

Environmental Oversight Committee Meeting Minutes

November 3, 2010

Committee Members Present:

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

Committee Members Absent:

Veronica Chan, US Army Corps of Engineers
Dave Mears, California Wildlife Conservation Board

Orange County Transportation Authority Staff Present:

Allison Army, Senior Transportation Analyst
Marissa Espino, Senior Community Relations Specialist
Dan Phu, Project Development Section Manager
Ken Smart, OCTA General Counsel
Monte Ward, Measure M2 Consultant

Members of the Public

Scott Breeden
Jack Eidt, Wild Heritage Planners
Tricia Evans, Silverado-Modjeska Recreation and Parks District
Karl Greenblatt, Canyon Lands Conservation Fund
Mark Levy, Silverado-Modjeska Recreation and Parks District
Phil McWilliams, Silverado-Modjeska Recreation and Parks District
Gene Robinson, Inter Canyon League
Ed Sauls, Hafen & O'Neill Oaks Properties Representative
Gloria D. Sefton, Saddleback Canyons Conservancy
Bev Perry, Hills For Everyone

1. Welcome

Chair Patricia Bates opened the meeting at 9 a.m. and welcomed everyone. She asked Adam Probolsky to lead the Pledge of Allegiance. Chair Bates asked the EOC members to introduce themselves.

2. Approval of September 1, 2010 Minutes

Chair Patricia Bates asked if there were any additions or corrections to the September 1, 2010 Environmental Oversight Committee (EOC) meeting minutes. There were no additions or corrections. A motion was made by Melanie Schlotterbeck and seconded by Nancy Jimeno to approve the September 1, 2010 EOC meeting minutes as presented. The motion passed unanimously.

3. Restoration Proposals Update

Monte Ward gave a brief update on the Restoration Projects Proposals. The Subcommittee is in the process of reviewing the restoration plans and anticipates that task being completed by the end of the month. The next step would be to provide the funding for the projects.

Melanie Schlotterbeck asked if the EOC needed to approve the proposed Restoration Plans. Monte Ward said the plans will be presented to the EOC but an approval is not necessary.

4. Public Comments

Tricia Evans, Silverado-Modjeska Recreation and Parks District. Ms. Evans asked the Committee to consider the two parcels (Holtz Ranch and Baker Square) in the Silverado Canyon area. These are two contiguous parcels close to the Cleveland National Forest which create a wonderful "Tree Museum" which is enjoyed by school children who come out to look for fossils and view wildlife including some endangered species. Also, a great deal of people love to hike, bike ride, paint, and enjoy nature in the area. The area is wild, open, and unique in Orange County and she hoped the Committee will be dedicated to preserving it.

Melanie Schlotterbeck clarified that the Baker Square property referred to by Tricia Evans is listed as Takahashi (Baker Square, LLC) in the information provided in the Agenda packages.

Gene Robinson, Inter Canyon League. Mr. Robinson is a thirty-plus-year resident of the Silverado area and spoke on behalf of Holtz Ranch and Baker Square properties. He drove through the area with Mr. Takahashi, who was proud of the area. Mr. Robinson compared the area to Bryce Canyon in Utah. Holtz Ranch is a 200 acre abandoned Turkey/Chicken Ranch and is now just a beautiful area. He hoped the Committee would consider both of the properties and keep them as open space.

Phil McWilliams, Silverado-Modjeska Recreation and Parks District. Mr. McWilliams has been very happy with entire process. It has been a model of inclusiveness,

fairness, and was science-driven. He has been impressed and congratulated everyone involved. He lives in the Canyon and agreed with all the comments about Holtz Ranch and Takahashi but considers all the properties very good targets. He would like the Committee to also consider an even distribution of properties across the geography of Orange County. He would not like to see any one particular district get too over-weighted keeping in mind the goal of getting the best for every dollar spent.

Chair Patricia Bates thanked him for his encouragement and said the EOC has spent two years getting to this point. They are very committed, which is reflected in the very good attendance the Committee has enjoyed.

Mark Levy, Silverado-Modjeska Recreation and Parks District. Mr. Levy said he endorsed everything the people before him spoke about. He especially wanted to echo the process has been tremendous and it has been science-driven. These properties not only hold a place in our hearts but also have environmental and ecological value to the County as a whole. Each property has a distinct value. His group is partial to the Holtz Ranch and Takahashi properties. These two connected properties not only provide a great swath of environmental mitigation value but also allow possible connectivity into the National Forest. This National Forest connectivity is a very limited and almost nonexistent at times.

Adam Probolsky asked if the Silverado-Modjeska Recreation and Parks District would be involved with the property after it would be potentially acquired. Monte Ward said the District is one of the entities the negotiators have had discussion with about interim and long term management of some of the properties. Negotiators have also talked to Orange County Parks, Transportation Corridor Agencies, State Parks, Audubon, and others.

Ed Sauls, Hafen & O'Neill Oaks Properties. Mr. Sauls complimented the EOC on the great job they are doing. His hope is that the Hafen & O'Neill Oaks Properties have reached the highest on the list of properties to be acquired. They represent high biological values and complete the regional NCCP. The owners are willing to work with the Committee and concede that the selling price is less than the appraised value. They are also willing to work on the terms of the properties.

Jack Eidt, Wild Heritage Planners. Mr. Eidt said Wild Heritage Planners was one of the 30 original environmental groups supporting Measure M2 in 2006. Five years ago they were trying to figure out what, if anything, they could get from Measure M. They decided comprehensive mitigation and streamlined permitting could be really productive for the environmental community and OCTA. They have kept up with and supported the Committee through representatives and have been apprised of important decision like today. They engage and support the program as being transparent, comprehensive, and inclusive. They are pleased that other resource agencies and evaluators have taken the list of habitat types and impacted species

seriously, and have appropriately drawn the line when properties do not align with impacts. The coalition supported a list of properties. The Group 1 properties are distributed across the County just like the 13 freeway projects. They anticipate the Committee will choose this balanced approach and there will be a broad based acquisition list.

Gloria D. Sefton, resident of Trabuco Canyon and Co-Founder of Saddleback Canyons Conservancy - one of the conservation groups who supported Measure M2. She echoed the previous comments commending the EOC in bringing everyone to the point of acquisition. She supports the acquisition of the Trabuco properties. All of these properties have been ranked as priority conservation areas. It goes without saying they are all extremely important. They are high quality habitat containing covered species represent important pieces of the puzzle to create needed connectivity.

It is important to find the factors to prioritize the properties in the first round of funding because the dollars will only go so far. She would place the Ferber Ranch property very high on the list. At 444 acres, it has been viewed as extremely important for connectivity and habitat stand point and is one of the crown jewels of the Foothill/Trabuco Pacific Plan area. It is faced with imminent threat of being developed or subdivided. If the economy had not declined, she feels it would already have been developed. The 49 acres of the Hafen property creates further connectivity with Ferber and would provide an opportunity to pair two properties and provide 500 acres of connectivity. This along with the 100 acres of Hafen already preserved would result in a very big portion of extremely valuable biological resources conserved. She would also put the 222 acres of Saddleback Meadows in the top tier. This property has evaded development for two decades but still runs the risk of being developed despite the huge impact this would have on wildlife connectivity. Acquiring Saddle Creek South's 86 acres to pair with Saddleback Meadows 222 acres would greatly enhance wildlife access to the Cleveland National Forest. Acquiring O'Neill Oaks at 150 acres would allow the County to annex to O'Neill Park and provide much needed recreational resources. Acquisition of the 102 acres Mitchell property would go a long way toward providing public access to the Cleveland National Forest. As one can see, all these properties have tremendous values and it is difficult to prioritize. With all sides supporting acquisition, all that is needed is to turn the dream into reality.

Scott Breeden, resident of Silverado Canyon. Mr. Breeden spoke in favor of the Holtz Ranch property. Public access is readily available on this property via a road that runs through a portion of the property. The other portion of the property is even more beautiful. When it rains there is a waterfall in one portion of the creek. There may be an opportunity to secure this property at a lower price since the U.S. Fish and Wildlife Service has designated the creek as critical habitat for endangered species protection. This protection will not be perceived favorably by any developer who is looking to acquire the property.

Bev Perry, Hills For Everyone - one of the environmental groups who supported Measure M2. Hills For Everyone is a 32 year old citizen organization which founded Chino Hills State Park. As a former OCTA Board Member, she was very pleased to see OCTA take this extraordinary approach to environmental mitigation and engage the environmental community in the process. OCTA has been given the opportunity to preserve some amazing properties.

Bev Perry supports the Hayashi property, which is adjacent to Chino Hills State Park and is one of the Group 1 properties. In a letter from State Parks Director Ruth Coleman, State Parks has offered to take title to the property and manage it for conservation purposes with a very reasonable management fee. This is a very important issue for the OCTA Board and her group is very thankful State Parks has agreed to do this.

Secondly, she would like everyone to realize that Hills For Everyone has matching funds that can be used to acquire the Hayashi property. These funds can be used to acquire this property, help off-set OCTA's acquisitions costs and provide a unique partnership not available on many of the properties. If their knowledge of acquisition costs in the area are correct, their funds could off-set OCTA's cost about 40%. The OCTA Board has made it clear that their goal is to get the most out of the dollars available and Hills For Everyone can help in doing this.

The Committee has some tough decisions ahead and she hopes they will look broadly at all of the properties including this beautiful property in northern Orange County. Concurrently the Hayashi property stabilizes two variables: Ownership by the State Parks and a partner who will help reduce the cost.

Karl Greenblatt, Canyon Lands Conservation Fund. Spoke in favor of the acquisition of the Holtz Ranch property. Holtz Ranch can be seen when entering Silverado Canyon and is the only definable large pasture. It is a corridor for wildlife and Silverado Creek. Holtz Ranch is in the process of being established as habitat for the endangered Arroyo Toad by the U.S. Fish and Wildlife Service. There is concurrence between The Irvine Company's biological consultant, the Army Corps of Engineers, and the Service that this property contains endangered species habitat. There are many reasons to protect this property, and he feels this is a very precious piece of land for Silverado and the public.

5. Committee Member Reports

There were no Committee Member Reports.

6. Next Meeting – Wednesday, December 1, 2010

7. Adjournment

Melanie Schlotterbeck asked to have the meeting adjourned in the name of her niece 11 month old Kennedy Swann who has just been diagnosed with Spinal Muscular Atrophy, Type 1 and was going into surgery that day to insert a g-tube.

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.

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

Real Property	Geographic Area	Assessor's Parcel Number	Owner's Negotiator	Acreage
Saddleback Valley Christian School	San Juan Capistrano	121-070-55 through 57	Ed Carney Saddleback Valley Christian School	67.93
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