



# **AGENDA**

## **Environmental Oversight Committee**

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### **Committee Members**

*Lori Donchak, Chair  
Melanie Schlotterbeck, Vice Chair  
Charles Baker, Caltrans District 12  
Dr. David Chapel, Grand Jury  
Association of OC  
Lisa Bartlett, OCTA Board of Directors  
David Mayer, CA Dept. of Fish & Wildlife  
Derek McGregor, DMC Engineering  
Veronica Li, US Army Corps of Engineers  
Dan Silver, Endangered Habitats League  
Jonathan Snyder, US Fish & Wildlife  
Service  
Anthony Villa, Taxpayers Oversight  
Committee Representative  
John Walsh, CA Wildlife Conservation  
Board*

*Orange County Transportation Authority  
Conference Room 07  
550 South Main Street  
Orange, California*

**Wednesday, July 5, 2017 at 2:30 p.m.**

Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA Clerk of the Board, telephone (714) 560-5676, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

- 1. Welcome**
- 2. Pledge of Allegiance**
- 3. Approval of April 5, 2017 Minutes**
- 4. June 20, 2017 Commemoration Event**  
Marissa Espino, OCTA

*OCTA held the Measure M Environmental Mitigation Program commemoration event on June 20, 2017 at O'Neill Regional Park. This event marked the culmination of over a decade of collaboration between OCTA, state and federal wildlife agencies, Caltrans, and local environmental leaders. The major milestone achieved was the issuance of the Natural Community Conservation Plan/Habitat Conservation Plan permits from the state and federal resources agencies. The event was well-attended by OCTA Board of Directors, Environmental Oversight Committee members, and various stakeholders.*

- 5. Restoration Projects Tour Recap**  
Lesley Hill, OCTA

*OCTA hosted a tour of two OCTA M2 funded restoration projects for EOC members on May 3. Staff will provide an overview of that tour as well as share a video summarizing recent restoration efforts at Aliso Creek.*

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## Environmental Oversight Committee

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### **6. United States Army Corps of Engineers Endowment Needs**

Lesley Hill, OCTA

*The construction of the M2 freeway projects are anticipated to result in impacts to jurisdictional waters of the United States. These impacts will require that OCTA provide mitigation and obtain a Section 404 Clean Water Act permit from the United States Army Corps of Engineers. On a parallel process to the Conservation Plan, staff is finalizing a program-level permit with the Corps. This permit will authorize OCTA to maximize a subset of the mitigation included in the Conservation Plan as well as lay out an abbreviated time line for project level 404 permit issuance. An overview of this programmatic permit will be presented to the EOC.*

### **7. Release of the Aliso Canyon and Hayashi Resource Management Plans**

Lesley Hill, OCTA

*OCTA will be releasing the Aliso Canyon and Hayashi Resource Management Plans (RMPs) within the next two months. Five other RMPs were previously released for the Trabuco and Silverado Canyon Preserves (Hafen, Ferber Ranch, MacPherson, O'Neill Oaks, and Saddle Creek South). The two new RMPs are modeled after the framework of the five previous RMPs, which were vetted with the EOC and public. These two RMPs would follow a similar public vetting process which include a 90-day public review period. Staff will be presenting an overview of the two remaining RMPs for discussion and endorsement by the EOC.*

Recommendations

A. *Approve the release of the Aliso Canyon and Hayashi resource management plans for public review.*

### **8. Trabuco Canyon Company, LLC: Rose Canyon Residual Parcel Update**

Dan Phu, OCTA

*OCTA acquired the Ferber Ranch property from the Trabuco Canyon Company, LLC (TCC) in May 2011. During this transaction, two residual parcels were carved out and retained by TCC. TCC has offered these two parcels to OCTA for purchase. During previous EOC meetings, OCTA staff provided a report of the re-evaluation of these parcels utilizing the Board-approved criteria developed for the OCTA M2 EMP acquisition property process. Since early July 2016, the parcel located on the west side (Hickey Canyon) has been sold. The parcel on the east side (Rose Canyon) is still available. A status update of additional due diligence efforts will be provided to the EOC.*

### **9. Additional Conservation Properties Consideration and Established Process**

Dan Phu, OCTA

*Over the last several years, property owners/representatives have approached OCTA regarding interest to acquire their property under the Environmental Mitigation Program.*

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# AGENDA

## Environmental Oversight Committee

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*As the Conservation Plan (Plan) and related efforts are entering the implementation phase, OCTA will need to focus on the following efforts to satisfy the requirements of the Plan: funding/establishing an endowment; managing the OCTA Conservation Properties (Preserves) on an interim basis; implementing habitat restoration projects; and implementing the individual Measure M2 freeway projects in accordance to the provisions set forth in the Conservation Plan. Staff will be providing details of the aforementioned tasks.*

### **10. Senate Bill 1 (Road Repair & Accountability Act of 2017) Updates**

Adriann Cardoso, OCTA

*In 2017, Senate Bill 1 was passed to provide a revenue source for the State of California's aging road infrastructure. Existing law provides various sources of funding for transportation purposes, including funding for the state highway system and the local street and road system. These funding sources include, among others, fuel excise taxes, commercial vehicle weight fees, local transactions and use taxes, and federal funds. Existing law imposes certain registration fees on vehicles, with revenues from these fees deposited in the Motor Vehicle Account and used to fund the Department of Motor Vehicles and the Department of the California Highway Patrol. Existing law provides for the monthly transfer of excess balances in the Motor Vehicle Account to the State Highway Account.*

*This bill would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. This Bill contains an environmental mitigation component who would set aside approximately \$30 million on an annual basis to mitigate for impacts of the funded projects. Staff will provide an update on the environmental provision of the Bill.*

### **11. Public Comments**

*Members of the public may address the EOC regarding any item. Please complete a speaker's card and submit it to the EOC or notify the EOC the item number on which you wish to speak. Speakers will be recognized by the Chair at the time the agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes.*

### **12. Committee Member Reports**

### **13. Next Meeting – TBD**

### **14. 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:*

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# **AGENDA**

## ***Environmental Oversight Committee***

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*Ferber Ranch Residual Parcel (17.3+/- acres), located at 19912 Rose Canyon Road, Trabuco Canyon, CA. The negotiator for the Trabuco Canyon Company, LLC is Mr. Tim Jones. The negotiator for OCTA is Dan Phu.*

### **15. Adjournment**



## *Minutes*

### **Measure M2 Environmental Oversight Committee**

#### **Committee Members**

*Lori Donchak, Chairman  
Melanie Schlotterbeck, Vice Chair  
Lisa Bartlett, Board of Directors  
Charles Baker, Caltrans District 12  
Dr. David Chapel, Grand Jury Assoc. of O.C.  
Veronica Li, US Army Corp of Engineers  
Derek McGregor, DMC Engineering  
David Mayer, CA Dept. of Fish & Wildlife  
Dan Silver, Endangered Habitats League  
Jonathan Snyder, US Fish & Wildlife Service*

*Orange County Transportation Authority  
550 South Main Street, Room 07  
Orange, California  
**Wednesday, April 5**  
**2:30 p.m.***

#### **Member(s) Absent**

*Anthony Villa, Taxpayers Oversight Comm.  
John Walsh, CA Wildlife Conservation Board*

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#### **1. Welcome**

Chairman Lori Donchak called the Environmental Oversight Committee (EOC) meeting to order at 2:30 p.m.

#### **2. Pledge of Allegiance**

Monte Ward led the Pledge of Allegiance.

#### **3. Committee Chair and Vice Chair Appointments**

Chairman Lori Donchak announced Lisa Bartlett's appointment to Vice Chairman of the OCTA Board of Directors. Chairman Donchak said due to Lisa's new responsibilities, she would now be the Chairman of the EOC. She said Melanie Schlotterbeck will continue as Vice Chairman of the EOC

#### **4. Approval of November 21, 2016 Minutes**

Chairman Lori Donchak asked if there were any additions or corrections to the November 21, 2016 EOC minutes.

A motion was made by Melanie Schlotterbeck to approve the minutes, seconded by Lisa Bartlett and passed unanimously to approve the November 21, 2016 EOC meeting minutes as presented.

**5. NCCP/HCP & Final EIR/EIS**

Lesley Hill gave a brief update on the status of the NCCP/HCP & Final EIR/EIS.

Chairman Lori Donchak said finalizing the NCCP/HCP and Final EIR/EIS is a significant accomplishment. She said it has taken many years of work to get this completed. Lesley Hill said the last NCCP/HCP to be completed was in 2011 through the San Diego County Water Authority. Jonathan Snyder commented that the Santa Clara Valley Conservation Plan was also completed more recently. Marissa Espino said there will be an event to commemorate the completion, but OCTA is waiting for all the loose ends to be tied up. Melanie Schlotterbeck asked if there is a timeframe for the event. Marissa said probably late May/early June.

**6. State Water Resources Control Board and Army Corps of Engineers Permits Update**

Lesley Hill gave an overview of what OCTA has been doing with the State Water Resources Control Board and Army Corps of Engineers Permits.

Melanie Schlotterbeck asked how this long-term management commitment is different from what is required for the Conservation Plan. Lesley Hill said OCTA has confirmed that the wildlife agencies are comfortable with the existing management of the restoration projects and Preserves.. OCTA may have to add a minimal amount of funding to the restoration projects for long term management costs. Melanie said there is already \$784,000 per year estimated for management. She asked if funds for this project are co-mingled or separate. Lesley said the funds are kept separate. Lesley said for the Ferber Ranch Preserve OCTA is not looking for any additional funds. She said OCTA has already factored in the costs for the Ferber Ranch Preserve. She said these additional funds are just for the Aliso Creek and the Agua Chionon restoration projects. Monte Ward said it is property OCTA does not have direct control over. He said it will not be a relatively large amount of money, but it needs to be memorialized correctly and established in an endowment. Lesley said OCTA is also working on the conservation easements for the Preserves and coordinating with the land owners on completing new and revised deed restriction with the Army Corps of Engineers. Monte said, on future projects when waters are affected, there will be more opportunities for mitigation. He said this will be a template for others doing infrastructure projects and other projects.

Veronica Li said Lesley Hill gave a great summary. She said the Corps is working hard on finalizing the programmatic permit. She said the Corps is waiting on the County of Orange for input on the long-term management aspects. She is processing the environmental assessment and will start the review while waiting for the County's items for long term management. Once it is finalized there will be a public notice and she will

be sure to get the EOC on the mailing list. She said they could even come in for a presentation to the committee at that time.

#### **7. 2017 Hikes and Rides Schedule**

Marissa Espino said there will be another Ferber Ranch Preserve Family Event on April 8th. Marissa said OCTA is partnering with Equestrian Trails Inc. on the equestrian rides and they will be the docents. She said OCTA is implementing a pilot program in which ETI takes the lead on the rides and OCTA allows them access on those particular days. She said OCTA is happy to be able to do this.

Chairman Donchak asked if there is a “super bloom” happening on the property. Marissa Espino said the vegetation looks very nice because of all the rain we received and it should be extra special. She said there was even some running water on the property.

#### **8. Spring Restoration Project Tour**

Marissa Espino said OCTA would like to offer the EOC a tour of the UCI Ecological Preserve and Aliso Creek project area in lieu of the next meeting in May.

Lesley Hill announced that OCTA has received the first official restoration project sign-off with the Big Bend restoration project in Laguna Beach. She showed before and after pictures showing the transformation of the project. Melanie Schlotterbeck asked if this was a five year restoration effort. Lesley Hill said it varies by project but that this project was a five year project. She said with this project the vegetation would have to be off irrigation for two years. Once the criteria is met, it is then signed off. Jonathan Snyder said the US Fish and Wildlife Service provided the final buyoff. Melanie said this should be highlighted at OCTA. Marissa Espino said it will be on the OCTA Blog.

Dan Silver asked if the performance criteria only related to plants or if birds and other wildlife are considered. Jonathan Snyder said it is based on the vegetation and its diversity. He said usually once the vegetation is there, then the wildlife will come to the area.

#### **9. Environmental Oversight Committee Calendar**

Marissa Espino said, although OCTA staff continues to be busy implementing the mitigation program, it is getting to a point where the EOC no longer needs to meet on a monthly basis. She proposed the committee start meeting quarterly. She said the EOC would have a standing quarterly meeting, but if needed, other meetings could be scheduled.

Chairman Lori Donchak asked what the work plan looks like for the coming year – what are the top 3-5 items to be worked on. Dan Phu said this year OCTA will be closing out the final previously released resource management plans, release the two new resource management plans for the Hayashi and Aliso Canyon Preserves, , and complete the coordination with the Corps on the endowment for the programmatic permit.

Chairman Lori Donchak asked if there is anything budget related the committee would need to weigh in on. Dan Phu said the OCTA staff does not foresee any new acquisitions or major items in the foreseeable future in relation to the Conservation Plan that the EOC would need to weigh in on. We would continue to review the management costs for the Preserves and cross check those numbers with the endowment installments that are being deposited. These numbers are expected to be brought back to the EOC for budgetary information within the next calendar year or two.

Monte Ward said the name of this committee has “oversight” in it and this committee is finally getting to the “oversight” role as many of the milestones have been met. We now want to keep the program up and making sure that we are meeting our commitments. He said this means the EOC will focus on the monitoring and care of the acquisitions and restoration projects along with overseeing that funding is running appropriately.

Chairman Lori Donchak said she would like to see an annual financial review. Monte Ward said that would be accommodated on the quarterly schedule with interim reports. Lesley Hill said there is a commitment within the Conservation Plan to have annual public meetings.

David Chapel said he agrees with the quarterly meeting schedule and emails can be sent to us with information as needed in between the meetings.

Melanie Schlotterbeck requested to please keep the Chairman and Vice Chairman apprised during the time between meetings.

Chairman Lori Donchak asked Marissa Espino to send out a new schedule going through the first quarter of 2018. Melanie Schlotterbeck asked when the quarterly meetings will start. Marissa said in July.

Veronica Li said a Letter of Commitment is needed in order to issue the permit and that could be a reason to meet with an ad-hoc meeting.

## **10. Public Comments**

Jim Sauls and Ed Sauls of Sauls Real Estate Marketing in Trabuco Canyon. Jim Sauls said he has previously sold property to OCTA. He said there used to be beautiful oak trees, but they are not thriving anymore. He said OCTA bought 1/3 of the Hafen property. He passed around a portfolio of the properties. He said one property is 11.88 acres near the Hafen property and another property for 27.7 acres adjacent to O'Neill Park. He said he would love to sell these to OCTA and he could work with the owners on installment programs for the purchase. He said the owners would like to sell it for conservation. He thanked the committee for their time and asked the EOC to contact him if there are any opportunities for OCTA to purchase the properties.



#### **11. Committee Member Reports**

Melanie Schlotterbeck announced she has colored her hair pink in honor of her niece who has a terminal neuromuscular disease. Her niece has recently been admitted to a study that provides treatment at UCLA. She said within 48 hours she has seen a tremendous improvement.

Dan Silver said he wants the EOC to get back to Jim Sauls in a timely manner. Chairman Lori Donchak said maybe the EOC could meet before the tour. Marissa Espino said, an EOC meeting could be scheduled before the tour to discuss Mr. Sauls proposal. Chairman Lori Donchak asked if it would be a closed session item. Dan Phu said, no, closed session is only for items pertaining to financial issues.

#### **12. Next Meeting – TBD**

#### **13. Closed Session**

The meeting adjourned to closed session at 3:28 p.m. pursuant to Government Code Section 54956.8 to discuss the price and terms of payment for the acquisition of the following properties:

Ferber Ranch Residual Parcel (17.3+/-acres), located at 19912 Rose Canyon Road, Trabuco Canyon, CA. The Negotiator for the Trabuco Canyon Company, LLC is Mr. Time Jones. The negotiator for OCTA is Dan Phu.

There was no public announcement after closed session.

#### **14. Adjournment**