



City of Newport Beach

## Coastal/Bay Water Quality Citizens Advisory Committee Minutes

**DATE:** 12/10/09    **TIME:** 3:00 P.M.    **LOCATION:** Fire Conference Room

### 1. Welcome/Self Introductions

#### **Committee Members:**

Chairwoman/Council Member Nancy Gardner  
Dennis Baker  
George Drayton  
Tom Houston  
Jim Miller  
Janet Rappaport  
Randy Seton

#### **Guests:**

Mark Silvey, Clean Boating  
Jack & Nancy Skinner

#### **City or County Staff:**

John Kappeler, Code & Water Quality Enforcement Manager  
Shirley Oborny, Administrative Assistant

### 2. Approval of Previous Meeting's Minutes

The minutes from the October 8, 2009, meeting were approved.

### 3. Old Business

#### **(a) Bay and Ocean Bacteriological Test Results**

Mr. Kappeler reviewed the latest bacti reports. Chairwoman Gardner asked Mr. Kappeler if he could get an estimate of how much it would cost to reinstate the water quality testing in Newport Bay and the ocean shoreline in the event there is a group who would be interested in raising funds for the testing. Mr. Kappeler suggested Larry Honeybourne may be able to provide the committee with an update because he's working with the Sanitation District who does the testing along the ocean shoreline, including Crystal Cove.

### 4. New Business

#### **(a) Newport Harbor Clean Boating Program**

Mr. Silvey introduced himself to the group. He said he has been around boats his whole life. He started a yacht charter company 37 years ago. After that, he opened *Marine Services* to maintain the boats. For the last 15 years he's been active with various committees throughout the City including serving on the Board of Directors for

## Executive Summary

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The City of Newport Beach has submitted the 2008 – 2009 Program Effectiveness Assessment (PEA) to provide a written account of the activities the City is undertaking to meet the requirements of the Third Term Permit, 2003 DAMP, and make meaningful improvements in water quality.

Program highlights are as follows:

### NPDES Compliance

- Enforcement Efforts: Conducted **1120** “Knock & Talks”, issued **59** Notices of Violation and **110** Administrative Citations (monetary penalties for water quality prohibited discharges)
- Completed all required Food Facility Inspections (**387 restaurant** FOG inspections)
- Completed all required Industrial Inspections
- Completed all required Commercial Inspections
- Completed all required Municipal Inspections
- Completed all required Construction Site Inspections (residential and public works – **an estimated 973 inspections**)
- For the 8<sup>th</sup> consecutive year inspected and cleaned 100% of the City’s catch basins and v-ditches (**3212 catch basins**)
- Continued to expand our catch basin screening program (currently **540** catch basins screened).
- For the 8<sup>th</sup> consecutive year continued our alley sweeping program (not mandated)
- Continued support of a staff of five within our Code and Water Quality Enforcement Division, including a dedicated water conservation coordinator.
- Continued enforcement of a high profile special water quality enforcement zone in West Newport
- A strong sanitary system overflow (SSO) prevention plan, which includes good investments in our Wastewater Master Plan, CCTV-ing of our system, and one of the regions most aggressive hot spot and lift station cleaning programs.
- Continued work on the NSMP Project and TMDL Studies

## Water Quality Education & Administration

- A City Council appointed 7 member citizens committee on Water Quality that meets monthly to monitor our progress. Council Member Nancy Gardner, former president of the Newport Beach Surfrider Chapter, chairs the Committee
- Produced 5 new episodes of “Water Wise” a 30 minute educational program aired on cable television
- Produced a Water Conservation PSA with 12 time World Champion surfer Rob Machado currently playing on all Newport Beach Regal Cinemas, the Newport Beach Film Festival and on [www.watersmartnewport.org](http://www.watersmartnewport.org)
- Introduced a Water Miser Workshop educating the public on water conservation and water quality issues (185 attendees)
- Hosted and participated in the 2009 Eco-Fabulous event highlighting environmental issues and raising funds to continue the California Department of Education’s program “Inside the Outdoors”
- \$45,000 plus annual commitment to a regional water quality education program at the new Back Bay Science Center
- Annual funding and sponsorship of an existing 5<sup>th</sup> grade education program on water quality
- A newly-updated General Plan that contains a full "Harbor and Bay Element", a “Natural Resources Element” as well as many water quality-protective principles and implementation steps
- An “Adopt-A-Beach” program for trash and debris removal on many of our ocean and bay beaches
- Promoting Smart Irrigation Month – public outreach reminders to repair faulty irrigation systems, install ET controllers and other water quality and water conservation tips
- Promoting wise water use and education on urban runoff through greater emphasis in outreach to HOA’s and community organizations via public speaking requests
- New Water Conservation Website - [www.watersmartnewport.org](http://www.watersmartnewport.org)
- Continued support of [www.cleanwaternewport.com](http://www.cleanwaternewport.com)

## Water Quality and Water Conservation Projects

### Water Quality

- Areas of Special Biological Significance (ASBS) - Conducted continued studies identifying and quantifying negative impacts to the ASBS. Implementation tasks include long-term monitoring, community outreach, introduction of key species in local waters, bmp's and project management.
- Big Canyon Creek Restoration – Restoration of a 60 acre nature park.
- Buck Gully Maintenance Road and Wetland Project – Buck Gully creek restoration, stabilization and non-native vegetation removal project.
- Buck Gully Resource Management Plan - The development of a Resource and Recreation Management Plan for Buck Gully detailing a 20 year work plan and series of capital improvement projects to address public access, fire safety, water quality and native restoration.
- Upper Newport Bay Ecosystem Restoration Project - a multi-year, \$38 million project to bring the Upper Bay back to a more optimal ecosystem, which involves extensive dredging of sediment.
- Buck Gully and Morning Canyon: Canyon and Creek Bank Erosion Control BMP's and Riparian and Freshwater Wetland Restoration Project
- Harbor Area Management Plan (HAMP) - This project continues work to prepare a master plan identifying challenges and goals for the Upper Bay and Harbor area.
- Rhine Channel Remediation Project
- Upper Bay Comprehensive Resource Management Plan - This project begins the development of a Comprehensive Resource Management Plan (CRMP).
- The Central Orange County Integrated Regional and Coastal Watershed Management Plan (IRCWMP) - A comprehensive planning document designed to protect water quality within the Newport Bay/San Diego Creek and Newport Coast Watersheds, including Newport Bay and sensitive coastal regions

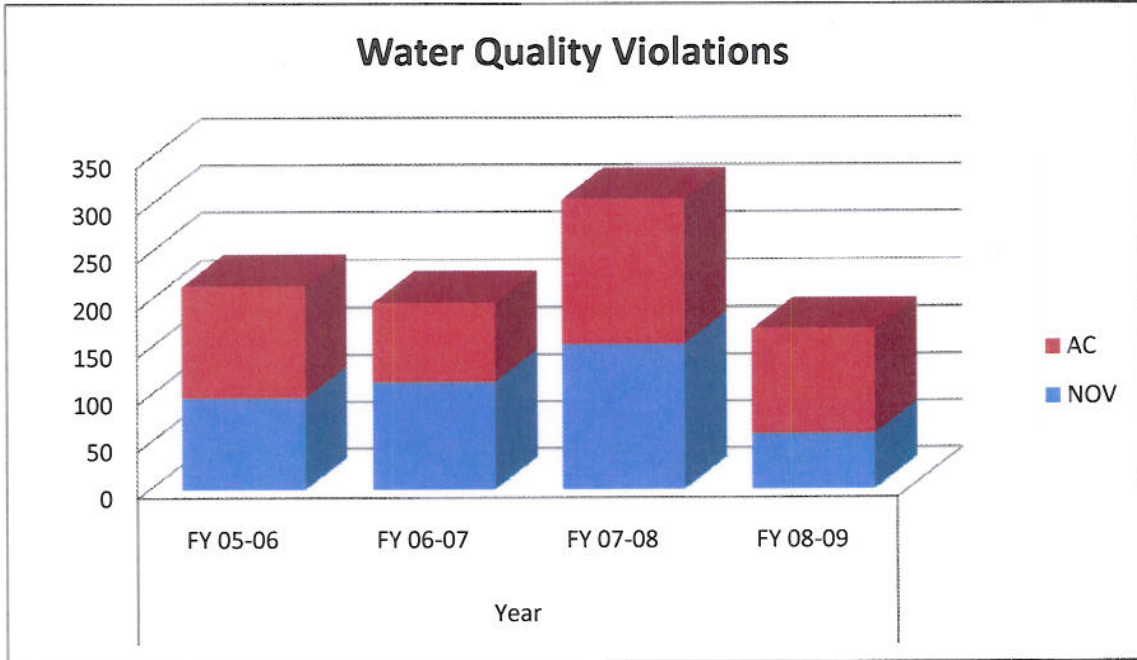


## Water Conservation

- Irrigation - Citywide Central Computer System – This project provides for the installation of an irrigation computer system and necessary equipment at various City park satellite locations.
- Irrigation - Newport Coast Central Computer System – This project provides for the installation of an irrigation computer system and necessary equipment at existing slope and median locations in Newport Coast.
- Landscape Certification Program – Water budget audits are currently underway for all parks and city medians. Water budget reports based upon plant, soil, slope and ET factors are included.
- An amended water conservation ordinance (NBMC Section 14.16) will be presented to council for adoption, including graduating levels of mandatory conservation.
- A Landscape and Irrigation Ordinance (AB1881) is being developed to address new and remodeled landscapes as required per the DWR model ordinance.
- A new water conservation PSA starring Ed Begley Jr. The PSA will be featured at all Newport Beach Regal Cinemas, the Newport Beach Film Festival and on [www.watersmartnewport.org](http://www.watersmartnewport.org)



# City of Newport Beach



**Notes:**

1. NOV = Notice of Violation (i.e. Warning Notice)
2. AC = Administrative Citation (i.e. Monetary Penalty)

	Year			
	FY 05-06	FY 06-07	FY 07-08	FY 08-09
NOV	97	114	154	59
AC	118	83	152	110
<b>Total</b>	<b>215</b>	<b>197</b>	<b>306</b>	<b>169</b>

the Recreational Boaters of California (RBOC).

He talked about the excessive number of the permits required nowadays to operate a boat. The State Water Resources Control Board (SWRCB) is attempting to enforce a coastal marina permit for recreational boats. This will cost about \$250,000 per marina if the permit gets passed. It applies to marinas with 10 or more boats. He said the permit will mandate monthly reports and water quality testing. He talked about how the mandates are so expensive that the boaters cannot afford to keep boating. When asked by Mr. Seton why the SWRCB is doing this, Mr. Silvey said they told him it's because they received grant money to do the testing. Mr. Kappeler said he'd make sure the Harbor Commission is aware of it and are tracking it.

In reference to marina soap, Mr. Silvey said there are a lot of ingredients not good for the environment. He particularly likes a soap made in the City of Industry. It's a polish that uses nano-technology. It doesn't contain anything harmful such as petroleum. It fills the porous surface so there's no need for soap. The boat can simply be cleaned with a cloth. Products contain petroleum because it leaves the paint shiny. He said he's seen a lot of people buy the cheapest dish soap and even bleach to wash their boats. He tries to get the word out that using soap is not good. Many harbors are now prohibiting soap use on their own. A number of marinas prohibit using buffers because the buffers throw the product into the water. Discussion of boat washing techniques ensued.

In response to Mr. Kappeler, Mr. Silvey said Santa Barbara and Lake Tahoe are good examples of places where they're doing a great job to keep their water clean.

Chairwoman Gardner said education will help. The City can place green boating tips on its green web page.

Mr. Houston said maybe somebody will come up with techniques the boat washers can use that utilize water collection techniques similar to the techniques used by the car detailer's that would be affordable to them.

#### **(b) NPDES Annual Water Quality Report**

Mr. Kappeler distributed the Executive Summary report to the committee and talked about activities the City does to meet the requirements in terms of water quality. He referred the committee to the last page, Water Quality Violations. He said the trend of violations has gone down. Chairwoman Gardner suggested information about pressure washing, etc., could also be uploaded to the City's new green web page. The committee said the list of activities is very impressive.

#### **5. Public Comments on Non-Agenda Items**

Chairwoman Gardner announced that she, Dave Kiff and Chris Miller met with Larry Paul and a couple of the dredgers in the bay, to discuss the eelgrass issue. She said the City hired Larry Paul as a consultant. He will create a timeline for the City and bring it back for discussion sometime in January.

Mr. Skinner said John Kappeler's Phase III gutter study is being prepared for publication. He talked about why the results of this study are important; they can give false positive readings in the storm drains. Street sweeping and preventing over-watering are areas that should be focused on in order to reduce the bacteria counts and help the City comply with the SWRCB's regulations.

Mr. Houston asked if there would be a new test that can be used to test for fecal coliform. Mr. Skinner said there are other ways to test for different bacteria. The Health Department can do a good sanitary survey to look for leaks, etc. In response to Mr. Baker, Mr. Kappeler said the roofs of restaurants are inspected.

#### **6. Topics for Future Agendas**

- (a) Update on Integrated Watershed Planning Efforts
- (b) NPDES Annual Water Quality Report
- (c) Boats US – Not all Boat Suds are Created Equal
- (d) Bacteriological Dry – Weather Runoff Gutter Study (Phase III)

Chairwoman Gardner said the committee might want talk about whether NBTV should continue the *Waterwise* program or not.

#### **7. Set Next Meeting Date**

The next meeting was set for January 14, 2010.

**8. Adjournment** - The meeting was adjourned at 4:47 p.m.