

Meeting Minutes
NPDES Technical Advisory Committee

Date and Location: October 15, 2020, 2:00 – 3:30 p.m.
Webinar and teleconference only

ITEM # 1 Introductions and Webinar Conduct

TAC Members Roll Call	Attendance
Amanda Carr, County of Orange, Chair	Present
William Galvez, 1 st District, City of Santa Ana	Absent
Jim Merid, 2 nd District, City of Huntington Beach	Present
Frank Sun, 3 rd District, City of Orange	Present
Masoud Sepahi, 4 th District, City of Placentia	Present
Rich Schlesinger, 5 th District, City of Mission Viejo	Present

A quorum of the Technical Advisory Committee (TAC) was present.

Following introductions, Ms. Amanda Aprahamian presented an overview of the webinar meeting format and procedures for participants.

ITEM # 2 Approval of May 27 TAC Meeting Minutes

The May 27, 2020, meeting minutes were presented to the TAC.

TAC Recommended Action: Approve May 27 TAC meeting minutes.

Motion: Approve meeting minutes.
First/Second: Rich Schlesinger/Jim Merid
Abstained: None
Outcome: Approved unanimously

ITEM # 3 Customer Satisfaction Survey Results and Program Governance Discussion

a) Cindy Rivers and James Fortuna, County of Orange, OC Environmental Resources

Ms. Cindy Rivers provided an overview of the customer satisfaction survey results. She noted that overall, satisfaction with administration of the Orange County (OC) Stormwater Program was high; however, two comments were received that questioned the relevance and future role of the TAC. To address these comments, Ms. Rivers provided background information on the TAC's formation and historical role, while Mr. James Fortuna posed some high-level questions and potential options for consideration moving forward.

Mr. Fortuna noted that given the comments received on the survey, the County of Orange (County) wanted to request feedback from the TAC members themselves. Ms. Amanda Carr explained that at the beginning of the National Pollutant Discharge Elimination System (NPDES) Phase I Permit implementation (early 1990's), many cities did not have dedicated Stormwater Program Managers or staff to assist with the execution of this new program. The formation of the TAC was included in the OC Stormwater Program implementation agreement to provide a forum for City/County Public Works Directors/City Engineers to gather information and provide feedback and guidance on NPDES program development and management. Since that time, stormwater programs for the 34 OC municipalities have evolved and two

Permittee survey participants expressed an interest in revisiting the OC Stormwater Program governance structure.

Mr. Jim Merid commented that he thinks the TAC is still relevant and continues to fill a vital role. He mentioned that the TAC provides policy guidance at a high level to help guide and steer the overall stormwater program and therefore believes that regardless of any ultimate changes to the governance structure, there would still need to be at least a steering committee of some sort. Mr. Frank Sun questioned what the alternative would be if the TAC was replaced. Ms. Carr responded that the County does not yet have alternatives drafted, and that this TAC meeting item was to bring the issue to light and promote discussion.

Mr. Masoud Sepahi explained that some small cities still rely heavily on the work of consultants, and the TAC allows them to hear ideas and budget input from other cities. Mr. Rich Schlesinger noted that separate from the City Stormwater Program Managers who focus on day to day operations, the TAC functions as a higher-level group of City Engineers and Public Works Directors to review items with potential to significantly impact the budget in order to help justify the need to the City Managers Water Quality Committee. Ms. Carr noted that while that is indeed an important function of the TAC, interest from City Engineers in participating has decreased in recent years. Mr. Schlesinger agreed that interest ebbs and flows based on what else is going on with other priorities within the County and predicted that permit reissuance may pique interest again.

Mr. Keith Linker wanted more clarity on the vague survey comments to better understand what is not currently working. Ms. Carr mentioned that in addition to these survey comments, County staff have received sporadic comments over the years regarding the TAC. For example, it has been brought up that four TAC members are in the Santa Ana Regional Water Quality Control Board (Water Board) region and only one TAC member is in the San Diego Water Board region. Considering how separate the two permits and their respective requirements have become, the TAC could discuss the idea of changing how each region is represented. Mr. Schlesinger commented that he would like to see more balanced representation. He suggested the County look into the Orange County Transportation Authority (OCTA) model; the representation criteria are based on region and city size. For example, the TAC could have representatives from a North OC small city, North OC large city, South OC small city, South OC large city, and a member at large. Ms. Carr agreed that the OCTA model could provide a good model for an alternative representation structure.

Mr. Sepahi noted that the TAC meeting frequency was also a concern in a survey comment. Mr. Merid pointed out that the TAC meeting frequency had already been adjusted to quarterly. Ms. Carr explained that at a minimum there are two TAC meetings a year: a budget preview in January and a joint budget approval recommendation meeting with the City Managers Water Quality Committee in May. Currently, further meetings are issue-driven and depend greatly on regulatory activity from Water Boards, such as permit renewal.

Mr. Sun suggested that County staff gather further feedback from the Permittees regarding alternatives and come back to the TAC with recommendations. Ms. Carr concluded that now that there had been discussion at the TAC level regarding program governance, the County would gather input from the Permittees to determine the level of interest in considering other alternatives, and bring that information back to the TAC, including a consideration of whether or not the alternatives being considered fit within the current implementation agreement.

TAC Recommended Action: Provide direction on future program governance

Outcome: Direction from the TAC was provided. The TAC requested further Permittee feedback and alternative recommendations.

ITEM # 4 Approval of 2021 TAC Meeting Schedule

a) Amanda Aprahamian, County of Orange, OC Environmental Resources

Ms. Aprahamian presented the proposed 2021 TAC meeting schedule, with meetings set to occur on a triannual basis, on the third Thursday of the month.

TAC Recommended Action: Approve the 2021 TAC meeting schedule.

Motion: Approve 2021 TAC meeting schedule.

First/Second: Rich Schlesinger/Jim Merid

Abstained: None

Outcome: Approved unanimously

ITEM # 5 NPDES Stormwater Program Shared Costs Update

a) Cindy Rivers and James Fortuna, County of Orange, OC Environmental Resources

Mr. Fortuna presented the fiscal year (FY) 2018-19 and FY 2019-20 budgets and expenditures in relation to the approved FY 2020-21 budgets for countywide elements and region-specific elements. Both FY 2018-19 and 2019-20 budgets were close to fully expended. Ms. Rivers provided an overview of budget items expected to be included in the FY 2021-22 budget. The County will provide a budget preview for FY 2021-22 at the January 2021 TAC meeting.

Mr. Schlesinger questioned if the Water Quality Improvement Plan (WQIP) LiDAR data acquisition could be coordinated with the Southern California Association of Governments (SCAG) regional LiDAR data acquisition as a potential cost savings. Mr. Grant Sharp provided background on the commitment within the WQIP to collect high resolution LiDAR imagery of major streams in South OC every five years to fulfill hydromodification monitoring requirements and support strategies to address the channel erosion highest priority water quality condition. Mr. Schlesinger made a request for the link to the most recent LiDAR dataset (collected in 2016) available on the County's Open Data Portal. The link to the 2016 LiDAR dataset has since been provided per Mr. Schlesinger's request and Mr. Sharp followed up with OC Survey and the SCAG project lead after the TAC meeting to discuss opportunities for collaboration. While it was at one point being considered, LiDAR data acquisition is not scheduled for inclusion in the 2021 cycle of SCAG imagery.

ITEM # 6 Land Development Program

a) Land Development Program Survey Results – Aaron Poresky, Geosyntec Consultants

Mr. Aaron Poresky presented results from a Land Development Program Survey that was conducted in the late spring and early summer of 2020, to gauge the need to revisit some of the resources and tools relied upon to prepare and approve water quality management plans (WQMPs) for priority new development and redevelopment projects. Survey respondents included Program Managers, WQMP reviewers, and members of the development community. Notably, there were many long useful narrative responses that included common ideas.

Responses revealed an appetite for updates, enhancements, and improvements in several key areas. Some of the suggested improvements include migrating to new online formats to streamline the WQMP

preparation and approval process. Regarding WQMP preparation assistance, respondents were seeking efficiency and consistency over more guidance. In contrast, there was a desire for more guidance and standardization for design and construction to assist in the translation of WQMP elements to plan sets.

Overall, there was a preference to keep program resources simple to avoid maintenance of an abundance of documents and guidance. Suggestions included combining or replacing existing guidance, and keeping guidance and resources consistent between North and South Orange County whenever feasible.

Mr. Linker mentioned that he appreciated the County undertaking this effort.

TAC Recommended Action: Receive and file.

Outcome: Received and filed.

b) Next Steps – Cindy Rivers and James Fortuna, County of Orange, OC Environmental Resources

Ms. Rivers and Mr. Fortuna explained that Geosyntec has developed a draft work plan from the survey findings. It includes seven potential near-term elements, Permittee and development community involvement, and estimated cost and time required for proposed work. The work plan will be provided for Permittee review within the next week and Mr. Poresky will be presenting near-term work plan elements at the General Permittee subcommittee meeting on October 22, 2020. After Permittee review, the County will be conducting additional follow up activities with interested parties to present the work plan elements and to obtain additional input on priorities for improvements.

Ms. Carr mentioned private-public partnerships may arise from the land development program updates. Additionally, Ms. Carr emphasized that tools to foster streamlined processes and consistency are important, as well as working with construction to ensure that builds are accurate to WQMPs.

TAC Recommended Action: Provide direction on next steps.

Outcome: Direction was provided.

ITEM # 7 Written Reports

Ms. Rivers provided an overview on the topics included in the written reports in the Staff Report.

TAC Recommended Action: Receive and file.

Outcome: Received and filed.

ITEM # 8 TAC Member Comments

Mr. Linker provided a follow up to the City of Anaheim’s water quality credit and banking program that he presented at the November 14, 2019 TAC meeting. The City of Anaheim is developing a pilot alternative compliance approach to generate stormwater credits with City projects that could be used for future City projects requiring new development LID items. The program was presented to the Santa Ana Water Board and a primary comment from the Water Board was to wait for the next permit cycle. Due to the unknown timeline of the next permit cycle, the City of Anaheim pushed back and requested the Santa Ana Water Board consider the review of the crediting program. A subsequent email from the Santa Ana Water Board was received and stated the program would not be reviewed nor approved by the Santa Ana Water Board

staff at this time. Ms. Carr offered assistance to reach out to the State Water Resources Control Board to dive deeper into the Santa Ana Water Board's reasonings. Mr. Linker explained that the two main barriers for the Santa Ana Water Board to review the program are staff availability and the scientific basis for the approach since the City of Anaheim would be the first Permittee in their region to initiate a program like this. The City of Anaheim is offering to coordinate its efforts through the Southern California Coastal Water Research Project (SCCWRP) which could act as a third-party scientific reviewer to take the burden off of the Santa Ana Water Board staff. Ms. Carr mentioned that SCCWRP is developing an Engineering and Best Management Practice (BMP) working group with Dr. Elizabeth Fassman-Beck and she may be interested in working with this program.

Ms. Carr posed a question about whether this program could accelerate development in areas that may be underdeveloped by strategically placing credit generating BMPs in underserved areas. Mr. Linker agreed it could accelerate development and explained that the program is set up so generated credits must be used within the same watershed. There are three watersheds in the City of Anaheim (Santa Ana, Carbon Creek, and Westminster), so if a BMP were placed in an underserved watershed, that could accelerate development in that particular area.

Mr. Hal Schillinger asked if the November 19, 2020 American Public Works Association (APWA) presentation on this program would still happen; Mr. Linker confirmed it would.

ITEM # 9 Public Comments

No public comments.

ITEM # 10 Adjournment

Chair, Amanda Carr adjourned the meeting.

OTHERS IN ATTENDANCE

Chris Crompton, County of Orange
Grant Sharp, County of Orange
Cindy Rivers, County of Orange
James Fortuna, County of Orange
Amanda Aprahamian, County of Orange
Andrew McGuire, County of Orange
Brian Diaz, City of Anaheim – Recupero & Associates
Cynthia Mallett, City of San Clemente
Hal Schillinger, Bio Clean
Jeremy Hohnbaum, City of San Juan Capistrano
Kelvin Liu, County of Orange
Loriana Hornik, City of Fountain Valley
Mike Smith, City of Cypress
Nadia Cook, City of Laguna Woods
Sarah Chiang, County of Orange
Terrence Chen, Michael Baker International

Tracy Ingebrigtsen, County of Orange