



**Mitigation and Resource Protection Program Oversight Committee
Environmental Oversight Committee
Orange County Transportation Authority**

February 2, 2011

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

**10 a.m. – 11:30 a.m.
Room 154**

AGENDA

- 1. Welcome**
- 2. Approval of January 5, 2011 Minutes**
- 3. Call for Candidate Acquisition Properties**
Dan Phu, OCTA
Monte Ward, OCTA Consultant
- 4. Restoration Proposals Update**
Dan Phu, OCTA
Monte Ward, OCTA Consultant
- 5. Public Comments**
- 6. Committee Member Reports**
- 7. Next Meeting – Wednesday, March 9, 2011**
- 8. Closed Session**

Pursuant to Government Code Section 54956.8 to discuss the price and terms of payment for the acquisition of the following real properties.

The negotiators for OCTA are Monte Ward and Dan Phu. The negotiators for the real properties are as specified.

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.

Real Property	Geographic Area	Assessor's Parcel Number	Owner's Negotiator	Acreage
Ferber Ranch	Trabuco	842-041-04, 842-051-04, 842-011-04	Jennifer Robertson Trabuco Canyon, LLC	444
Hayashi	Brea	312-011-08, 09, 11, 12, 13	Leo Hayashi	298
Holtz Ranch (CCRC Farms LLC)	Cleveland Nat'l Forest	105-051-81, 105-051-83, 105-051-84, 105-051-85, 105-070-93, 105-070-94, 876-034-01, 876-041-01	Brad Schnepf	289.91
MacPherson	Cleveland Nat'l Forest	105-051-06, 105-051-08	Craig MacPherson	216.68
Mitchell Properties West	Trabuco	842-081-12	Steven U. Parker	101.7
O'Neill Oaks	Trabuco	125-035-33, 125-035-34	Jeff Pack O'Neill Oaks 136, LLC	149.9
Saddle Creek South	Trabuco	856-021-03, 08, 14, 18, 19	Michael Eadie Rutter Santiago, LP	85.97
Saddleback Meadows	Trabuco	856-071-01/09; 856-072-01/51; 856-073-01/58; 856-074-01/45; 856-075-01/57; 856-081-01/44; 856-083-01/46; 856-084-01/37; 856-085-01/41; 856-086-01/37; 856-091-01/11; 856-092-01/42; 856-093-01/25; 856-094-01/34; 856-095-01/62; 856-096-01/57; 856-097-01/34; 856-098-01/37	William Fleissig	222
Saddleback Valley Christian School	San Juan Capistrano	121-070-55 through 57	Ed Carney Saddleback Valley Christian School	67.93

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Real Property	Geographic Area	Assessor's Parcel Number	Owner's Negotiator	Acreage
Siena Summit	Laguna Niguel	658-011-41, 658-011-42, 658-011-44	Barry Hon Siena Summit, LP	54
Sky Ranch	Trabuco	842-021-4, 05, 07, 08 and 842-031-04, 05, 08, 09	Michael Eadie Rutter Santiago, LP	526.87
Takahashi (Baker Square LLC)	Cleveland Nat'l Forest	105-051-12, 105-051-11	Carl Reinhart	642
The Hafen Estates	Trabuco	856-042-06	Thomas Hafen	49
Watson	Trabuco	858-021-10 and 11	Michael Eadie Rutter Santiago, LP	98.32

9. Adjournment

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Environmental Oversight Committee Meeting Minutes

January 5, 2011

Committee Members Present:

Chair Patricia Bates, OCTA Board of Directors
Vice-Chair Melanie Schlotterbeck, Measure M Support Groups
Chris Flynn, Caltrans
Nancy Jimeno, California State University, Fullerton
James Kelly, Measure M2 Taxpayers Oversight Committee
David Mayer, CA Department of Fish and Game
Adam Probolsky, Probolsky Research
Dan Silver, Endangered Habitats League
Jonathan Snyder, US Fish and Wildlife Services
Erinn Wilson, CA Department of Fish and Game

Committee Members Absent:

Veronica Chan, US Army Corps of Engineers
Dave Means, California Wildlife Conservation Board
Sylvia Vega, Caltrans
Greg Winterbottom, OCTA Board of Directors

Orange County Transportation Authority Staff Present:

Alison Army, Project Development Senior Transportation Analyst
Marissa Espino, Senior Community Relations Specialist
Dan Phu, Project Development Section Manager
Monte Ward, Measure M2 Consultant

1. Welcome

Chair Patricia Bates opened the meeting at 10 a.m. and welcomed everyone. She asked Adam Probolsky to lead the Pledge of Allegiance. Upon request all members of the Committee introduced themselves.

2. Approval of November 3, 2010 Minutes

Chair Patricia Bates asked if there were any additions or corrections to the November 3, 2010 Environmental Oversight Committee (EOC) meeting minutes. There were no additions or corrections. A motion was made by Melanie Schlotterbeck and seconded by Adam Probolsky to approve the Nov. 3, 2010 EOC meeting minutes as presented. The motion passed unanimously.

3. Call for Candidate Acquisition Properties

Marissa Espino gave an update on the progress of the Call for Candidate Acquisition Properties. They have received several inquiries but have only received one application. The deadline for applications is Jan. 14, 2011.

Monte Ward said staff has talked with owners or representatives of several properties who have previously been on the list for acquisition and may reapply. In addition, they received questions about whether the timeline could be extended beyond January 14. They were told this seems unlikely given the approvals necessary for such a change.

Dan Phu said with this Call for Candidate Acquisition Properties, the questionnaire was expanded based on information needed from the various property owners. He explained applicants need only answer questions to the best of their ability; staff can always go back and obtain more information at a later date. The application would not be deemed incomplete if all the questions were not answered.

4. NCCP/HCP EIR/EIS Process and Scoping Meeting.

Dan Phu said, as part of the conservation planning effort, an environmental document needed to be prepared pursuant to both State and Federal law. The first step was to have a scoping meeting and on Wednesday, December 15, 2010, the scoping meeting for the Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) Environmental Impact Report/Environmental Impact Statement (EIR/EIS) was held. The scoping period will end on Monday, Jan. 14, 2011. Dan gave a quick review of the presentation shared with the public at the December 15 meeting and the OCTA Board.

Chair Patricia Bates complimented staff on the information package presented. It was very well done and gave a refresher course on the entire process.

James Kelly asked if the 22 species identified in the plan were all endangered species. Dan Phu said these 22 species are endangered and the most likely species to be impacted by the freeway projects. Monte Ward said as the process progresses, the list will be expanded and redefined based on information and input gathered.

Chair Patricia Bates asked if any comment cards were received the night of the scoping meeting. Dan Phu said the night of the meeting three or four cards were received and in total OCTA has received about half a dozen comments.

Nancy Jimeno asked if the environmental review covered lands to be purchased. Dan Phu said the environmental review is a conservation planning effort and for the purpose of the NCCP/HCP. Opportunities to adapt to existing preserves as well as any visual linkages will be looked at. The acquisition and restoration activities OCTA is currently working on will eventually be fed into this process and will continue for the

duration of M2. The NCCP/HCP planning document establishes the framework which will enable the acquired properties and the restored habitat to be fed into the planning process. There will be reporting and monitoring process obligations from OCTA over the lifespan of M2.

Nancy Jimeno asked who determines the cost of this. Monte Ward said there are three levels of analysis for management costs. The first level is acquisition, the second level is an analysis of each property using a software package generally used for this purpose, and the third level will be this planning process, which looks at the whole package of objectives and monitoring requirements. At each level, the number and cost is refined and in most cases, the cost would not be expected to be increasing because as an example in the first round per acre, numbers would be used which are fairly generalized and are meant to be conservative in nature. There would be anomalies such as a parcel adjacent to an existing park where there would be very little infrastructure needed versus an isolated parcel. Nancy Jimeno said there are no definite costs. Monte said there are generalized numbers that have undergone peer review and OCTA is very comfortable with these numbers. Nancy Jimeno asked if at some point before purchase OCTA will know what the management costs will be. Monte said, yes, all these costs will be known before purchasing the property.

Nancy Jimeno asked if the California Department of Fish and Game was going to be part of the evaluations after the purchase decision has been made. David Mayer said they are in the discussions now to decide what is being purchased is going to fit. Ultimately as part of the package the land is evaluated in terms of what they are contributing to the program in conjunction with location, the resources they provide, and the management. All this is being evaluated in order to issue an NCCP permit.

Jonathan Snyder said there is a level of trust that what is being done will meet the needs of the program. Monte Ward said there is trust on both sides. If property was acquired for conservation purposes and is found to no longer be needed for conservation, it would still have value. One of the primary benefits of this program is the building of trust between OCTA, the government agencies, and the impacted community by using collaborative efforts rather than using litigation.

Dan Silver said Orange County has played a leadership role in initiating the NCCP/HCP program. He assumed the plan would have the full range of mutual assurances such as "no surprises." Dan Phu said both the plan and planning agreement address the "no surprises" rule or clause.

Marissa Espino said, in conclusion, all information on this process can be found on the OCTA website www.octa.net/environmental and also comment forms can be found on the website. All the information was sent out to the OCTA distribution list of 1,000 stakeholders.

5. Public Comments

There were no public comments.

6. Committee Member Reports

Vice-Chair Melanie Schlotterbeck announced the Planning and Conservation League will be hosting a forum on January 29, 2011 in Sacramento, California entitled Roads, Wildlife, and Wilderness. Members from Caltrans, USGS (United States Geological Survey?) and the National Parks Service will be on the panel. They will be talking about wildlife connectivity and specifically the Chino Hills State Park connection.

Vice-Chair Melanie Schlotterbeck asked if the OCTA Board approves the NCCP/HCP EIR/EIS and then if the resource agencies review for final approval. Dan Phu said this is the process envisioned. The OCTA Board will need to certify the environmental document or environmental impact report as well as the conservation planning effort. This certifies OCTA is in agreement of the planning process and then the US Fish and Wildlife Services and CA Department of Fish and Game would have final approval of the conservation planning document. The US Fish and Wildlife Services would have approval of the environmental document pursuant to federal regulations.

Dan Silver asked if the EOC would be receiving an update on the appraisal process. He would like this to take place in enough time for the EOC to have some input since they are an oversight committee. Monte Ward said it is anticipated an update will be given at the next EOC meeting in February. Monte said the evaluators are making progress, but not all property owners have been contacted. Offers and counter offers have been made, but at this point they are very optimistic and should have some good things to report in February.

James Kelly asked if the \$42 million scheduled for the first funding would include the portion set aside as an endowment for each of the properties. Monte Ward said yes it does.

7. Next Meeting – Wednesday, February 2, 2011

Chair Patricia Bates asked if there is a possibility of the need to have a meeting between now and the regular February meeting. Monte Ward said there is a possibility. Issues could arise where the EOC would be called upon to give direction.

8. Adjournment

The meeting adjourned at 10:45 p.m.