



Minutes

Measure M2 Environmental Oversight Committee

Committee Members

*Lori Donchak, Chairman
Melanie Schlotterbeck, Vice Chair
Lisa Bartlett, Board of Directors
Eugene Fields, Taxpayers Oversight Comm.
Chris Flynn, Caltrans District 12
David Mayer, CA Dept. of Fish & Wildlife
Derek McGregor, DMc Engineering
Jonathan Snyder, US Fish & Wildlife*

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

***Wednesday, November 7, 2018 at
2:30pm***

Member(s) Absent

*Dr. David Chapel, Grand Jury Assoc. of O.C.
Veronica Li, US Army Corp of Engineers
Dan Silver, Endangered Habitats League
John Walsh, CA Wildlife Conserv. Board*

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

Chairman Lori Donchak called the Environmental Oversight Committee (EOC) meeting to order at 2:40 p.m. Chair Donchak asked new member Eugene Fields of the Taxpayers Oversight Committee to introduce himself.

2. Pledge of Allegiance

Chairman Lori Donchak led the Pledge of Allegiance.

3. Approval of June 6, 2018 Minutes

Chairman Lori Donchak asked if there were any additions or corrections to the June 6, 2018 EOC minutes. A motion was made by Vice Chair Melanie Schlotterbeck, seconded by Lisa Bartlett and passed unanimously to approve the June 6, 2018 EOC meeting minutes as presented.

4. Environmental Mitigation Program Endowment Fund Investment Report

Dan Phu presented the Environmental Mitigation Program Endowment Fund Investment Report. He said OCTA has deposited its third deposit on a 10 to 12-year endowment. Dan provided further background on the set-up of the endowment.

The committee discussed the future revenue of Measure M2 sales tax collection and how much wiggle room there is in the future for projects. Dan Phu said sales tax collection is near target, but there is not a lot of wiggle room in the budget for environmental mitigation. The committee also asked OCTA if it could deposit a larger amount into the endowment if there is extra money at any point.

The committee discussed the variables of the endowment. Dan Phu said the principal on the endowment is \$34.5M and that \$46.2M is the projected principal, plus interest earnings over a 12-year period.

5. Trabuco Rose Property Encroachment

Dan Phu provided an overview of the Trabuco Rose Property and the small area of encroachment by the Hamilton Trails Community. The site has been surveyed and there is no high value habitat at this location. David Mayer said the wildlife agencies have reviewed the area and while this sale is out of the norm, under the circumstances, it is the most expedient way to address the issue. He said OCTA will not be short of the requirements for NCCP/HCP. Jonathan Snyder said the wildlife agencies made sure this was all the land required and was ensured the funds will go back into the Environmental Mitigation Program. Staff also met with the Orange County Fire Authority to ensure this is the only area of encroachment. David said one of the reasons we have flexibility on this parcel is because the conservation easement is not in place yet.

Dan Phu said the appraisal has already been done on the valuation. Next, an appraisal review will take place to ensure the appraisal is done in accordance with state law, and then the sale will go to the OCTA Board for approval. He said OCTA staff expects this whole process to take about two months (holidays could push it out).

There was also discussion about clearance due to open space proximity to the structure potentially requiring fuel mod. The structure was determined to have clearance because it was built well before the land was open space. Fuel mod requirement and clearance for the ancillary structure (a pump house with a deck around it) was also questioned. Lesley Hill clarified that the OCFA requirement is in regards to habitable structures. The committee discussed different alternatives regarding the property, but ultimately staff is recommending the sale of this specific piece of property.

The owner was present and made a brief statement saying OCTA has been very easy to work with, but he recently discovered the encroachment while having his defensible space reviewed.

A motion was made by Lisa Bartlett, seconded by Derek McGregor and passed unanimously to endorse staff's recommendation to sell 0.36 acre of the Preserve to the adjacent property owner, subject to a fair market appraisal.

6. Eagle Ridge and Pacific Horizon Preserve Resource Management Plans (RMPs)

Lesley Hill provided an overview of the RMPs for the Eagle Ridge and Pacific Horizon Preserves. She said there are 13 covered species within all of the OCTA properties which covers the 13 freeway projects for mitigation. The RMPs are "living" documents and OCTA has committed to opening them up every five years for review. She said ultimately the Wildlife Agencies have final approval of the RMPs.

Lesley Hill summarized the edits to these documents which were finalized in September after the public comment period. She said edits to the Eagle Ridge RMP include: name change, updated figures, public access information, updates to the protected lands and response to comments. She said edits to the Pacific Horizon RMP include: name change, incorporation of information on the coastal zone, updated figures, description of trails, clarification on public access, added information on archeologic monitoring and response to comments.

Lesley Hill said the next step is long-term management and monitoring which includes invasive species mapping and removal.

The committee requested staff reports related to items 6-11. The committee also discussed the archeological monitoring.

Vice Chair Melanie Schlotterbeck thanked the project team; she said she really appreciates the team using her as a resource. Melanie said the five-year cycles come at different time periods and it would be great to have them all on the same cycle.

The committee discussed who does the invasive species removal. Lesley Hill said it is contracted out by OCTA.

Marissa Espino said the Sierra Club sent a letter regarding the RMPs and it was sent out to committee members today.

7. North Coal Canyon and Chino Hills State Park Restoration Projects Update

Lesley Hill said OCTA went out to bid again for this project. She said hopefully there will be an executed contract in early 2019.

The committee asked if the funds for this project are going to suffice. Lesley Hill said we have not received any proposals at this time, so there is no way of knowing yet.

8. City Parcel Restoration Project Completion

Lesley Hill provided an overview of the 53-acre Trabuco Creek Ranch restoration project in San Juan Capistrano which was recently completed. Habitat types include: coastal sage scrub, riparian and transitional plant communities. She said the project will repair a habitat gap which will help link gnatcatchers and improve a wildlife corridor, etc. She said conditions were tough during this period, but the contractor was able to stay on budget. Lesley said 30+ disadvantaged San Juan Capistrano youth were employed on this project, 25,000 lbs. of illegally dumped concrete and trash was removed, 15,000 lbs. of additional debris was removed, 200,000+ invasive weeds were removed and 60,000+ native trees/plants were planted.

Derek Ostensen (restoration project manager) said thank you to OCTA and the EOC for their dedication to this program. He said he is very impressed with how OCTA has handled things in a financially transparent, very ethical and organized way with great collaboration with the agencies involved in getting this work done. He said what has been achieved has been phenomenal. Derek said OCTA was able to fulfill some long-held conservation priorities. He also thanked the agencies involved with this committee for their work on the projects.

Chair Lori Donchak suggested taking this presentation to the City of San Juan Capistrano City Council.

9. Irvine Ranch Conservancy Restoration Project (West Loma) 2018 Fire Damage

Lesley Hill provided a brief overview of the impacts of the Santiago wildfire on the West Loma restoration project. She said due to the wildfire Orange County Fire Authority (OCFA) needed to install dozer and hand lines to prevent the further spread of the wildfire. Lesley said some damage was a result of the fire and some was due to the dozer and hand lines. Some plants and plant protectors were impacted resulting in \$12,500 worth of damage. She said most of the cost was a result of the actual fire. Lesley said OCTA has not met the success criteria on this project yet and has not received sign-off. An amendment was done to this project to cover the cost.

Monte Ward said OCTA has learned from this crisis and is working with the OCFA to show where preserves and restoration projects are on maps, so that maybe dozer/hand lines can work around valued habitat when possible.

The committee discussed the cause of the fire being a roadside vehicle on the 241 Toll Road. The committee discussed emergency money being set-up in the endowment fund, but not on the unfinished restoration projects.

10. Fire Management Plans

Lesley Hill provided an update on fire plans for the Conservation Plan. She said in July OCTA hired a consultant to develop the plans for each preserve. The OCFA, as well as local fire agencies, will be working with OCTA in development of the plan. Lesley

said the fire plan will look at fire prevention and recommendations, public safety, what happens when fire breaks out/modeling, recommendation for access and post fire needs. She said open communication with the agencies involved will be the key to the success of the plan.

The committee discussed the possibility of the fire plans being successful. Lesley Hill said OCTA staff is in communication now with the OCFA. Monte Ward said this helps OCTA in being a good neighbor because property owners are worried about fire hazards on their properties. The committee also discussed how OCFA has jurisdiction over CalFire in these situations.

The committee talked about how the fire plans will be available to adjacent communities and agencies once finished. Co-Chair Melanie Schlotterbeck said Chino Valley Independent Fire Agency and Carbon Canyon Fire Council may be adjacent to properties as well. Lisa Bartlett said OCFA has Mutual Aid Agreements in place with smaller agencies.

11. Hike and Ride Events

Marissa Espino said the next hike and ride event will be on November 17 and 18. She said a 2019 calendar will be coming out soon.

12. Public Comments

There were no public comments

13. Committee Member Reports

Vice Chair Melanie Schlotterbeck said in 2008 the now Eagle Ridge Preserve was impacted by the Freeway Complex Fire. She said Hills for Everyone is hosting a commemoration event on November 17 and 18.

Vice Chair Melanie Schlotterbeck and Lisa Bartlett announced this as Chair Lori Donchak's last meeting. Melanie listed all of the EOC accomplishments during Chair Donchak's tenure. She thanked the Chair and said she is a great person, teacher and policy maker. Lisa Bartlett thanked the Chair for being an OCTA Director and EOC Member. She said the Chair has taken every decision to heart when providing guidance. Lisa thanked her for her commitment to OCTA.

Chair Lori Donchak said it has been an amazing six years working on this unique program with the collaboration of the wonderful staff. She said she truly enjoyed working with this group. She thanked Monte Ward, Kia Mortazavi and Vice Chair Melanie Schlotterbeck for making things happen.

14. Next Meeting – February 6, 2018

The next meeting is scheduled for February 6, 2018.

15. Adjournment

The meeting adjourned at 3:50 p.m.