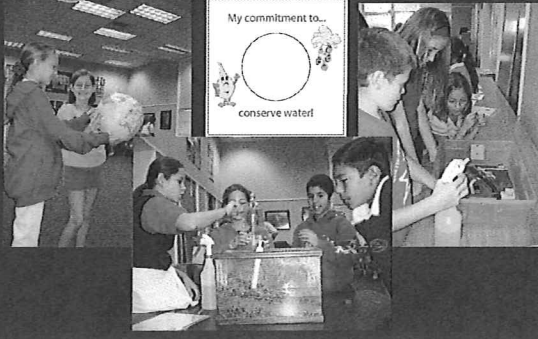


Field Trips





Traveling Scientist



Community Programs

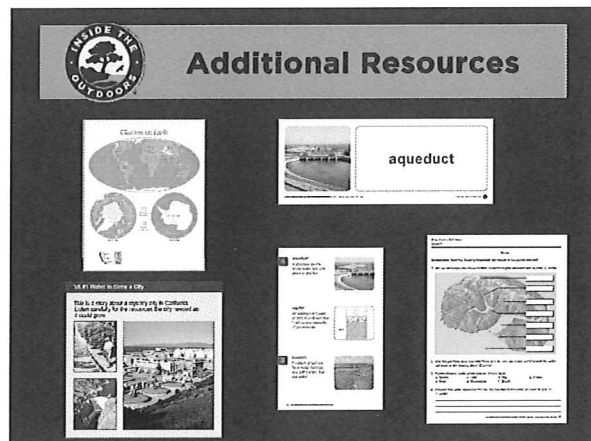
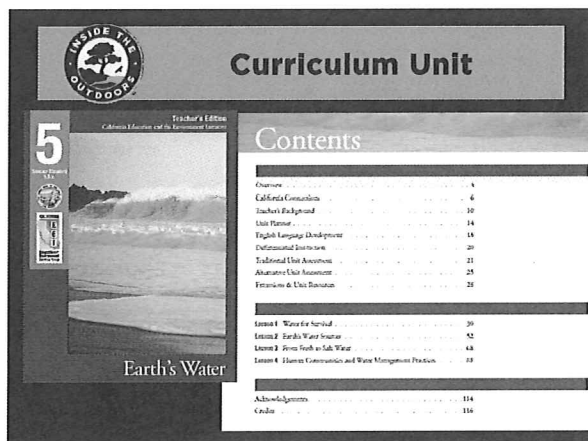
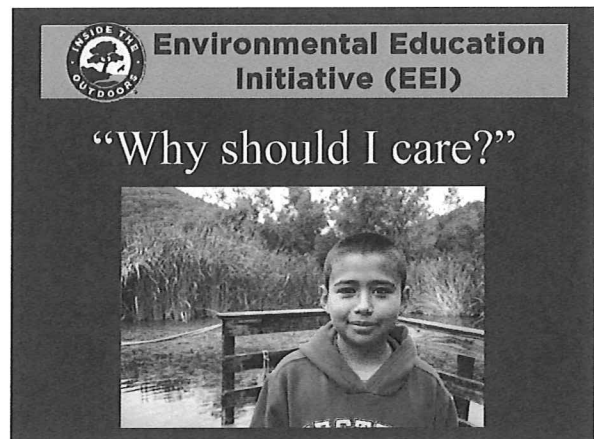
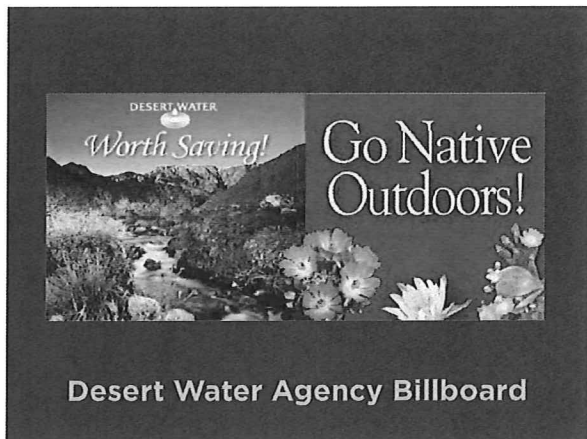


Teacher Workshops



Inside the Outdoors 2010-2011

Outdoor Science School	20,601
Field Trips	65,549
Traveling Scientist	43,459
Teachers	4,320
Community Programs	15,800
Total Individuals	149,729





Multiple Experiences

- Traveling Scientist
- Field Trips/Outdoor Science School
- Classroom Activities (EEI Curriculum)



Additional Inside the Outdoors Resources

- Online Teacher Resources
- Student Journal (Outdoor Science School)
- Water Audits available for Families
- Measurable results
- Individual commitments
- Online assessment surveys



Impact of Programs

Students who participate in Outdoor Education programs:

- Increase their science scores by 27%
- Maintained this increased knowledge 6 to 10 weeks after the program



Impact

	Hands-on Experiences	Direct Impacts	Direct Impact Annually	Billboard Impressions
Students	1,530	16,830	18,360	367,200
Teachers	17	5,610	5,627	4,080

In a school setting 1 direct impression will result in 11 additional impressions.

- Barry A. Garst, Ph.D., Director of Program Development and Research Application with the American Camp Association



Newport Beach Schools

Program	Number of Students	Cost	Total
Wild Wetlands	510	\$ 14.25	\$7,267.50
5th Grade Trip	510	\$ 32.50	\$16,575.00
Traveling Scientist	510	\$ 5.75	\$2,932.50
	1,530		\$26,775.00
EEI Material Sets	17	\$ 50.00	\$850.00
	Grand Total		\$27,625.00



NURTURING
A NATURAL
CURIOSITY

Administered by the Orange County Department of Education

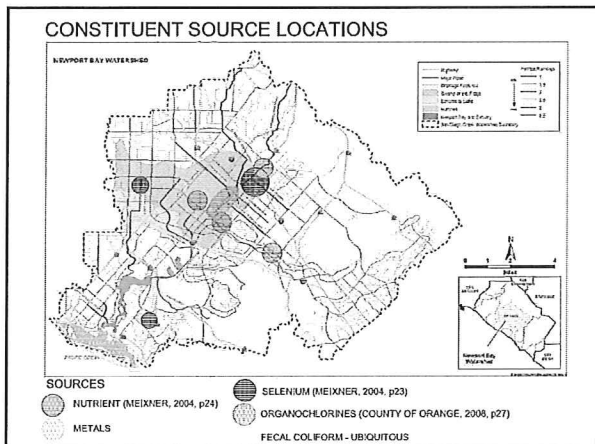
www.insidetheoutdoors.org

714-708-3885



Current Cost Share Allocations

	Current %
Bay Zone	
Santa Ana	13.52%
Costa Mesa	4.26%
Newport Beach	6.47%
Central Zone	
Irvine	24.24%
Tustin	5.92%
IRWD	12.15%
Irvine Company	12.15%
OCFCO	7.29%
Lennar	2.76%
Edge Zone	
Laguna Hills	0.54%
Laguna Woods	0.90%
Lake Forest	5.07%
Orange	0.89%
County	3.82%
Total	99.88%

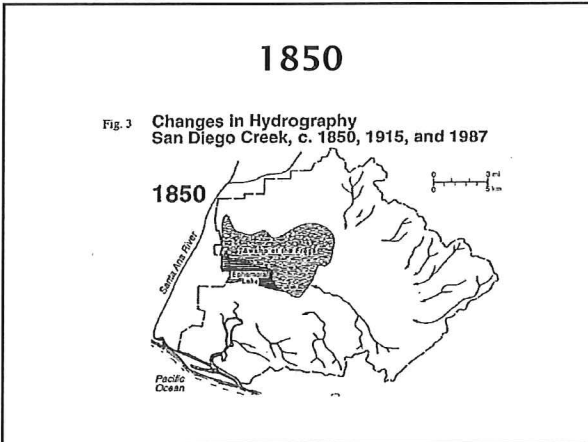
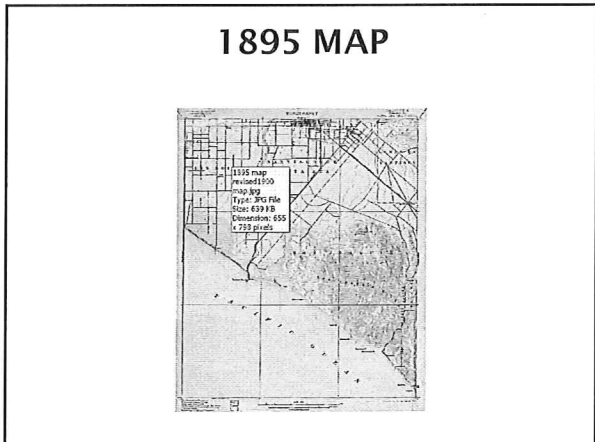
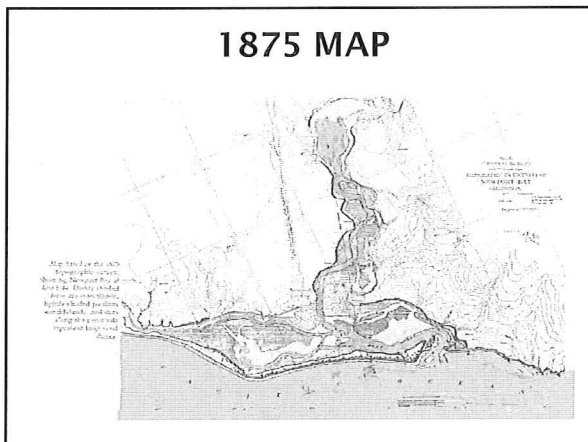


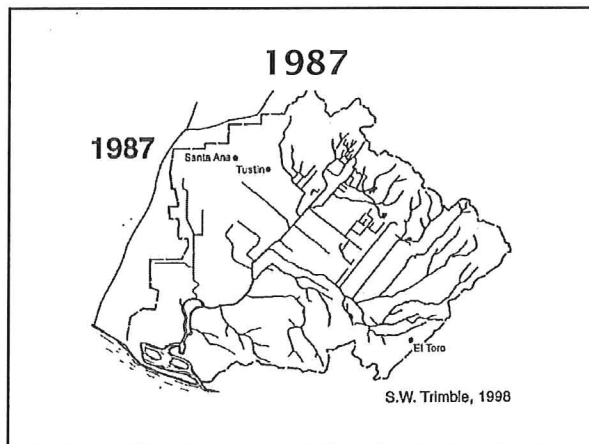
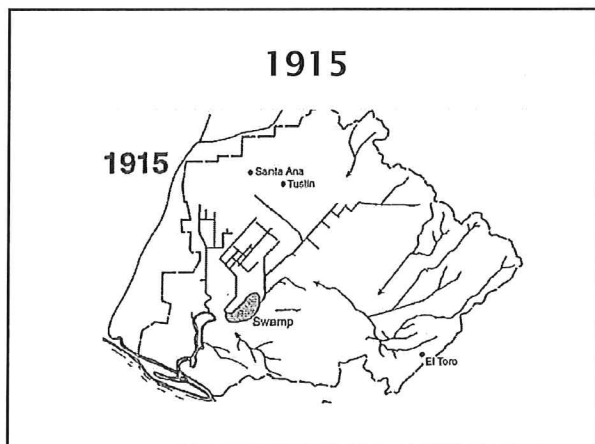
CONVEYANCE: Ruling by the 9th Circuit Court of Appeals March 10, 2011

The Clean Water Act bans the discharge of any pollutant by any 'person' regardless of whether that 'person' was the root cause or merely *the current superintendent of the discharge.*

Municipal Separate Storm Sewer Systems (MS4) Permit Requirement

- ❑ Discharge of a pollutant includes additions of pollutants into waters of the US from surface runoff which is collected, channeled, or conveyed by municipal system.
- ❑ The MS4 is an intra-state man-made construction—not a naturally occurring watershed river.





TDML Cost Shares

TDML Cost Allocations: Source/conveyance: 50/50


November 1, 2011

	Nutrients Subtotal %	Fecal Coliform Subtotal %	Metals Subtotal %	Selenium Subtotal %	Organo- chlorine Subtotal %	Proposed Party Subtotal %	Current %	Decrease	About the same	Increase
Bay Zone										
Santa Ana	0.17%	1.03%	0.02%	1.75%	0.20%	3.14%	0.52%	-3.98%		
Costa Mesa	0.33%	0.13%	0.17%	0.02%	0.20%	1.75%	4.28%	-3.08%		
Half Past Beach	0.14%	1.02%	2.22%	1.75%	0.20%	6.22%	6.47%	-0.25%		
Central Zone										
Irvine	2.28%	5.95%	0.02%	7.28%	0.20%	16.73%	24.24%	-7.46%		
Tustin	0.43%	1.02%	0.17%	3.13%	0.20%	5.24%	5.24%	0.00%	-0.71%	
PHD	0.26%	0.06%	0.02%	6.47%	0.20%	6.47%	12.6%	-6.13%		
Novia Company	0.26%	0.02%	0.17%	0.02%	0.14%	11.10%	12.6%	-1.50%		2.76%
OCPCD	0.26%	4.02%	0.02%	14.54%	0.14%	29.38%	7.28%	22.10%		
Lennar	0.13%	0.32%	0.02%	0.02%	0.20%	0.65%	2.76%	-2.11%		
Edge Zone										
Laguna Hills	0.26%	0.02%	0.02%	0.02%	0.20%	0.71%	0.54%	0.17%		0.30%
Laguna Woods	0.26%	0.02%	0.02%	0.02%	0.20%	0.20%	0.20%	0.00%		0.00%
Lake Forest	0.26%	0.02%	0.17%	0.02%	0.02%	1.36%	5.07%	-3.71%		
Orange	0.26%	0.02%	0.02%	0.02%	0.20%	0.26%	0.02%	0.24%		-0.02%
County	0.26%	1.78%	0.02%	0.02%	0.14%	14.31%	3.02%	11.29%		
Total	43.26%	20.02%	2.52%	26.02%	2.52%	100.00%	99.96%	0.04%		


- ### ASSUMPTIONS
- ▣ **Nutrients**
80% from legacy agricultural practices
20% from residential and commercial use
 - ▣ **Fecal Coliform**
Fecal coliform is ubiquitous
 - ▣ **Selenium**
90% Swamp of the Frogs, 5% Canyon, 5% Delhi Channel
 - ▣ **Organochlorine**
100% from legacy agricultural practices

NONPOINT SOURCE

- ▣ Unlike pollution from industrial and sewage treatment plants, nonpoint source (NPS) pollution comes from many diffuse sources.
- ▣ NPS pollution is caused by rainfall, snowmelt, irrigation, or human activities moving over and through the ground.
- ▣ As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands, coastal waters and ground waters.

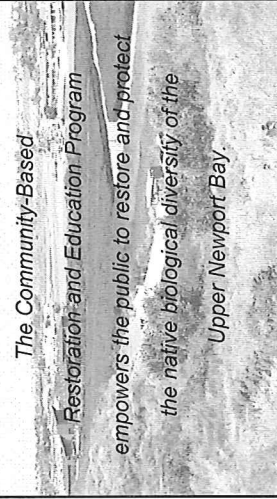
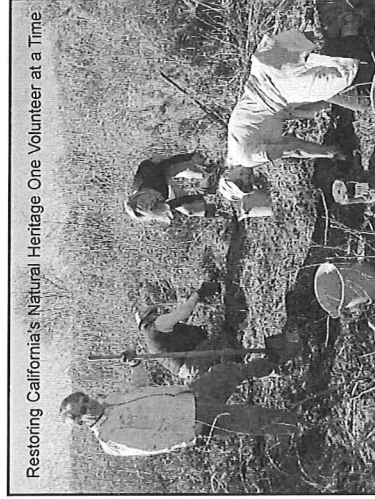


**COMMUNITY-BASED
RESTORATION & EDUCATION
PROGRAM
California Coastal Commission**

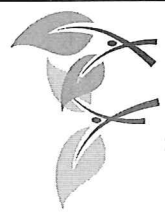


CBREP Mission Statement

*The Community-Based
Restoration and Education Program
empowers the public to restore and protect
the native biological diversity of the
Upper Newport Bay*

- Public Education department
- Funding
- Tools, materials, office space
- Partners

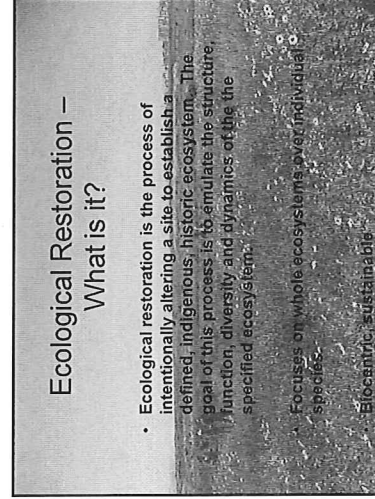
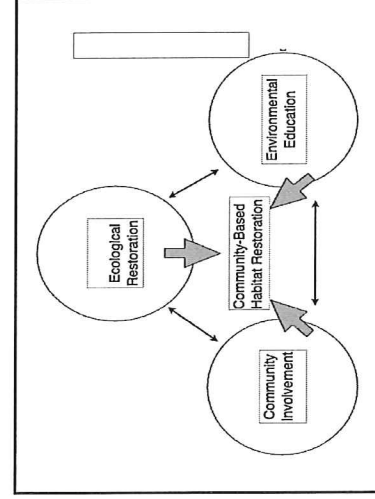


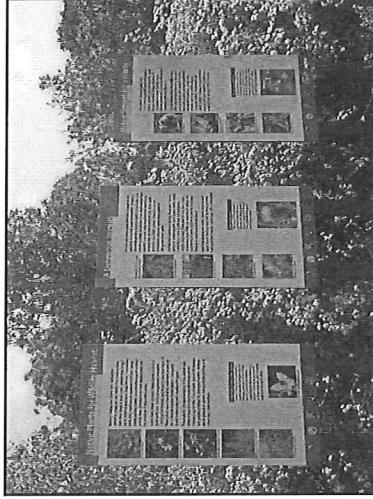
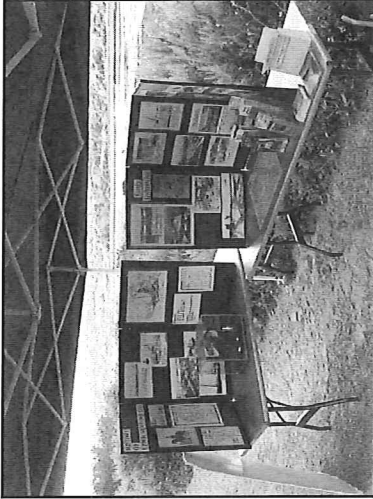
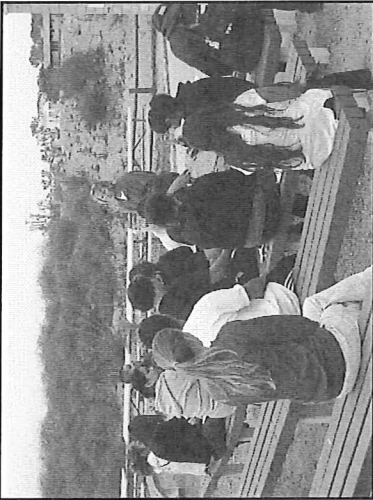
**California
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COMMUNITY-BASED
RESTORATION & EDUCATION
PROGRAM
California Coastal Commission

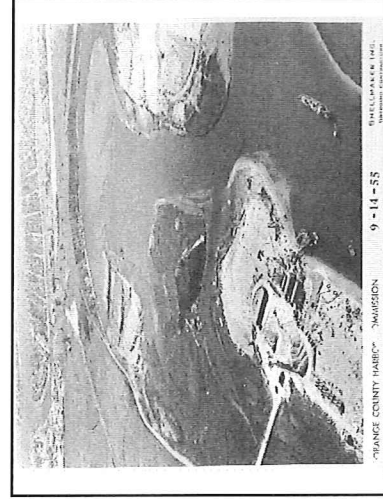
**Ecological Restoration –
What is it?**

- Ecological restoration is the process of intentionally altering a site to establish a defined, indigenous, historic ecosystem. The goal of this process is to emulate the structure, function, diversity, and dynamics of the specified ecosystem.
- Focuses on whole ecosystems over individual species
- Ecosystem sustainable

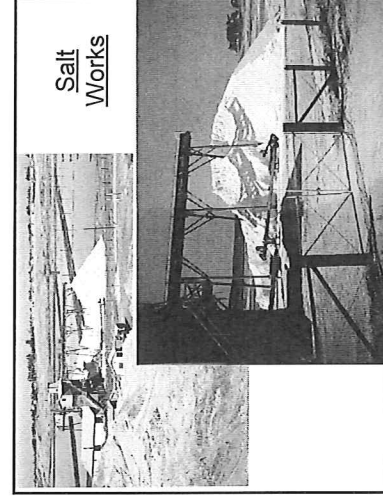





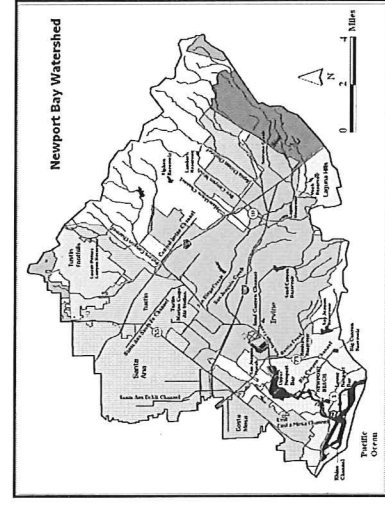
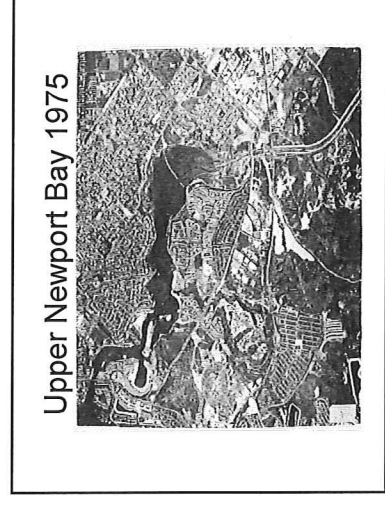
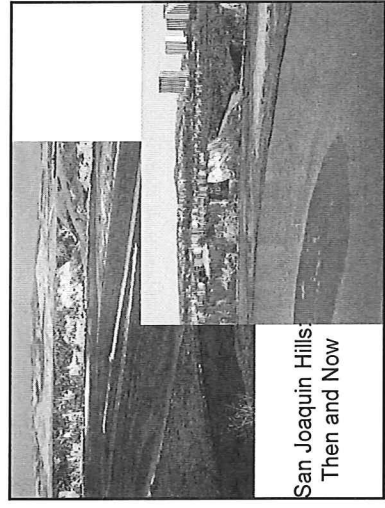
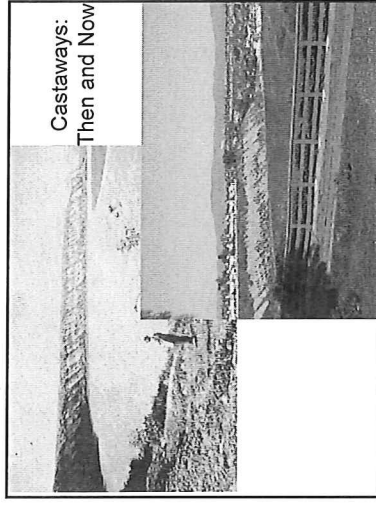
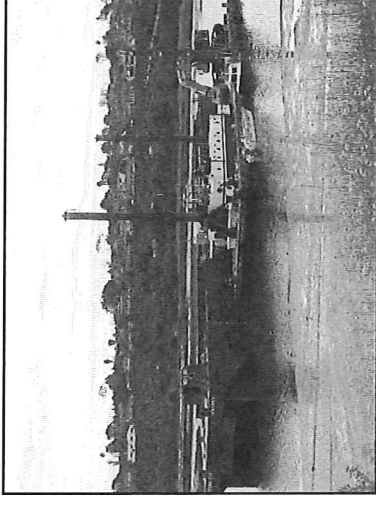
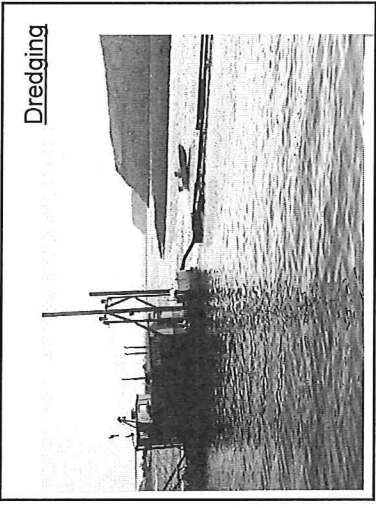
Upper Newport Bay 1930

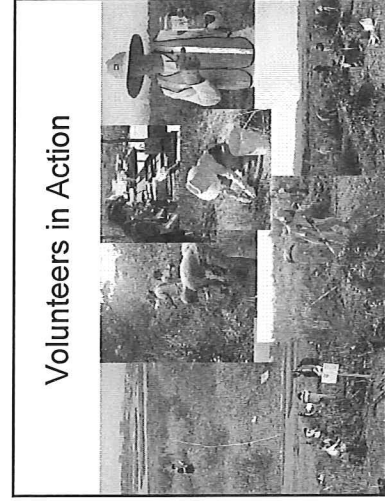
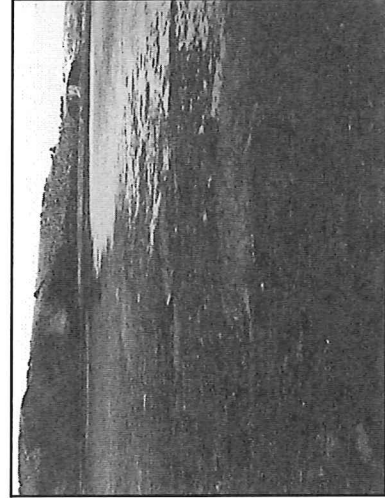
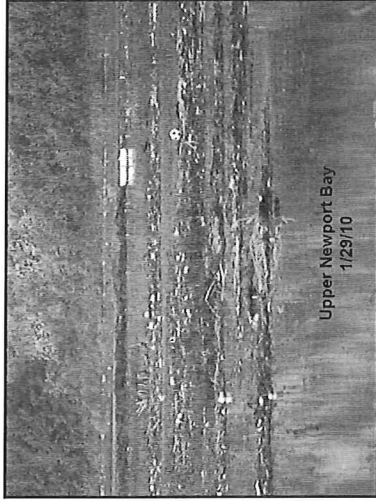
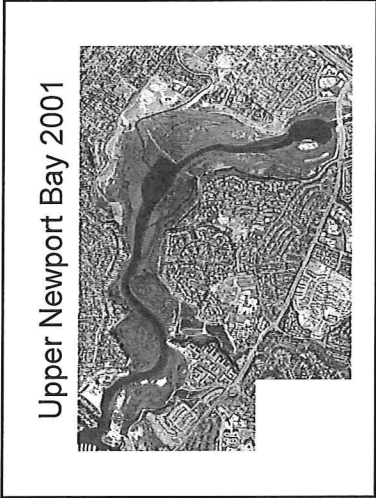


ORANGE COUNTY HISTORICAL SOCIETY 9-14-55

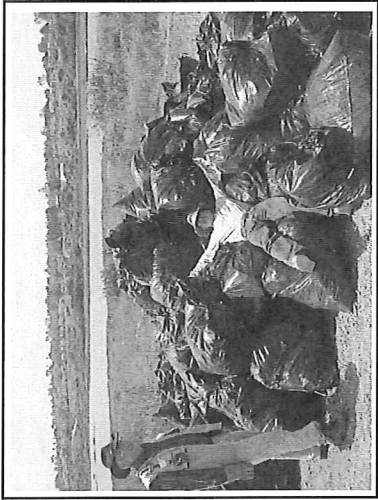
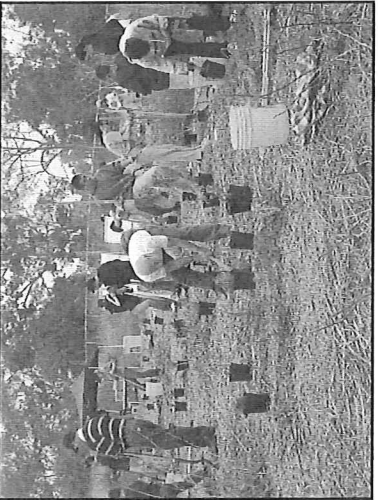
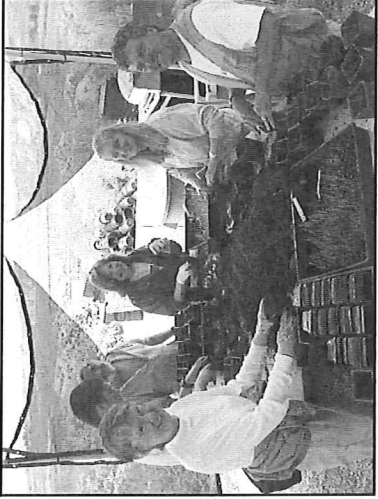
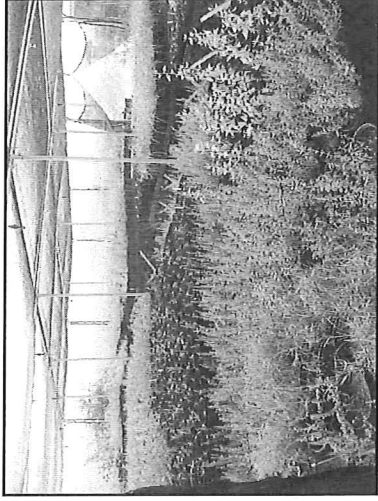


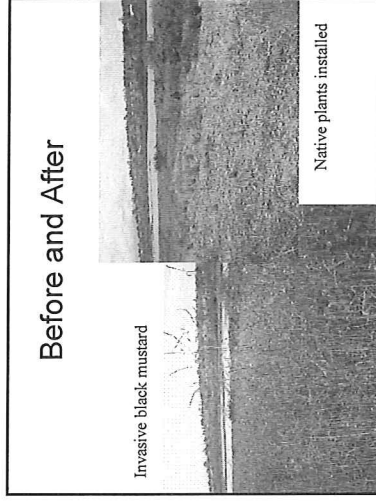
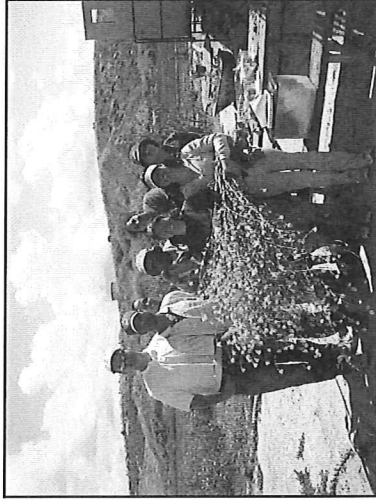
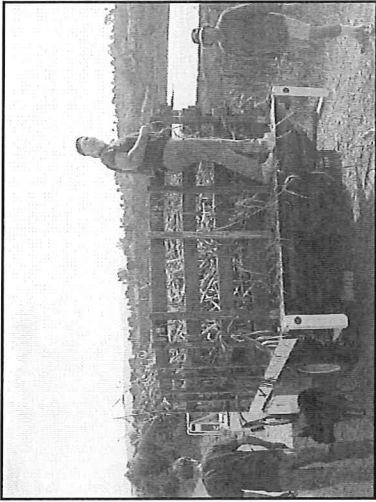
Salt Works





11/16/2011

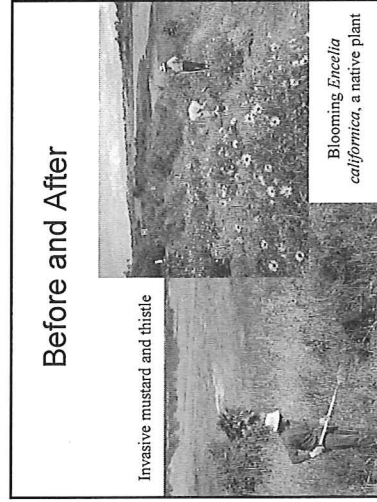




Before and After

Invasive black mustard

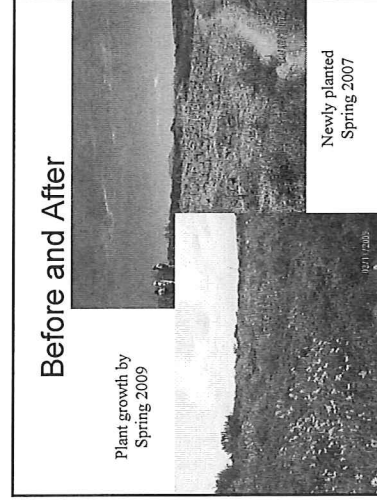
Native plants installed



Before and After

Invasive mustard and thistle

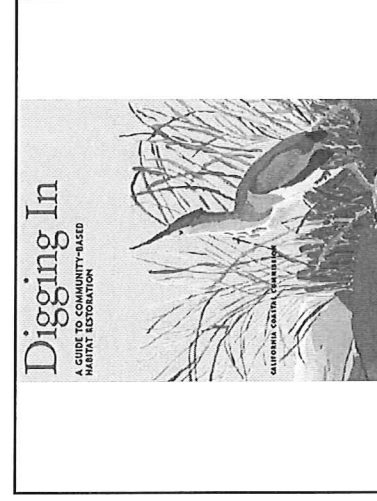
Blooming *Ericea californica*, a native plant



Before and After

Plant growth by Spring 2009

Newly planted Spring 2007



Digging In

A GUIDE TO COMMUNITY-BASED HABITAT RESTORATION

CALIFORNIA NATIVE PLANT SOCIETY

11/16/2011

