



**Mitigation and Resource Protection Program Oversight Committee
Environmental Oversight Committee**

**Orange County Transportation Authority
600 S. Main Street, Orange CA**

February 20, 2008

10 – 11:30 a.m.

AGENDA

- 1. Welcome**
- 2. Approval of January 2008 Minutes**
- 3. Committee Charter Approval**
- 4. Presentation Items**
 - A. M2 Freeway Program Overview
Tom Bogard, OCTA Director of Highway Project Delivery
- 5. Committee Organization & Work Plan**
 - A. Master Agreement Ad Hoc Working Group
 - B. Impact Assessment Ad Hoc Working Group
- 6. Public Comments**
- 7. Next Meeting – March 5, 2008**
- 8. Committee Member Reports**
- 9. Adjournment**

Public Comments: The Agenda descriptions are intended to give notice to members of the public of a general summary of items of business to be transacted or discussed. Members from the public wishing to address the Committee will be recognized by the Chairman at the time the Agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes. Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA at (714) 560-5725, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Environmental Oversight Committee

Jan. 16, 2008
Meeting Minutes

Committee Members Present:

Vice-Chair Melanie Schlotterbeck, Measure M Support Groups
Cathy Green, OCTA Board of Directors
Merlin L. "Bud" Henry Jr., Taxpayers Oversight Committee
Judy McKeehan, SWCA Environmental Consultants
Adam Probolsky, Probolsky Research
Dan Silver, Endangered Habitats League
Jonathan Snyder, US Fish and Wildlife Service
Debbie Townsend, California Wildlife Conservation Board
Ed Pert, CA Department of Fish and Game
Sylvia Vega, Caltrans

Committee Members Absent:

Chair Patricia Bates, OCTA Board of Directors
Mark Cohen, US Army Corps of Engineers

Orange County Transportation Authority Staff Present:

Paul Taylor
Monte Ward
Ellen Burton
Kia Mortazavi
Jim Sterling
Marissa Espino
Dan Phu
Ryan Maloney

Members of the Public

None

1. Welcome & Introductions

In Director Bates' absence, Vice-Chair Melanie Schlotterbeck called the meeting to order at 11:40 a.m. Jeff Corless was introduced as a representative of Director Bates. Ed Pert noted that Erin Wilson would be his representative in the future.

2. Approval of November 2007 Minutes

Minutes from the November 2007 meeting were reviewed and approved without revisions.

3. Presentation Items

a. Plan of Finance Overview

Kirk Avila, OCTA Treasurer, presented an overview of the plan to finance early action projects prior to receiving Renewed Measure M (M2) funds starting in 2011. Until receiving revenue from M2, early action plan projects will be funded by commercial paper, a loan instrument with a very short term. Monte Ward explained that it is expected that early acquisition of land for projects will save money, even considering the interest on the short term loans. In response to members questions, Monte said the funding was intended primarily for acquisitions, but can be used for any element of early action projects. Another member commented that the early availability of funds was critical to some conservation efforts given the transient availability of land.

b. San Diego Association of Governments (SANDAG) Environmental Mitigation Program Overview

Keith Greer, SANDAG Senior Regional Planner, presented an overview of San Diego's Transnet Environmental Mitigation program. Transnet is funded by a one-half cent sales tax starting in 2009, and is currently funded by a commercial paper program. The focus of SANDAG's program is a Memorandum of Understanding that allows the early acquisition of property with understanding of environmental mitigation program assurances once the transportation project is built. Keith also presented several lessons learned from SANDAG's development of their memorandum.

A member asked if federal properties, such as Camp Pendleton and Miramar, would be included. Keith explained that while federal properties would benefit from the program, they were under federal management and would not be participating in Transnet.

A question was asked regarding how the program would result in a cost savings. Keith answered that the program is expected to result in cost savings over a 10-year period due to the reduced cost of land acquisitions (due to historical increasing land costs), reduced time/costs in environmental mitigation phase, and more rapid project delivery.

Monte asked how the environmental impact costs of a project were determined. Keith explained that SANDAG's environmental staff had categorized the types of environmental areas affected by each project, and then calculated the historical cost of environmental mitigation efforts for that type of vegetation by area. Keith clarified in response to another question that the estimates for mitigation could be greater or lesser than expected, so the Transnet program would average the costs of environmental mitigation over 10 years.

In response to several member questions, Keith clarified the management and monitoring aspect of Transnet. Management and monitoring includes both land stewardship, such as property management, waste removal, cleaning, signage and fencing; and adaptive monitoring where the focus is on monitoring impacted plant and animal species. The ongoing costs of management and monitoring are

roughly two-thirds of total cost, capital or acquisition costs are the remaining third.

Keith responded to a later question on funding restrictions by explaining that SANDAG would prefer not to hold any land itself. If an environmental group agreed to partner with them, they would release the title to that group as long as they retained the environmental assurances. A question was asked if SANDAG had considered endowments, to which Keith responded they were, in addition to regional endowments.

A member asked about the largest stumbling block that SANDAG had encountered in its program. Keith responded that the limited flexibility of both SANDAG and environmental groups had been the major issue. SANDAG cannot give funds without environmental assurances, and environmental agencies cannot give complete assurances long in advance of projects. Additionally, accounting for funds spent must meet state and federal accounting guidelines in order to qualify for matching funds. In terms of planning issues, Keith noted that people generally get uncomfortable with very long-term projects such as 10- to 15-year advance mitigation.

4. Work Plan Review

Monte Ward presented a draft work plan to the committee, and explained the possible need for two subcommittees to address issues encountered by SANDAG. A motion was passed to create two subcommittees. Staff was directed to prepare a summary description of the objectives of the two committees, and send them to all committee members by e-mail. Monte mentioned that the subcommittees may include people who aren't members of the primary committee, depending on the issues being addressed. He also stated that we would bring the committee the charter for approval for next meeting.

5. Committee Organization

A member recommended that the committee or subcommittees develop an aggressive timeline for completion of the EOC's memorandum, to complete the memorandum in under two years.

There was an additional recommendation for committee members to appoint alternate members. Monte stated that the ordinance did not currently provide for alternates, but staff would investigate the possibility.

6. Next Meeting

Due to a scheduling conflict, the February meeting was tentatively changed to Feb. 20 at 10 a.m. Staff will confirm room availability and provide an update to members.

7. Committee Member Reports

None

8. Adjournment

A motion to adjourn the meeting at 12:52 p.m. was made and passed unanimously.



**Mitigation and Resource Protection Program Oversight Committee
Environmental Oversight Committee
Committee Charter**

Purpose

Renewed Measure M (M2) provides for the allocation of at least 5 percent of net freeway program revenues (or \$243.5 million in 2005 dollars) for programmatic mitigation of freeway projects, subject to a Master Agreement between the Orange County Transportation Authority (OCTA) and state and federal resource agencies. The intent is to provide for comprehensive, rather than piecemeal, mitigation of the impacts of freeway projects and to do so in a way that results in high-value environmental benefits in exchange for streamlined project approvals and greater certainty in the delivery of the freeway program as a whole.

The Environmental Oversight Committee (EOC) makes recommendations to the OCTA Board of Directors regarding the allocation of revenues for programmatic mitigation and monitors the implementation of the Master Agreement.

Line of Reporting

The EOC will provide recommendations to the OCTA Board of Directors. Currently, all matters related to M2 are considered first by the OCTA Transportation 2020 Committee, a subcommittee of the OCTA, for recommendation to the full OCTA Board.

Responsibilities

The EOC provides advice on the development and implementation of programmatic mitigation of freeway projects under M2. Activities undertaken by the EOC may consist of the following:

- Inventory and assessment of freeway impacts.
- Inventory and assessment of mitigation opportunities.
- Review and provide input on funding opportunities, including M2 financing, matching funds and grant funding.
- Review and provide input on both the monetary and environmental value of property or other mitigation elements.
- Review and provide input on the Master Agreement.
- Monitor implementation of the Master Agreement, including acquisitions, management, operations and maintenance activities.

Membership

The EOC shall consist of 12 members appointed by the OCTA Board of Directors as follows:

- Two members representing OCTA, one of whom shall serve as chairman;
- One member representing Caltrans;
- One member representing the California Department of Fish and Game;
- One member representing the United States Fish and Wildlife Service;
- One member representing the Army Corps of Engineers;
- One member representing the California Wildlife Conservation Board;
- One member representing the Measure M Taxpayers Oversight Committee;
- Two members representing non-governmental environmental organizations;
- Two members representing the public.

Members are expected to be able to devote at least 25 hours per year to Committee business. Alternates are not permitted.

Terms of Office

Terms of office are three years with no term limitations.

Meeting Time and Location

The committee meeting will take place on the first Wednesday of the month from 10 to 11:30 a.m. at the Orange County Transportation Authority, 600 South Main Street in Orange.

Selection of the Vice-Chair

The Vice-Chair will be selected by the EOC from among its members.

Duration of Existence

The EOC will continue throughout the duration of the implementation of the Master Agreement.



Freeway Program Update

Tom Bogard
Director of Highway Project Delivery

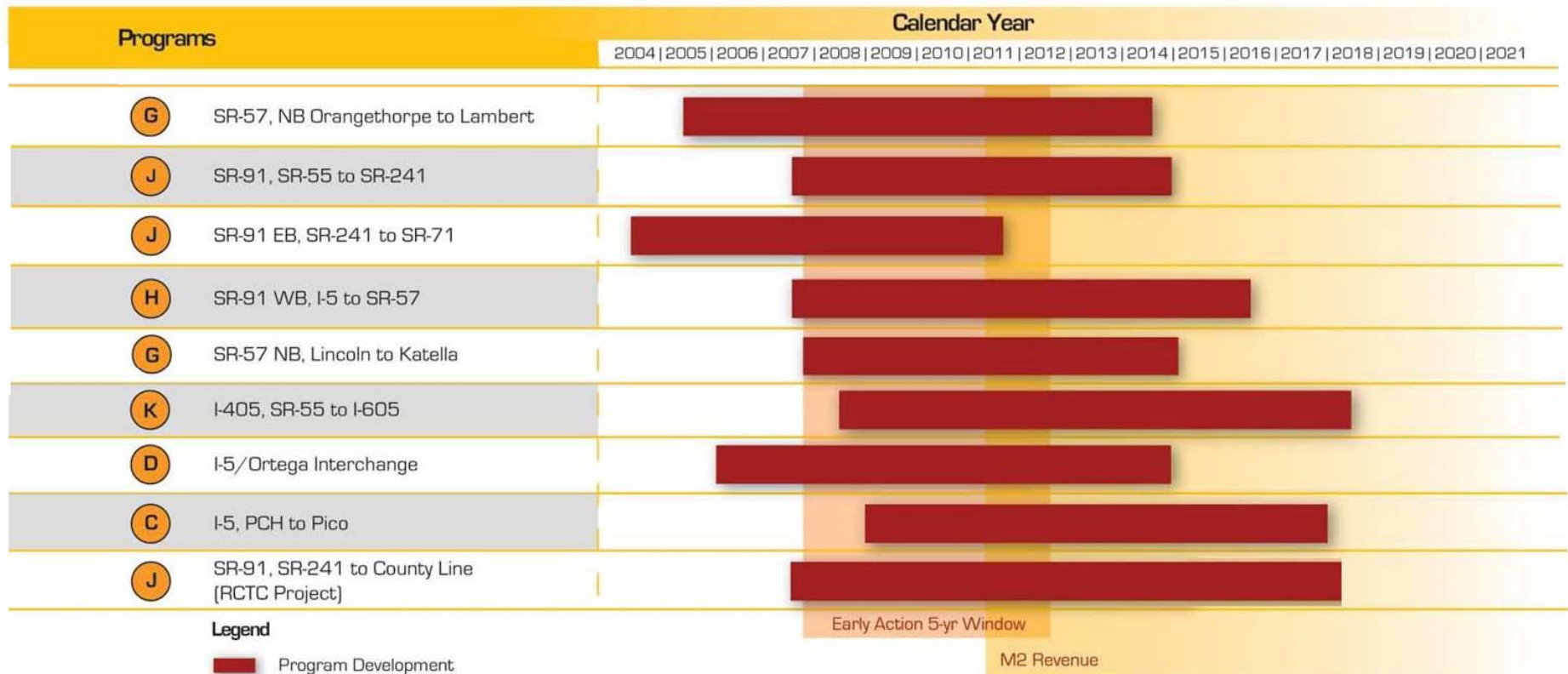


OCTA Freeway Program

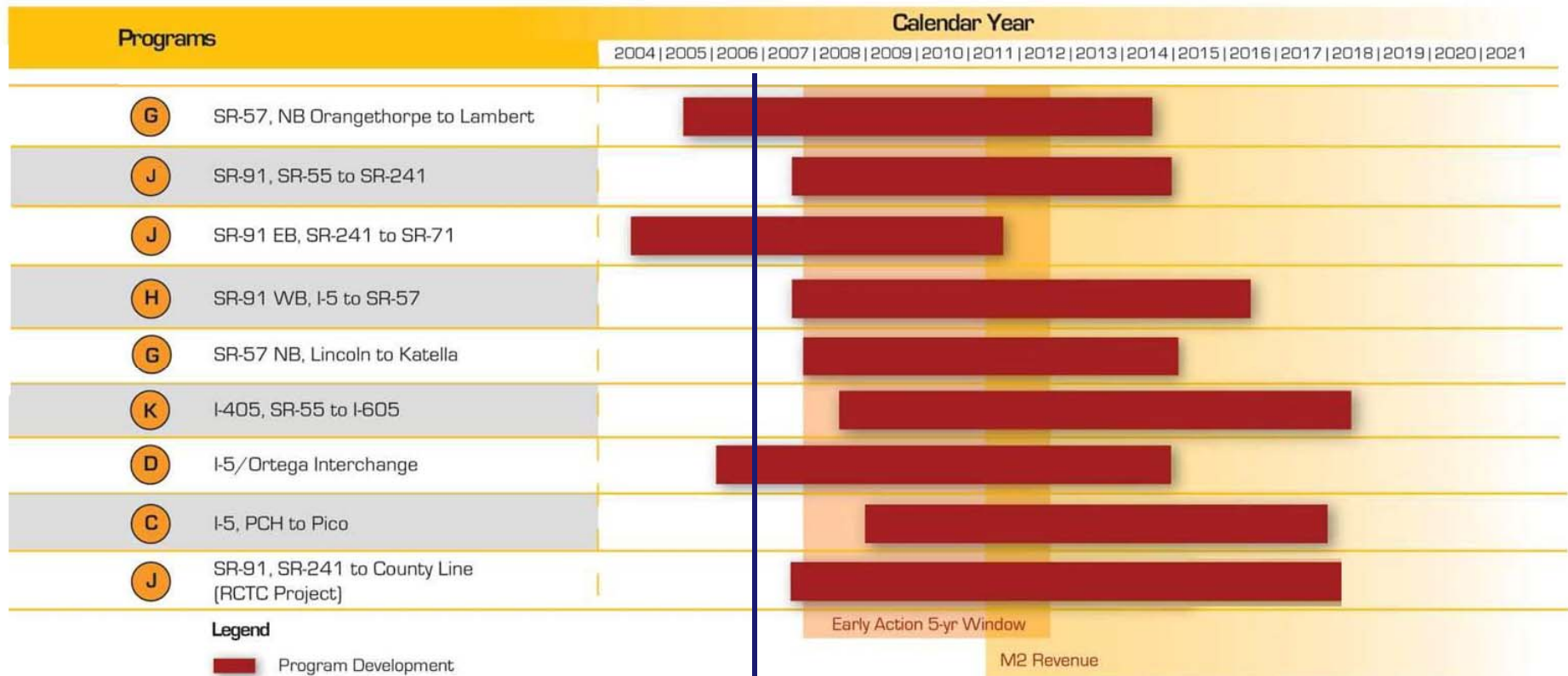


- The freeway program is supported by a number of funding sources:
 - Measure M (M1)
 - Renewed Measure M (M2)
 - State Transportation Improvement Program (STIP)
 - State Proposition 1B bonds
 - Federal funds
 - Other local funds

M2 Early Action Plan

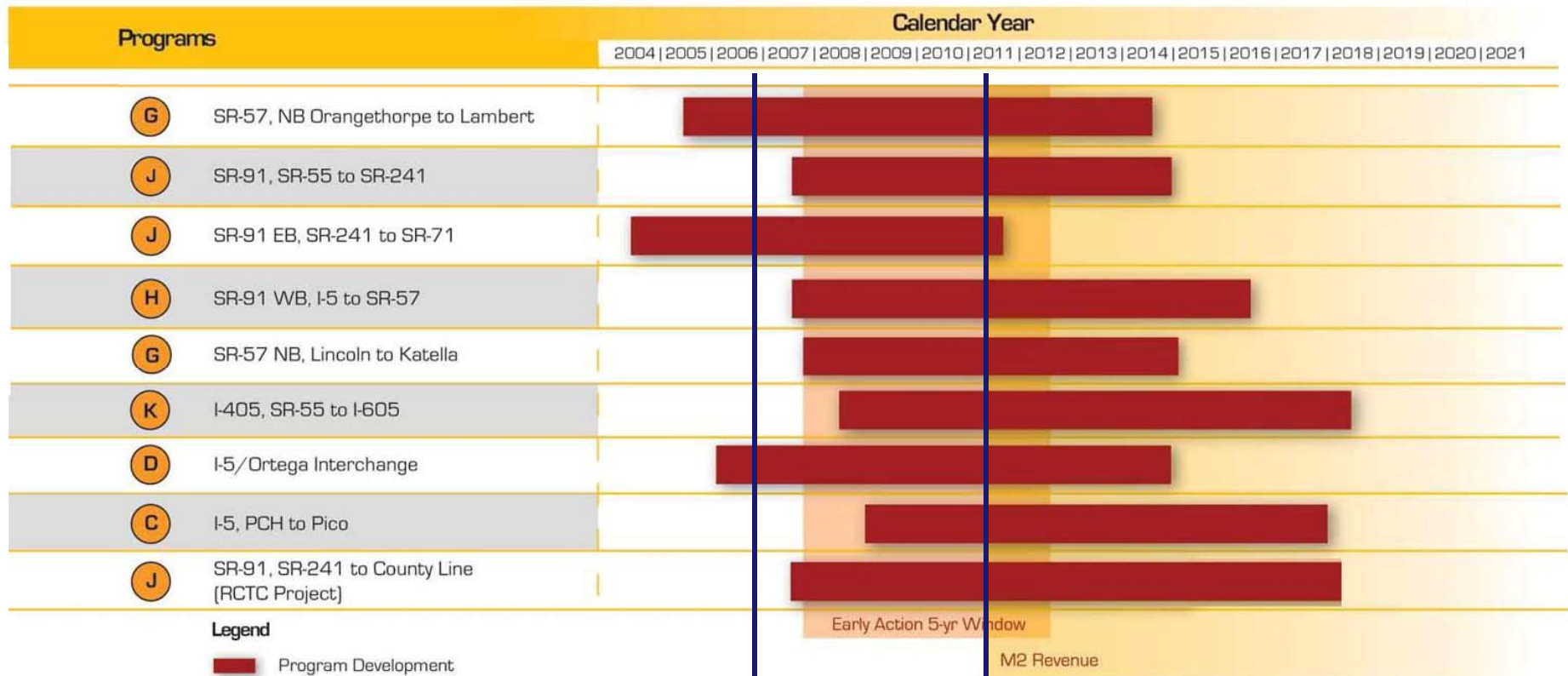


M2 Early Action Plan



M2 Voter Approval

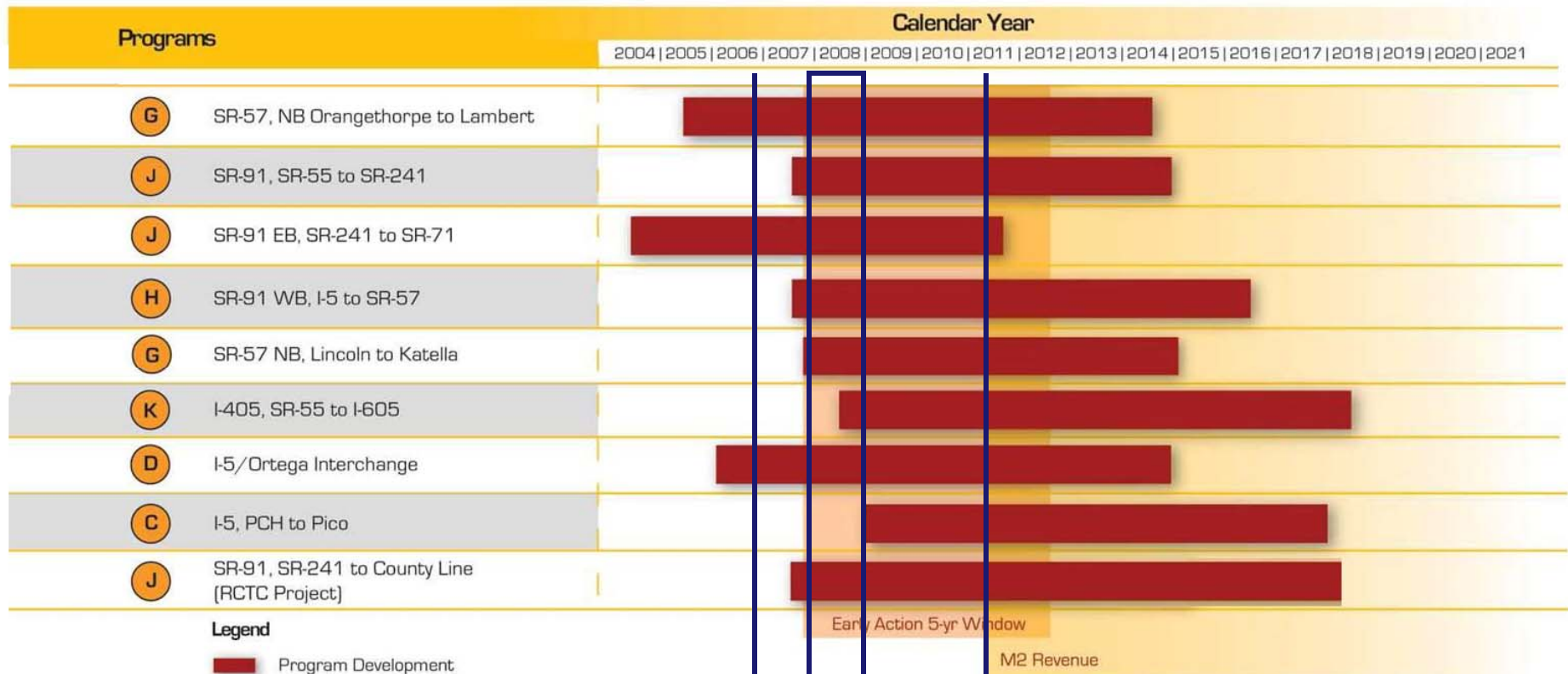
M2 Early Action Plan



M2 Voter Approval

Start of Funds

M2 Early Action Plan



M2 Voter Approval

Start of Funds

2008 Program



North County



- In Development
- In Construction
- Complete

2008 Program

Central County



- In Development
- In Construction
- Complete

2008 Program

South County



2008 Program

2008 Freeway Program



- Seventeen Projects Underway:
 - One Conceptual design
 - Five Environmental documents
 - Six Final designs
 - Five Construction projects
- An investment of \$2.2 billion

2008 OCTA Freeway Program Project Summary

Corridor	Project Limits	Project Phase	Planned Improvements	Cost (\$millions)
I-5	Pico to Pacific Coast Highway	PSR	Add one HOV lane in each direction	\$250
I-5	Ortega Interchange	PA/ED	Improve configuration of ramps and widen overcrossing	\$75
I-5	Camino Capistrano Interchange	PS&E	Add southbound auxiliary lane and widen southbound offramp	\$20
I-5	Oso Interchange	CON	Add southbound auxiliary lane and widen southbound offramp	\$30
I-5	Culver Interchange	CON	Widen southbound offramp	\$3
I-5	Pico Interchange	CON	Add southbound auxiliary lane and widen southbound offramp	\$5
I-5	SR-91 to LA County Line	CON	Add one general purpose and one HOV lane in each direction	\$335
SR-22	Valley View to SR-55	CON	Add one HOV and one general purpose lane in each direction	\$550
SR-57	Katella to Lincoln	PA/ED	Add one northbound general purpose lane	\$40
SR-57	Orangthorpe to Yorba Linda	PS&E	Add one northbound general purpose lane	\$70
SR-57	Yorba Linda to Lambert	PS&E	Add one northbound general purpose lane	\$70
SR-91	I-5 to SR-57	PA/ED	Add one westbound general purpose lane	\$70
SR-91	SR-55 to SR-241	PA/ED	Add one general purpose lane in each direction	\$100
SR-91	SR-241 to SR-71	PS&E	Add one eastbound general purpose lane	\$100
I-405	I-405/SR-22 Interchange	PS&E	Add direct freeway-to-freeway HOV connector and add one HOV lane in each direction	\$180
I-405	I-405/I-605 Interchange	PS&E	Add direct freeway-to-freeway HOV connector and add one HOV lane in each direction	\$220
I-405	SR-55 to I-605	PA/ED	Add one or two general purpose lane in each direction	\$700

Legend for Project Phase:

PSR Project Study Report

PA/ED Project Approval / Environmental Document

PS&E Plans, Specifications & Estimate

CON Construction

(conceptual design phase)

(environmental approval phase)

(final design phase)

(construction phase)



February 19, 2008

To: Members of the Environmental Oversight Committee

From: EOC Chairman Patricia Bates

Subject: **Selection of Ad-Hoc Working Group Members**

Thank you to all Environmental Oversight Committee members for offering your time to serve on one or both of the ad-hoc working groups.

Following is a list of who will be serving on the Master Agreement Working Group and the Impact and Mitigation Working Group.

Master Agreement Working Group

Mark Cohen, US Army Corps of Engineers
Cathy Green, OCTA Board of Directors
Melanie Schlotterbeck, Measure M Support Groups
Jonathan Snyder, US Fish and Wildlife Service
Debbie Townsend (when needed), CA Wildlife Conservation Board
Sylvia Vega, Caltrans
Erinn Wilson, CA Department of Fish & Game

OCTA Technical Staff:

Monte Ward, Special Projects Director
Environmental Staff (TBD)

Impact and Mitigation Working Group

Mark Cohen, US Army Corps of Engineers
Bud Henry, OCTA Taxpayers Oversight Committee
Judy McKeehan, SWCA Environmental Consultants
Arianne Preite (for Sylvia Vega), Caltrans
Adam Probolsky, Probolsky Research
Melanie Schlotterbeck, Measure M Support Groups
Dan Silver, Endangered Habitats League
Jonathan Snyder, US Fish and Wildlife Service
Erinn Wilson, CA Department of Fish & Game

Participating Non-EOC Committee Members:

Michael White, Conservation Biology Institute
Ken Kietzer, CA Dept of Parks and Recreation
County of Orange Representative

OCTA Technical Staff:

Jim Sterling, GIS, Planning & Analysis Section Manager
Environmental Staff (TBD)

Marissa Espino will provide the communications and coordination for the working group meetings and can be reached at 714-560-5607 or mespino@octa.net. At the next EOC meeting on February 20th, we will determine the schedules as well as review the purpose for both working groups.