

# **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.