



AGENDA

Measure M2 Environmental Oversight Committee

Committee Members

Jamey Federico, Chair
Melanie Schlotterbeck, Vice Chair
Ajay Khetani, Taxpayer Oversight Committee
Veronica Li, US Army Corps of Engineers
Derek McGregor, DMc Engineering
William Miller, US Fish and Wildlife Service
Joe Navari, CA Wildlife Conservation Board
Bev Perry, Civic Engagement Consultant
Alben Phung, Caltrans
Dan Silver, Endangered Habitats League
OCTA Board Member Representative-Vacant
CA Dept. of Fish and Wildlife-Vacant

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

Wednesday, Feb. 7, 2024 at 2:30 p.m.

Teleconference Locations:

Brea City Hall Park
401 S. Brea Blvd.
Brea CA 92821

California Natural Resources Building
715 P Street
Conference Room 17-310
Sacramento, CA 95814

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.

Meeting Access and Public Comments on Agenda Items

Members of the public can either attend in-person or listen to audio live streaming by clicking this link: <https://octa.legistar.com/Calendar.aspx>

- 1. Welcome**
- 2. Pledge of Allegiance**
- 3. Approval of Nov. 1, 2023, Minutes**
- 4. Environmental Mitigation Program Endowment Fund Investment Report**
Dan Phu, OCTA

The Orange County Transportation Authority (OCTA) has developed a Natural Community Conservation Plan/Habitat Conservation Plan; acquired conservation properties; and funded habitat restoration projects to mitigate the impacts of Measure M2



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Measure M2 Environmental Oversight Committee

freeway projects. The California Community Foundation is building up the non-wasting endowment required to pay for the long-term management of the conservation properties. Each quarter, the California Community Foundation publishes a comprehensive report detailing the composition of the pool and its performance. The last report was reviewed and is consistent with the pool objectives. Staff will provide a status summary of the endowment. Additional information as well as the latest quarterly investment report for the Endowment Pool are included.

5. OCTA Preserves Fire Management Plans

Lesley Hill, OCTA

Carol Rice, Wildland Res Mgt

As required by the OCTA M2 Conservation Plan, OCTA developed fire management plans (Plans) for each of the seven Preserves. The Plans provide guidelines for decision-making at all stages of a fire and are compatible with conservation and stewardship responsibilities. The respective fire agencies and the Wildlife Agencies have reviewed and approved the Plans which are now posted on OCTA's website. Additional information is attached, and a summary of the Plans will be provided to the EOC.

6. Fairview Park Restoration Project Update

Lesley Hill, OCTA

Kelly Dalton, City of Costa Mesa

The Fairview Park Restoration Project was approved for funding through the Measure M2 Freeway Environmental Mitigation Program in 2011. The City of Costa Mesa (City) has been the lead on this project, which included the creation and restoration of coastal sage scrub, riparian, wetland, and grassland habitat. Additional information is attached. City of Costa Mesa staff will provide a brief update on this project.

7. OCTA Live Oak Creek Encroachment

Dan Phu and Lesley Hill, OCTA

American Land Title Association surveys were reviewed and when necessary, conducted for all of the OCTA Preserves in 2023. During this process it was discovered that an adjacent landowner made improvements to an accessory structure at 19041 Live Oak Canyon Road which impacted the Live Oak Creek Preserve. OCTA did not approve these encroachments and is concerned about the resulting damages and risks. Additional information is attached. Staff will provide a brief overview of this issue.

8. Hikes and Equestrian Rides

Marissa Espino, OCTA

The next docent-led hike will take place on March 16th at the Wren's View Preserve and the next ride is being rescheduled due to heavy rains. The master calendar for 2024 is now available at www.preservingourlegacy.org.



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Measure M2 Environmental Oversight Committee

9. 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 of 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.

10. Committee Member Reports

11. Next Meeting – May 1, 2024

12. Adjournment



Minutes

Measure M2 Environmental Oversight Committee

Committee Members

Brian Goodell, Chair
Ajay Khetani, Taxpayer Oversight Committee
Alben Phung, Caltrans
Dan Silver Endangered Habitats League
Daniel Vasquez, CA Wildlife Conservation Board
Derek McGregor, DMC Engineering
William Miller, US Fish and Wildlife Service

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

**Wednesday, November 1, 2023, at
2:30 p.m.**

Member(s) Absent

Karen Drewe, CA Dept. of Fish & Wildlife
Veronica Li, US Army Corp of Engineers

Member(s) Teleconferencing

Bev Perry, Civic Engagement Consultant
Katrina Foley, OCTA Board of Directors
Joe Navari, CA Wildlife Conservation Board
Melanie Schlotterbeck, Vice Chair

Teleconference Location:

Brea City Sports Park
3333 E. Birch Street
Brea, CA 92821

New Natural Resources Headquarters
715 P Street
Conference Room 17-201
Sacramento, CA 95814

Office of Katrina Foley
34475 Golden Lantern Street
Dana Point, CA 92629

1. Welcome

Chair Brian Goodell called the Environmental Oversight Committee (EOC) meeting to order.

2. Pledge of Allegiance

Alben Phung lead the Pledge of Allegiance.

3. Approval of August 2, 2023, Minutes

A motion was made by Derek McGregor, seconded by Melanie Schlotterbeck to approve the minutes. Motion passed, William Miller abstained.

4. Irvine Ranch Conservancy Restoration Projects Update

Lesley Hill, OCTA Planning, and Michael O'Connell, Robert Freese and Collin Raff of the Irvine Ranch Conservancy presented the update. <This presentation available upon request.>

Committee Member Comments:

A committee member asked about the new techniques referenced and what animal species have come back. Michael O'Connell responded they rely heavily on seeds, a mix of functional groups, diversity of species and a brief period of irrigation. The observed animal species that have returned are the California gnatcatcher, Orange-throated whiptail, and Cactus wren.

A committee member asked if there were lessons learned and a knowledge base and would there be workshops to train others. Michael O'Connell responded they use target invasive control as a pro-active approach to managing the sites. For training, they are using newsletters, periodic workshops and a presentation at the next SERCAL (California Society for Ecological Restoration) Conference. A lesson learned was how to approach planting the different plant species.

A committee member asked what was done for site preparation. Michael O'Connell responded, clearing the site of thatch, applying herbicide to kill non-native seeds in preparation for seeding and planting.

A committee member asked what herbicide was used. Michael O'Connell responded Roundup and other select herbicides for grasses and broadleaf.

A committee member asked if that is the approved method. Michael O'Connell responded yes, it is the most effective and fastest.

A committee member asked if there is another source of weed abatement that can be used due to concern over contamination of the environment. Michael O'Connell responded Roundup is used at the lowest possible dose, formulations of Roundup can be used for aquatic habitats.

A committee member asked if the cost of each of the projects is over the whole duration. Lesley Hill responded yes, that is the final cost.

A committee member asked if that amount is what we are paying to the private nonprofit to do the work. Lesley Hill responded yes, OCTA has a specific agreement with Irvine Ranch Conservancy to reimburse for the funds spent from the beginning of the contracts. The \$1.6 million Agua Chinon restoration project also includes the Bee Flat

Canyon Restoration project.

A committee member asked if the land was still owned by The Irvine Company. Lesley Hill responded yes but believes The Irvine Company will be transferring this portion of the land to the City of Irvine.

5. Fairview Park Restoration Project Update

Lesley Hill, OCTA Planning, and Raja Sethuraman, Public Works Director, City of Costa Mesa, and Kelly Dalton, Fairview Park Administrator, City of Costa Mesa presented an update on this item. <This presentation available upon request.>

Committee Member Comments:

A committee member asked if there is a way to expedite the project and what is the hold up. Raja Sethuraman responded that the project has been delayed due to the funding, which was authorized in this budget cycle, and the environmental concerns, the archeological surveys and monitoring.

A committee member asked if the people-made trails through the area were going to go away. Kelly Dalton responded that is being addressed in the Fairview Master Plan parkwide.

A committee member asked is the full cost of the restoration budgeted in the city council budget, and how much. Raja Sethuraman responded yes, approximately \$1.2 million for the phase shown in the exhibit, and there are additional funds to continue restoration to the south of the site.

A committee member commented they had concerns over the timeline and that there will need to be consultation to confirm that what is being proposed is acceptable mitigation. Lesley Hill responded that she believes the city has noted that coordination will occur with restoration ecologists and the mitigation entities to review the plan to ensure it is sufficient for restoration. William Miller, US Fish and Wildlife Service, responded they should be able to review the restoration plan within a couple of weeks after receipt.

A committee member asked if the site preparation and irrigation timeline in the spring of 2024 was feasible and if the City is doing something that allows a shorter site preparation time for the planting within six months. Kelly Dalton responded the temporary irrigation system shown in the timeline is not for the planted and seeded portion but is part of the site preparation to remove the non-native seed bank.

A committee member asked if the projected planting in the fall of 2024 needs to be revised. Raja Sethuraman responded it depends, they will continue to remove non-natives but may get started on the plantings in some areas. Kelly Dalton responded there may also be areas where container plants are able to be put in as vegetation buffers instead of fencing, and it is not necessarily the full planting of the 10 acres in the fall of 2024.

A committee member asked if the City, through its Fairview Master Plan, would be designating which trails stay and are designated as the legal authorized trails and which would be retired. Kelly Dalton responded yes.

A committee member asked how the timeline presented impacts any OCTA deadlines. Lesley Hill responded the agreement with the City of Costa Mesa was specific for the 23-acre restoration project and there was not a specific deadline. The legal agreement did not have a date of when this had to be completed.

6. OCTA Conservation Plan Annual Reports

Lesley Hill, Planning, <This presentation available upon request.>

Committee Member Comments:

There were no member comments.

7. Public Comments

There were no public comments.

8. Committee Member Reports

A committee member thanked Dan Phu and Lesley Hill for their participation in The Southern California Association of Governments Greenprint Technical Advisory Committee.

9. Next Meeting February 7, 2024, at 2:30 p.m.

10. Adjournment Meeting was adjourned at 3:48 p.m.



February 7, 2024

To: Environmental Oversight Committee

From: Orange County Transportation Authority Staff

Subject: February Environmental Oversight Committee Information Items
(Items 4 – 7)

Item 4 - Environmental Mitigation Program Endowment Fund Investment Report Update

The Orange County Transportation Authority (OCTA) has developed a Natural Community Conservation Plan/Habitat Conservation Plan (Conservation Plan); acquired conservation properties; and funded habitat restoration projects (Attachment A) to mitigate the impacts of Measure M2 freeway projects. Permits were issued by the United States Fish and Wildlife Service and the California Department of Fish and Wildlife (Wildlife Agencies) in mid-2017. As a result, the M2 environmental process has been streamlined, allowing OCTA to expedite the M2 freeway projects. The Conservation Plan requires the establishment of a \$34.5 million endowment to fund the long-term management of the Preserves.

The California Community Foundation manages the non-wasting endowment required to pay for the long-term management of the conservation properties. Each quarter, the California Community Foundation publishes a comprehensive report detailing the composition of the pool and its performance. To date, OCTA has made eight endowment deposits (\$2.9 million annually). Quarterly investment reports are provided to the Board. The most recent report was provided in December 2023 and is included as Attachment B. As of September 30, 2023, the balance was \$25,908,157 which is below the target of \$27,207,203 for the first quarter of fiscal year (FY) 2023-24. However, based on the California Community Foundation's performance to date, OCTA is on track to meet the endowment target of \$46.2 million in FY 2027-28. Staff will continue to assess market conditions and provide regular endowment updates to the Board, Finance and Administration Committee, and the EOC. The reports have been reviewed and are consistent with the pool objectives. Staff will provide a summary of the latest report.

Item 5 - OCTA Preserves Fire Management Plans Update

As required by the OCTA M2 Conservation Plan, OCTA developed fire management plans (Plans) for each of the seven Preserves. A fire modeling analysis was conducted based on existing vegetation and conditions of the Preserves. The Plans were developed in collaboration with the Wildlife Agencies as well as the applicable responsible fire entity. These Plans provide guidelines for decision-making at all stages including fire prevention, pre-fire vegetation management, suppression activities, and post-fire responses that are compatible with conservation and stewardship responsibilities. In addition, specific maps were developed that highlight Preserve areas containing environmentally sensitive areas to avoid (when feasible) during fire suppression efforts. These Plans are posted on OCTA's website at <https://octa.net/programs-projects/programs/oc-go-measure-m/environmental-programs/environmental-mitigation-program/> and will be incorporated into the Preserve Resource Management Plan updates set to begin in 2024. A summary of the Plans will be provided to the EOC.

Item 6 - Fairview Park Restoration Project Update

In February 2011, OCTA awarded the City of Costa Mesa (City) \$2 million for a 23-acre habitat restoration project within the City's Fairview Regional Park. Approximately 13 acres of the proposed project have been implemented. Once the restoration is completed, approved by the Wildlife Agencies, and permanently protected, OCTA can utilize the restored habitat for mitigation as part of the OCTA M2 Conservation Plan. As shared during the previous EOC meetings, various project concerns have been discussed between the City, OCTA, and the Wildlife Agencies. The project is deficient of approximately 10 acres of the committed restoration habitat types. In addition, the City has yet to record a required conservation easement over the project area. If these project requirements are not completed, OCTA would be out of compliance with the Conservation Plan provisions and the City of Costa Mesa would be out of compliance with their contractual obligations with OCTA.

The City presented updates to the EOC during the August and November 2023 EOC meetings. During those meetings the City shared that they would continue to work with the Wildlife Agencies, OCTA, and their consultant, to develop restoration plans for the outstanding remaining acreage. The committee requested that the City also consider the existing recreational opportunities and trails while developing the new restoration areas. A site visit to look at the potential restoration areas currently being considered occurred on December 12th and included City staff, their consultant, the Wildlife Agencies, and OCTA. OCTA understands that the City must first finalize contractual agreements

before they are able to formally draft the restoration plans for review and approval. The city of Costa Mesa staff will provide a brief update on this item.

Item 7 - OCTA Live Oak Creek Encroachment

In 2023, American Land Title Association (ALTA) surveys were reviewed and when necessary, conducted for all the OCTA Preserves. During this process it was discovered that an adjacent landowner made improvements to an accessory structure at 19041 Live Oak Canyon Road which encroached and impacted the Live Oak Creek Preserve. Figures and photos of the encroachment area are shown in Attachment C. OCTA did not approve these encroachments and is concerned about the resulting damages and risks.

Recently, staff was informed that a County of Orange code enforcement action for an unpermitted business is in progress for the same homeowner (the code enforcement action includes both the unpermitted business and the encroaching improvements). See Attachment D for a letter that OCTA sent to County Planning and Development pertaining to the encroachment. The recent outdoor expansion (and affiliated use) not only impacted the habitat but also greatly increased the fire risk to OCTA's Preserve and surrounding area. Specifically, OCTA is highly concerned about the fire risk associated with outdoor open flames within and adjacent to heavily vegetated areas.

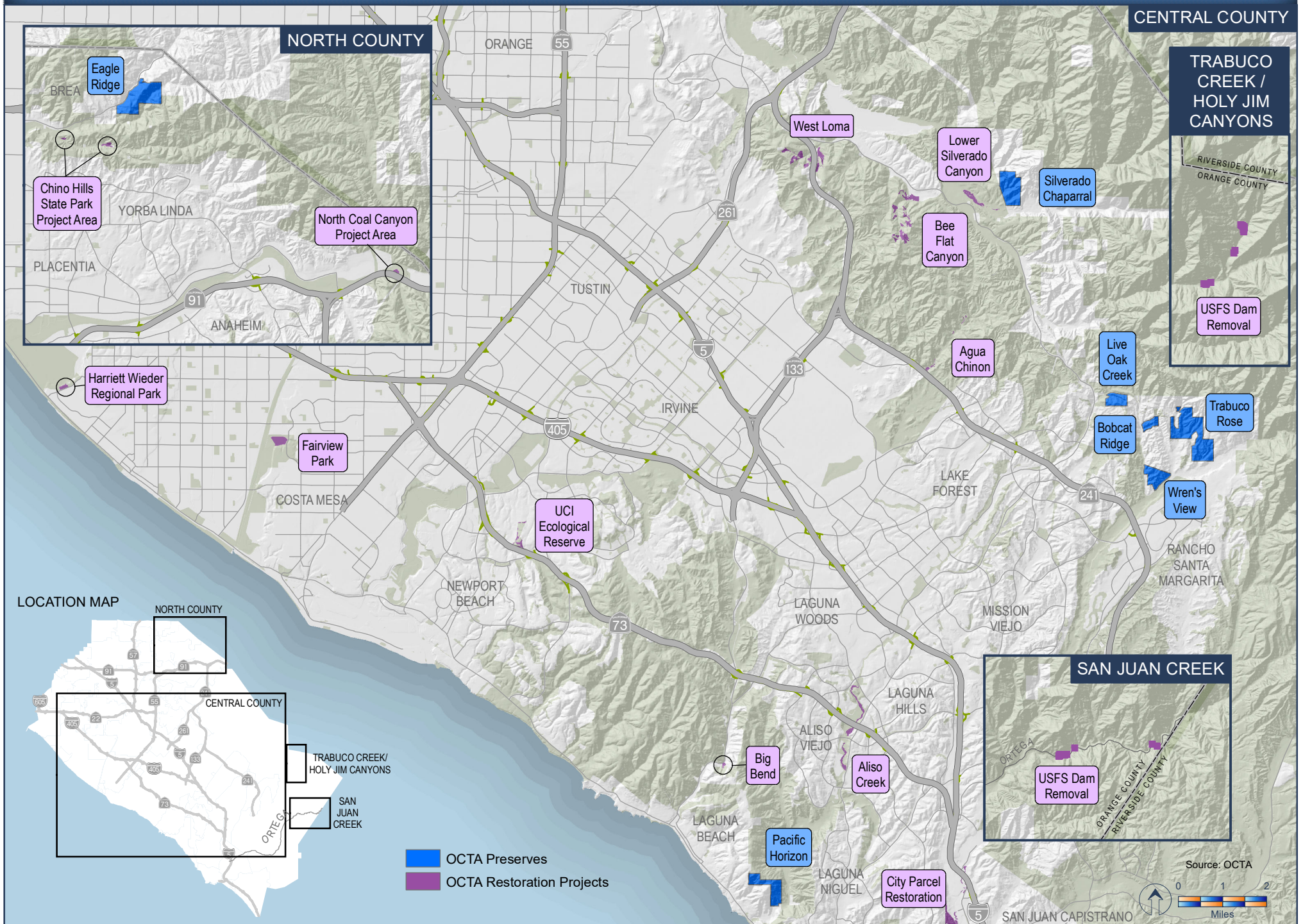
As part of the code enforcement action, the County will require that the unpermitted short-term rental business (and use of the outdoor facilities) be halted until the code violations are resolved. OCTA staff had discussions with the County's Planning and Development team and have been informed that there are no existing permits for the accessory structure (or related improvements). The County also indicated that since the structure crosses the property line into the OCTA Preserve, a code enforcement case would be opened against the property owners. In addition, OCTA sent a separate letter to the home/business owner requesting they halt all outdoor activities and remove all encroaching improvements. OCTA is eager to resolve these issues through a process that respects property boundaries, restores the damaged habitat by the adjacent property owners and ensures future improvements on the adjacent property conform to the County's planning and permitting requirements. Staff will provide a brief overview of this issue.

Attachments:

- A. OCTA Preserves and Restoration Projects
- B. OCTA Endowment Pool Sept. 30, 2022 Quarterly Investment Report
- C. Live Oak Creek Preserve Encroachment Figures
- D. December 18, 2023 OCTA Letter to Orange County Planning

OCTA Preserves and Funded Restoration Projects

ATTACHMENT A



**COMMITTEE TRANSMITTAL**

December 11, 2023

To: Members of the Board of Directors

From: Andrea West, Clerk of the Board *Andrea West*

Subject: Environmental Mitigation Program Endowment Fund Investment Report for September 30, 2023

Finance and Administration Committee Meeting of November 29, 2023

Present: Directors Do, Federico, Goodell, Harper, Hennessey, and Jones

Absent: Director Sarmiento

Committee Vote

This item was passed by the Members present.

Committee Recommendation

Receive and file as an information item.



November 29, 2023

To: Finance and Administration Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Environmental Mitigation Program Endowment Fund Investment Report for September 30, 2023

Overview

The Orange County Transportation Authority has developed a Natural Community Conservation Plan/Habitat Conservation Plan, acquired conservation properties, and funded habitat restoration projects to mitigate the impacts of Measure M2 freeway programs. The California Community Foundation manages the non-wasting endowment required to fund the long-term management of the conservation properties. Each quarter, the California Community Foundation publishes a comprehensive report detailing the composition of the pool and its performance.

Recommendation

Receive and file as an information item.

Background

On September 26, 2016, the Board of Directors approved the selection of the California Community Foundation (CCF) as an endowment fund manager for the Measure M2 Freeway Environmental Mitigation Program. Annually, approximately \$2.9 million will be deposited in the endowment. These annual deposits are expected over a ten-to-twelve-year period, or until the fund totals approximately \$46.2 million. As of September 30, 2023, the Orange County Transportation Authority (OCTA) has made eight deposits to the CCF Endowment Pool (Pool), each in the amount of \$2,877,000.

Environmental Mitigation Program Endowment Fund Page 2
Investment Report for September 30, 2023

Discussion

Per Attachment A, as of September 30, 2023, total assets in the Pool were \$1.12 billion. Total foundation assets were \$2.25 billion. Performance for the Pool was below the Blended Benchmark (Benchmark) in the short- and mid-term horizon of up to ten years. Over the 20-year time frame, the Pool mirrors the performance of the Benchmark.

Per Attachment B, the balance as of September 30, 2023, was \$25,908,157. The balance is below the target of \$27,207,203 for the first quarter of fiscal year (FY) 2023-24. However, based on CCF's performance to date, OCTA is on track to meet the endowment target of \$46.2 million in FY 2027-28 (Attachment C). This quarter saw a reversal of market appreciation compared to the strong performance in the first half of 2023. Given a resilient economy and lingering inflation, Federal Reserve policymakers expect federal fund rates to remain elevated for an extended period. This expectation led to a sharp rise in mid- and long-term Treasury yields, playing a pivotal role in price resetting across most asset classes during the quarter. Diversification, asset allocation, and appropriate sizing of underlying investments in the endowment portfolio are the main methods to protect the portfolio from outsized volatility.

Summary

The Orange County Transportation Authority is submitting a copy of the California Community Foundation Investment September 30, 2023.

Attachments

- A. California Community Foundation Endowment Pool Investments – September 30, 2023
- B. California Community Foundation Fund Statement – 7/1/2023 – 9/30/2023
- C. EMP Portfolio Performance – Actual/Projection vs. Target

Prepared by:



Robert Davis
Department Manager,
Treasury and Public Finance
(714) 560-5675

Approved by:



Andrew Oftelie
Chief Financial Officer
Finance and Administration
(714) 560-5649



Endowment Pool September 30, 2023

INVESTMENTS

Total Pool Assets

\$1.12 billion (Endowment Pool), \$2.25 billion (total foundation assets) as of September 30, 2023.

Pool Objective

Prudent investment of funds to provide real growth of the assets over time while protecting the value of the assets from undue volatility or risk of loss. Managed on a total return basis (i.e., yield plus capital appreciation) while taking into account the level of liquidity required to meet withdrawals from the pool - mainly expenses and grants to external organizations. While the Investment Committee recognizes the importance of the preservation of capital, they also adhere to the principle that varying degrees of risk are generally rewarded with commensurate returns over full market cycles (5-10 years).

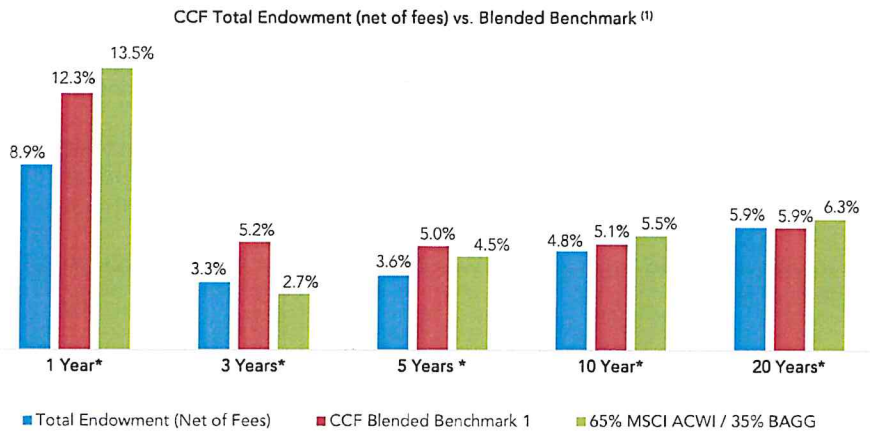
Outsource CIO

Hall Capital Partners

Performance & Asset Allocation

Performance for September was -2.7% ^(2,5)

Performance for the three months ended September 30, 2023 was -2.5%



Asset Class	Balance (\$m)	% of Port	Long-Term Target Range ⁽⁴⁾
Cash & Equivalent ⁽³⁾	\$2	0.1%	0 - 5%
Fixed Income	\$157	14.1%	10 - 20%
Public Equities	\$504	45.1%	40 - 60%
Alternative Assets	\$133	11.9%	10 - 25%
Hybrid Investments	\$17	1.6%	0 - 10%
Private Investments	\$148	13.2%	10 - 20%
Real Assets	\$157	14.0%	5 - 10%
Total Endowment Assets	\$1,118	100.0%	



Fund Name OCTA - Measure M2 Environmental Mitigation Program Fund
Fund Start Date 2/28/2017
Investment Pool(s) Endowment Pool

FUND STATEMENT

OCTA - Measure M2 Environmental Mitigation Program Fund (V398)

7/1/2023 - 9/30/2023

Fund Summary

	Report Period 7/1/2023 - 9/30/2023	Calendar YTD 1/1/2023 - 9/30/2023
Opening Fund Balance	\$23,688,239.06	\$22,206,586.48
Contributions (see attached detail)	2,877,000.00	2,877,000.00
Investment Activity, net	(657,082.10)	884,514.68
Administration & Grant Management Fees	0.00	(59,944.20)
Net Changes to Fund	2,219,917.90	3,701,570.48
Ending Balance	\$25,908,156.96	\$25,908,156.96

Investment Pool Performance as of 9/30/2023

	This Qtr.	1-Year	3-Years	5-Years	10-Years
Endowment Pool	-2.5%	8.9%	3.3%	3.6%	4.8%
Social Impact Endowment Pool	-2.9%	14.4%	3.8%	6.4%	6.7%
Conservative Balanced Pool	-0.9%	7.7%	1.8%	3.5%	n/a
Short Duration Bond Pool	0.2%	2.5%	-1.7%	1.1%	n/a
Capital Preservation Pool	1.3%	4.5%	1.7%	1.7%	1.1%

Endowment Pool - Invested for long-term growth and appreciation across multiple investment managers. It seeks to preserve the purchasing power of assets over an indefinite time horizon through long-term investment opportunities, while providing a relatively predictable and stable stream of distributions that keeps pace with inflation.

Social Impact Endowment Pool - Invested in a diversified pool of equities and fixed income aiming to offer capital growth for long-term grantmaking. It seeks to preserve the purchasing power of assets over an indefinite time horizon by following a sustainable investing approach that combines rigorous financial, environmental, social and governance (ESG) analysis, while providing a relatively predictable and stable stream of distributions that keeps pace with inflation.

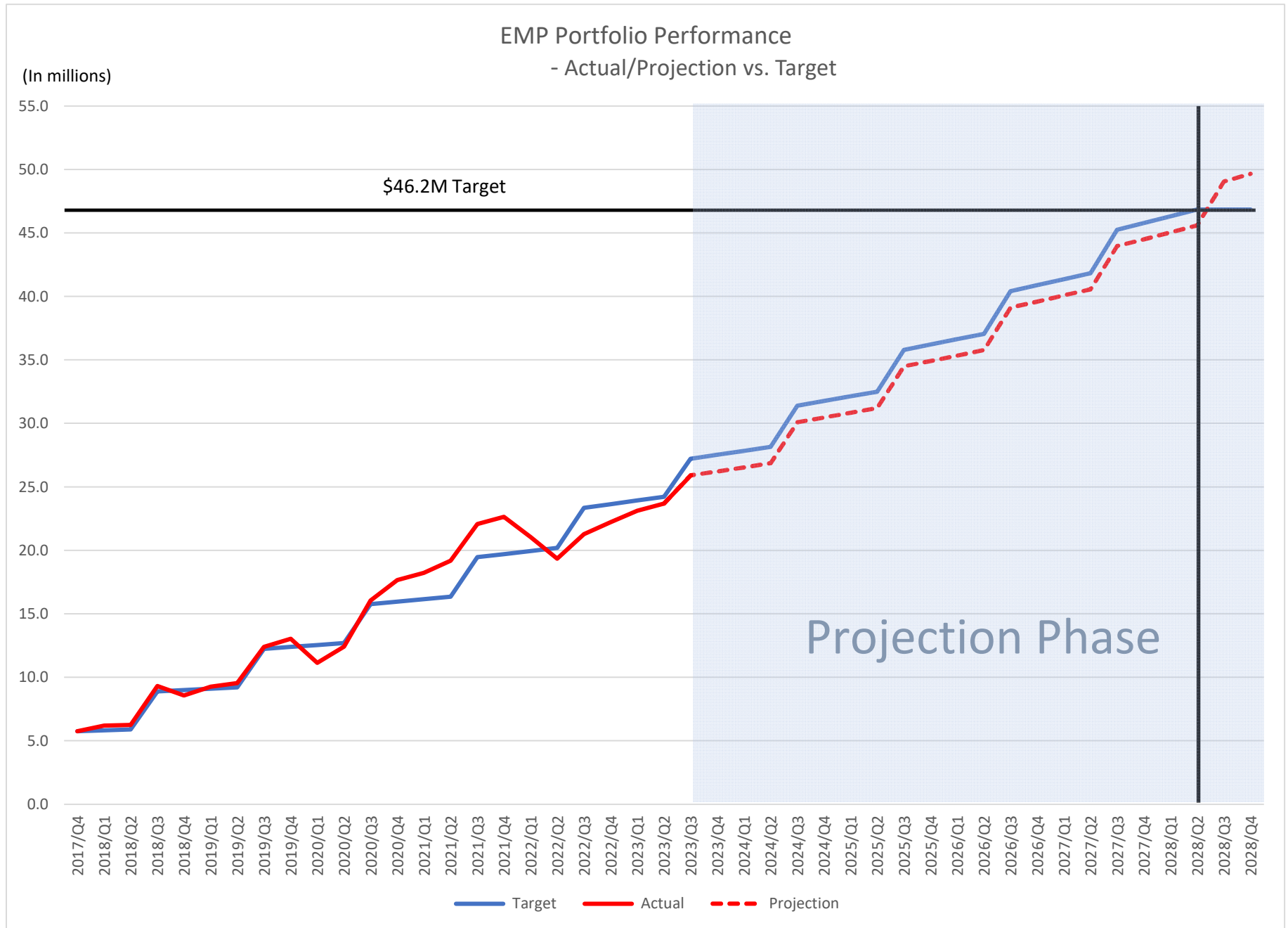
Conservative Balanced Pool - Invested to strike a balance between growth and liquidity by combining current income with an opportunity for moderate capital appreciation. It seeks to offer diversified exposure to fixed income with maturities from 1-5 years as well as the entire U.S. equity market for purposes of grantmaking over an intermediate horizon.

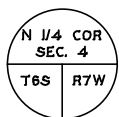
Short Duration Bond Pool - Invested to offer diversified exposure to fixed income with maturities from one to five years for the purposes of grants over a near-term one to four year horizon.

Capital Preservation Pool - Invested to meet the needs of funds with short-term grant objectives. It seeks to preserve principal and provide liquidity and working funds for present and future needs through investment in high-quality, short-term fixed income and cash instruments.

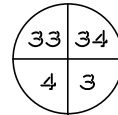
Contribution Details

Date	Donor Name	Amount
07/05/2023	Orange County Transportation Authority	2,877,000.00
		\$2,877,000.00





FOUND 2" IRON PIPE WITH O.C.S. 3-3/4"
ALUMINUM CAP PER R.S.B. 141/5-19



FOUND MAG NAIL SET IN CONCRETE
PER R.S.B. 141/5-19

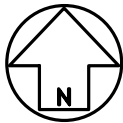
N89°34'15"W 2614.65' SEC. 33, T5S, R7W
SEC 4, T6S, R7W

RETAINING ROCK GROUND COVER

APN: 856-021-27

APN: 856-021-26

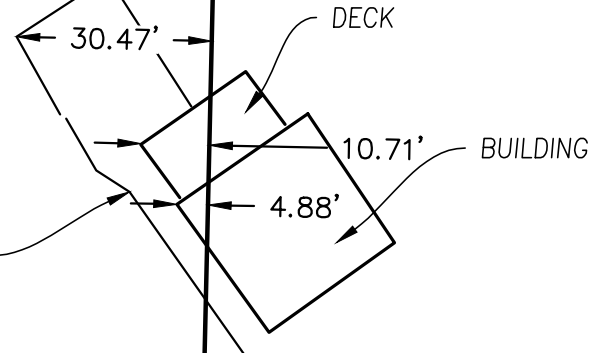
PARCEL 2
LLA NO. LL-2008-007
INST. NO. 2008000473333, O.R.
RECORDED 10/10/2008



SCALE: 1" = 30'

LEGEND & ABBREVIATIONS

	LIVE OAK CREEK PRESERVE BOUNDARY
	SECTION LINE
	CENTERLINE



N01°17'09"E
1261.95'

SEARCHED FOR MONUMENT
NOTHING FOUND. REESTABLISHED
PER R.S.B. 141/5-19 BETWEEN
FOUND NE CORNER AND SE
CORNER OF SECTION 4.

PREPARED BY ME OR UNDER MY DIRECTION.

JONATHON J. CORREA
PLS 8950

DATE: 11/15/2023



GUIDA SURVEYING INC.
220 COMMERCE, SUITE 150
IRVINE, CALIFORNIA 92602
TOLL FREE 1.855.900GUIDA
WWW.GUIDASURVEYING.COM

Project No. 0122-02461 Live Oak Creek_Building.dwg

SHEET 1 OF 1

EXHIBIT MAP
OCTA LIVE OAK CREEK
COUNTY OF ORANGE
STATE OF CALIFORNIA
NOVEMBER 2023











AFFILIATED AGENCIES

Orange County
Transit District

Local Transportation
Authority

Service Authority for
Freeway Emergencies

Consolidated Transportation
Service Agency

Congestion Management
Agency

December 18, 2023

Mr. Cameron Engelhart
Orange County Development Services
Planning and Development, Neighborhood Preservation
601 N Ross Street
Santa Ana, CA 92701

Via email: Cameron.Engelhart@ocpw.ocgov.com

Subject: **19041 Live Oak Canyon Road and the Live Oak Creek Preserve (CE230465)**

Dear Mr. Englehart:

The Orange County Transportation Authority (OCTA) was recently informed of a code enforcement action for an unpermitted business (which includes encroaching structure improvements) at 19041 Live Oak Canyon Road in Trabuco Canyon. OCTA owns the adjoining property, the Live Oak Creek Preserve [Preserve] (APNs 856-021-26 and 856-021-27). An American Land Title Association survey recently conducted by OCTA determined the accessory structure and associated outdoor improvements at 19041 Live Oak Canyon Road crosses into the OCTA Preserve. OCTA did not approve these encroachments and is concerned about the resulting damages and risks.

The recent outdoor expansion (and affiliated use) not only impacted the habitat but also greatly increased the fire risk to OCTA's Preserve and surrounding area. This area is already in a Very High Fire Hazard Severity Zone (CAL FIRE mapping). Specifically, OCTA is highly concerned about the fire risk associated with outdoor open flames (fire pit, hot tub, and outdoor cooking) within and adjacent to heavily vegetated areas.

As background, the 84-acre Preserve is one of seven protected conservation properties owned by OCTA. The Preserve provides essential habitat for sensitive native plants and wildlife. These Preserves are part of a program known as OC Go, OCTA's half-cent transportation sales tax measure to provide mobility solutions and funding for environmental preservation and enhancement programs.

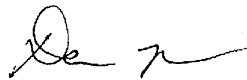
As part of the code enforcement action, OCTA understands the County neighborhood preservation team will require that the unpermitted short-term rental business (and use of the outdoor facilities) be halted until the code violations are resolved. OCTA staff had discussions with the County's planning and development team and have been informed that there are no existing

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permits for the accessory structure (or related improvements). The County also indicated that since the structure crosses the property line into the OCTA Preserve, a code enforcement case would be opened against the property owners. OCTA is eager to resolve these issues through a process that respects property boundaries, restores the damaged habitat by the adjacent property owners and ensures future improvements on the adjacent property conform to the County's planning and permitting requirements.

OCTA appreciates the efforts of the County's development services department to restore site compliance with applicable County ordinances. Throughout the development of this code enforcement action, we encourage open communication with OCTA on this matter and would appreciate being updated on this issue. If you have any questions or comments, please contact me at 714-560-5907 or at dphu@octa.net or Lesley Hill at lhill@octa.net or 714-560-5759.

Sincerely,



Dan Phu
Sustainability Planning Manager

DP:lh

c: Ilene Lundfelt, County of Orange
Cora Villegas, County of Orange