



Mitigation and Resource Protection Program Oversight Committee

Environmental Oversight Committee

Orange County Transportation Authority

600 S. Main Street, Orange CA

April 2, 2008

10 – 11:30 a.m.

AGENDA

- 1. Welcome**
- 2. Approval of March 2008 Minutes**
- 3. Presentation Items**
 - A. Green Vision Project and Natural Lands Acquisition Opportunities
Claire Schlotterbeck, Friends of Harbors, Beaches and Parks
Melanie Schlotterbeck, Friends of Harbors, Beaches and Parks
- 4. Public Information Approval**
 - A. Frequently Asked Questions
 - B. Timeline
- 5. Ad-Hoc Working Groups Update**
 - A. Master Agreement Working Group
 - B. Impact and Mitigation Working Group
- 6. Public Comments**
- 7. Next Meeting – May 7, 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

March 5, 2008
Meeting Minutes

Committee Members Present:

Chair Patricia Bates, OCTA Board of Directors
Vice-Chair Melanie Schlotterbeck, Measure M Support Groups
Stephanie Hall, US Army Corps of Engineers
Merlin L. "Bud" Henry Jr., Taxpayers Oversight Committee
Judy McKeehan, SWCA Environmental Consultants
Dan Silver, Endangered Habitats League
Jonathan Snyder, US Fish and Wildlife Service
Erinn Wilson, CA Department of Fish & Game
Sylvia Vega, Caltrans
Adam Probolsky, Probolsky Research
Debbie Townsend, California Wildlife Conservation Board

Committee Members Absent:

Cathy Green, OCTA Board of Directors

Orange County Transportation Authority Staff Present:

Monte Ward
Ellen Burton
Jim Sterling
Marissa Espino
Dan Phu
Ryan Maloney

Members of the Public

Claire Schlotterbeck

1. Welcome

Chair Bates welcomed the committee members and called the meeting to order at 10:02 a.m. Chair Bates noted that the meeting might be shorter due to a time conflict with another meeting.

2. Minutes

Chair Bates provided corrections to several small errors in the February minutes, and asked the committee for any further corrections. Without any further comments, the minutes were approved with corrections.

3. Presentation Items

Tim Neely, Director of the County of Orange's Planning and Development Services, provided an overview of available open space in Orange County. Tim also discussed

several pending opportunities for land acquisition, as well as discussing the key elements of an environmental acquisition program.

Melanie Schlotterbeck asked if certain properties were entitled to development, or if additional Environmental Impact Report processes were required. Tim said that these properties were entitled to development through the zoning process, and already had a presumptive level of development. In response to a question from Melanie, Tim identified several potential acquisitions that could provide key environmental benefits.

Adam Probolsky asked about the status of the remaining portion of Saddleback Meadows. Tim said that a recent lawsuit would re-examine possible development, but these changes were not yet reflected on presentation maps.

In response to a question from Judy McKeegan, Tim discussed the impacts of a canyon as an environmental chokepoint for native species.

Monte Ward, Director of Special Projects, commented that one of the committee's goals was to move from theoretical to specific goals and overarching concepts. Since Measure M funds cannot be used to supplant the obligations of developers, the committee needs to review strategic properties for future projects and existing habitats for how they can be enhanced. Monte asked if Tim could discuss timing issues for these opportunities, and mention how to proceed without running into restrictions. Tim commented that all the items he had discussed had occurred in the last year, and that landowners were motivated to making acquisitions happen sooner. Tim said that it would likely be at least a year before decisions were made. Tim provided an update on the timing for several regional opportunities.

Monte mentioned that two years is the optimum timing for this committee for acquisitions. Tim commented that two years was an appropriate window, but also commented that much of the information presented was not yet official. Tim offered to provide the committee with information about regional vegetation, parcel boundaries, elevation, and impacted species, as well as GIS support to help evaluate property acquisitions. Monte commented that Jim Sterling would be assisting the committee with GIS, but additional help from the County of Orange would be helpful.

Dan Silver asked what the committee priorities were, in respect to the timing issue. Since money will be available in two to three years, and many of these opportunities are sooner, have wildlife preservation boards ever considered purchasing land and then being reimbursed by Renewed Measure M funds? Debbie Townsend responded that there were restrictions on the value of lands turned over to other agencies, but it may be possible. In response to questions about the county paying for acquisitions, Tim said that the county focus has been to look for other sources of funding. Tim discussed the benefits of a recent TCA-sponsored study that followed the Laguna Beach fires.

Claire Schlotterbeck asked if the committee would be emphasizing setting aside private lands for restoration. Tim responded that previous restorations had created several public park areas.

In response to a question from Melanie, Tim confirmed that some of the proposed Foothill-Trabuco developments would require modifications, particularly with a view towards fire safety.

Chair Bates thanked Tim for his presentation and for volunteering his help with this process.

4. Public Information

Monte asked the committee if there was interest in creating a handout and web materials for public information purposes. Chair Bates said the committee should have an opportunity to review the materials, and Melanie said the committee should consult with groups represented on the committee. Monte said that they would work with the committee's revisions, and would provide an update with more precise timelines.

Chair Bates asked if there was a timeline for when projects would be presented to the OCTA Board for approval. Monte responded that the committee can develop its own timeline, but information on the website should be provided as soon as possible. Chair Bates set an April 2nd deadline for comments due to Marissa Espino.

Melanie asked if the ad hoc committees could contribute more exact dates for the timeline and information to be provided on the website, as well as addressing the master agreement.

Monte commented he would like to schedule the first Master Agreement Working Group meeting in early April due to his availability. The Impact and Mitigation meeting was confirmed for March 25 at OCTA Headquarters.

5. Public Comments:

Claire Schlotterbeck commented about the limited parcels remaining in Yorba Linda.

6. Next Meeting – April 2, 2008

No committee comments.

7. Committee Member Reports

No committee comments.

8. Adjournment

The committee meeting was adjourned at 11:08 a.m.

Mitigation and Resource Protection Program Frequently Asked Questions

What is the purpose of the Mitigation and Resource Protection Program?

Renewed Measure M (M2) – Orange County's half-cent transportation sales tax renewed by the voters in 2006 – provides for the allocation of at least 5 percent of net freeway program revenues (or \$243.5 million in 2005 dollars) for mitigation of freeway projects. The allocation of funding is subject to a Master Agreement between the Orange County Transportation Authority (OCTA) and state and federal resource agencies.

The intent of the program 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.

What is the Environmental Oversight Committee?

The Environmental Oversight Committee (EOC) was authorized in the November 2006 M2 ballot measure and established in November 2007 to make recommendations to the OCTA Board of Directors regarding the allocation of environmental freeway mitigation funds and monitor the implementation of the Master Agreement. The Committee consists of representatives of OCTA, the resource agencies, environmental groups, and the public ([link to Committee roster and bios](#)).

What can money be spent for?

The funds must be spent to mitigate the impacts of freeway projects approved by the voters in the Renewed Measure M Transportation Investment Plan. This might include land acquisition to conserve habitat and/or wildlife corridors, restoration of habitat, or management and monitoring of conservation areas.

How will spending be determined?

The Environmental Oversight Committee is tasked with developing an inventory of the potential environmental impacts of the M2-related freeway projects and a list of recommended mitigation opportunities. A thorough analysis of the impacts, mitigation opportunities and the relationship between them will help define how the funds will be allocated.

Have funds already been earmarked for acquisition of specific properties?

No. The analysis and recommendations of the Environmental Oversight Committee need to be completed; a Master Agreement between OCTA and state and federal resource agencies must be negotiated and approved; and a formal action needs to be taken by the OCTA Board of Directors.

Who will make these decisions?

The Environmental Oversight Committee will present recommendations to the Transportation 2020 Committee, a subcommittee of the OCTA Board of Directors that

oversees all Measure M- and M2-related projects and programs. The Transportation 2020 committee will make recommendations to the full Board, which has final approval.

When will these expenditures be made?

With voter approval of M2, OCTA has developed and adopted the Renewed Measure M Early Action Plan (EAP) that lays out the M2 projects and programs to be advanced or completed by mid 2012. This includes completing negotiation of the Master Agreement for mitigation of the freeway program and the potential expenditure of funds for mitigation purposes.

The Board of Directors adopted a Plan of Finance, which outlines a funding strategy for financing the EAP, with \$80 million estimated to be expensed for environmental mitigation by mid 2012.

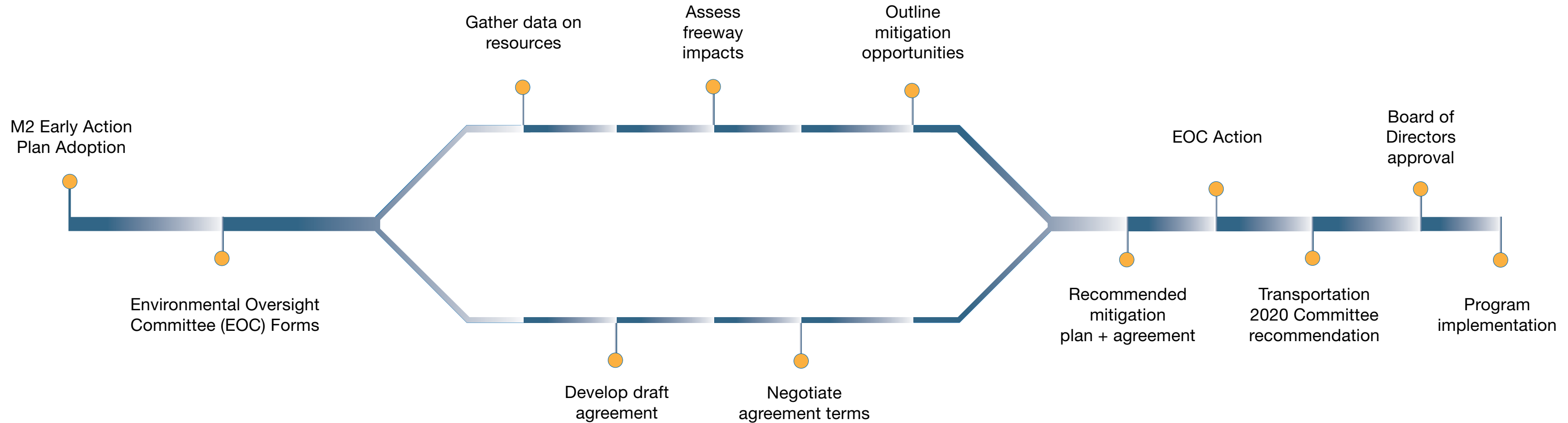
Expenditures will be made once a Master Agreement is negotiated between OCTA and federal and state resource agencies and the Board of Directors approves the agreement. According to the current program timeline, implementation will begin as early as 2010, or sooner if the needed analysis and a Master Agreement can be successfully developed and approved.

What is the opportunity for public involvement?

The public has an opportunity to comment about the program at OCTA's monthly Environmental Oversight Committee meetings, which take place on the first Wednesday of the month from 10 to 11:30 a.m. at OCTA, 600 S. Main Street, Orange. Committee meeting agendas are posted online [link to: <http://www.octa.net/envirocommittee.aspx>] one week prior to the meeting date.

If you have any questions or would like to request further information, contact Marissa Espino, OCTA senior community relations specialist, at mespino@octa.net or 714-560-5607.

Mitigation and Resource Protection Program Development Process



The development of the Mitigation and Resource Protection Program was initiated with the adoption of the Renewed Measure M Early Action Plan in August 2007 and will be implemented by 2010.