

City of Newport Beach

Coastal/Bay Water Quality Citizens Advisory Committee Minutes

Date: March 11, 2010

Time: 3:00 p.m.

Location: Fire Conference Room

1. Welcome/Self Introductions

Committee Members present:

Chairwoman/Council Member Nancy Gardner

Council Member Mike Henn

Dennis Baker

George Drayton

Tom Houston

Randy Seton

Guests present:

Mike Fennessy, OCHCA

Ray Heimstra, Orange County Coastkeeper

Larry Honeybourne, OCHCA

Jack and Nancy Skinner, SPON

Staff present:

Bob Stein, Assistant City Engineer

Craig Justice, Deputy Utilities Director

Cathy Wolcott, Part-Time Deputy City Attorney

Shirley Oborny, Administrative Assistant

2. Approval of Previous Meeting's

The minutes from the January 14 and February 11, 2010, meetings were approved.

3. Old Business

(a) Bay and Ocean Bacteriological Test Results

Larry Honeybourne reviewed the latest bacti reports.

4. New Business

(a) Orange County Proposed Regional Monitoring Plan

Larry Honeybourne explained that last year Governor Schwarzenegger decided to line-item veto funding for AB411. It was approximately \$1 million that was divided between the Coastal Counties of California. The funding was for beach monitoring from April 1 to October 31. He said the County of Orange does year-round ocean monitoring and as such, it incurs significant cost above and beyond what the AB411 was. The budget doesn't look good for the next five years in Sacramento. Funding was located through the State Water Resources Control Board (SWRCB) to cover two years. That funding will end June 30, 2010. The Federal Government will provide some stimulus money that will cover the remaining portion of the year.

Mr. Honeybourne gave a PowerPoint presentation (see attached). He said the various agencies in Orange County are looking for some kind of sustainable funding apart from the State. The stakeholders met about a year ago to discuss a collaborative and integrated regional monitoring plan.

Mr. Houston asked for an example of a location where monitoring was being done where it's not required. Mr. Honeybourne said the San Gabriel River and a number of storm drains are not required to have monitoring.

Mr. Baker asked what agencies are not required to take recheck samples. Mr. Honeybourne said some of the NPDES permits do not require it, such as the permits for the Orange County Sanitation District and the Orange County Stormwater Permit.

Chairwoman Gardner asked if they have received a good response from the Regional Board concerning the monitoring plan. Mr. Honeybourne said it has. John Bishop with the State Board gave direction to each of the Coastal Regional Boards to try and make it happen where possible.

Chairwoman Gardner asked how much money would be saved if the proposal was adopted. Mr. Honeybourne said he doesn't know about financial reduction but he said there would be some reduction in monitoring for the sanitation agencies and watershed agencies.

Mr. Baker asked what outreach approaches have been taken to the environmental community. Mr. Honeybourne said one group has taken issue with the process. This is still in the feedback phase, which is still flexible. He said if the State does not provide funding, there are no standards for the beach along the coastline nor is there any requirement to sample.

In response to Mrs. Skinner, Mr. Honeybourne said they are currently working at the staff level with the Regional Board. If an executive officer wanted to add monitoring to a permit, it could be added unilaterally.

Mr. Skinner asked where the funding for the bay testing would come from. Mr. Honeybourne said the bay has a TMDL and the continued monitoring is required. The Watershed partners are paying the County to do it.

Mr. Honeybourne said there was a suggestion made to save money by eliminating the total and fecal coliforms and use Enterococcus as the indicator of choice. Further, he said by 2012 the USEPA must develop new water quality criteria for recreational water use. They must choose the indicator of choice by December 2010 to meet the 2012 deadline. SCCWRP has been actively involved in developing methodologies or rapid indicators. They've appointed a commission to see if this year it would be ready for a trial basis.

In response to Mr. Houston, he said there is methodology being tested by Jenny Jay at UCLA that's faster than the QPCR method but it's not ready yet. The goal of the future is to have more immediate results; however, it's not quite that easy.

Mr. Baker asked how much closer they are in reference to looking at the viral pathogens. Mr. Honeybourne said the methodologies for detecting viruses aren't well developed and the cell culture can take up to two weeks.

Mr. Skinner asked whether the EPA will switch to bacteroides or stick with enterococci. Mr. Honeybourne said they must have a decision by the end of the year.

(b) Fecal Coliform TMDL

This item was continued to a future date to be determined.

(c) Newport Bay Copper Reduction Program

Chairwoman Gardner said there are two decisions that need to be made; 1) does the committee wish to pass on a draft resolution endorsing the program; and 2) if so, what should the language say. The committee decided to support the program and discussed revised language. Bob Stein said he would come up with some draft language that could also be used in support of refuting the State Board's desire to control discharges of storm drains that outlet to the ASBS's. He thinks it would be more cost effective to support a copper reduction program.

5. Public Comments on Non-Agenda Items

Chairwoman Gardner talked about the upcoming Green Webpage.

Mr. Skinner announced that the biofilm study will be published in July and presented at the American Society of Microbiology meeting in San Diego. He talked about how he and Mr. Kappeler did a further study on what happens to the bacteria once it gets into the storm drain and comes down into the water. Using fluorescent dye, they tracked the effects of the tide and the wind and are currently analyzing the results.

Craig Justice reminded the committee that the next meeting would be hosted by the Utilities Department at the Utilities yard.

6. Topics for Future Agendas

(a) Update on the Integrated Watershed Planning Efforts

(b) Bacteriological Dry-Weather Runoff Gutter Study (Phase III)

(c) NBTV – Waterwise

(d) Adopt A Beach Program

(e) OCTA Measure M

On behalf of Janet Rappaport, Randy Seton asked for a discussion on the coastal dolphins that come in and out of the bay.

Mr. Houston asked for an update on the sea lions in the bay.

Mr. Baker wants to show a film, "Roadshow on the Backbay."

7. Set Next Meeting Date

The next meeting was set for April 8, 2010.

8. Adjournment

The meeting was adjourned at 4:36 p.m.