City of Newport Beach
Water Quality/Coastal Tidelands Committee Meeting Minutes

Date: November 7, 2019
Time: 3:00 p.m.
Location: Crystal Cove Conference Room, 100 Civic Center Drive, Newport Beach, CA 92660
Meeting Minutes prepared by:

1. **Call meeting to order**

   The meeting was called to order at 3:00 p.m. by Councilmember/Vice Chair Duffield.

2. **Roll Call and Introductions**

   Committee Members present:
   Councilmember/Vice Chair Duffy Duffield
   Dennis Baker
   Louis Denger
   Tom Houston
   Richard McNeil
   George Robertson

   Committee Members absent:
   Council Member Jeff Herdman, Chair
   Carl Cassidy
   Fred Gallucio

   Guests present:
   Nancy Gardner, Orange Coast River Park
   Hoiyin Ip, Sierra Club
   Adam Gale, Anchor QEA
   Steve Cappellino, Anchor QEA
   Monica Mazur, Resident
   Jim Mosher, Resident

   Staff present:
   John Kappeler, Senior Engineer
   Chris Miller, Administrative Manager
   Karen Gallagher, Administrative Assistant
   Marie Lindeman, Administrative Assistant
   Mark Vukojevic, Utilities Director

3. **Public Comment on Agenda Items - None**

4. **Review and approval of minutes**

   Motion. Committee Member George Robertson moved to approve the minutes; Committee Member Dennis Baker seconded; motion approved with Committee Members Cassidy and Gallucio and Chair Herdman, absent.

5. **Current Business (50 min)**

(a) Committee Goals/Objectives (John Kappeler/Bob Stein) (5 min) Review and status update on the committee's 2017/18 goals and objectives.
Recommendation: Committee Discussion

Senior Engineer Kappeler provided an update on the Water Wheel noting the RFP for design and permitting has been published and should be executed after the New Year.

(b) City of Newport Beach 2019 Water Rate Study (Mark Vukojevic) (15 min) Presentation on the City of Newport Beach's 2019 Water Rate Study.
Recommendation: Committee Comments/Comments

Utilities Director/ Mark Vukojevic discussed the Water Rate Study; reported all of the information is on the City's website; noted the last water rate study was done in 2009; addressed the Notice of Public Hearing; announced the City Council public hearing is scheduled for November 19, 2019 and distributed a break down of water rates. He noted costs have increased in terms of the cost to buy water, labor and materials and most of the costs are related to investments in the ground water basin. Utilities Director/ Mark Vukojevic discussed reasons for expansion and increased capacity; noted it is a future investment in reliability; indicated it will provide more ground water for the City at a lower rate. Committee Member Baker commented on the need to learn from past mistakes and spoke in support of moving ahead with the project, now, rather than waiting. He explained how rates are determined per household; addressed tiered rates and reported there were no rate increases during the last drought. In addition, he noted part of the rate is a drought-savings account, set aside to use during the next drought. Committee Member Robertson asked about the cost per gallon of water and the efficacy of AMI meters and Utilities Director/ Mark Vukojevic 2 ½ gallons of water cost one cent and reported the meters are working great; already detecting leaks. Committee Member Baker mentioned an area that seems to be overwatering and asked whether there is a related alert. Utilities Director/ Mark Vukojevic explained review of a trend analysis and reported when a user goes above their average use; the account is flagged for review.

Vice Chair Duffield opened public comments.

Jim Mosher suggested review by the Finance Committee, referenced the calculation of water rates and expressed concerns regarding fixed charges; adding that they are not based on meter capacity.

Nancy Gardner reported the Committee has historically, handled all potable water issues.

(c) Lower Newport Harbor Channel Dredging and Confined Aquatic Disposal Construction (Chris Miller) (15 min) Presentation and update on the Lower Newport Harbor Dredging and Sediment Disposal Plan.
Recommendation: Committee Discussion

Administrative Manager Chris Miller presented details of the staff report and displayed a PowerPoint presentation on the Lower Harbor Channel dredging project. He addressed the primary goal of the project; discussed bringing the Harbor down to the federal-authorized depths; noted staff is working in partnership with the Corps of Engineers and reported the categorization of all sediment and locations for disposal. Administrative Manager Miller addressed options for disposal and treatment of unsuitable materials and reported the only option is to construct a Confined Aquatic Disposal (CAD) and cap it to entomb it. He briefly described other CAD sites; reported the anchorage area between Lido Isle and Bay Island would be suitable locations for a CAD in Newport Beach; addressed the overall size of the required CAD and noted geo-technical information is available at the site. It will allow for increased use for members of the public by accommodating additional capacity. In response to Vice Chair Duffield's question regarding capture sediment during storm events, Miller indicated the CAD

site will help to capture that material as well. In reply to Ms. Gardner's question regarding how it will capture sediment if it is capped, Miller reported the increased depth will allow for sediment capture. He addressed the CEQA process and project impact and announced a public scoping meeting on Wednesday, December 4, 2019, at 6:00 p.m. in the Friends Room to obtain input from the public. Committee Member Baker asked about the effects on beaches and suggested capitalizing on the sand as much as possible. Administrative Manager Miller provided a brief overview of the current status of the project; stated Vice Chair Duffield is helping with pursuing funding; noted it is about a $20 million project; stressed the need for financial participation by the Federal government and reported the ultimate goal is to dredge in early 2021. In response to Committee Member Denger's question regarding disposal of the fine grain material, Administrative Manager Chris Miller will go to LA-3, six miles off-shore. In terms of the unusable material, the primary issue is the EPA's determination on mercury. Discussion followed regarding how mercury accumulated in the area and available alternatives for disposal. It was noted that treating it is not cost effective and agencies prefer the CAD site over other solutions. Ensuing discussion pertained to costs of doing a cleanup, dry storage and environmental costs and Vice Chair Duffield reported the public is concerned about the toxicity of the material. He suggested getting better educated about the material to help promote the CAD. Discussion followed regarding using "unsuitable" rather than "toxic".

A member of the public discussed toxicity, tests and concerns about mercury by accumulation.

(d) Disposable Food Service Ware Ordinance (Fred Galluccio/Hoiyin Ip) (15 min) Presentation on proposed Municipal Code revisions.
Recommendation: Committee Discussion/Comments

Hoiyin Ip presented the report and displayed a PowerPoint presentation on proposed Municipal Code revisions relative to single use plastics. She showed Laguna Beach's cost analysis in 2017 for Trash Provisions compliance: $8,900.000 for Track 1 (trach capture) v. $940,000 for Trash 2 (trash reduction). She also pointed out the new cycle of RHNA housing allocation in the watershed will increase trash costs. Ms. Ip discussed specific items banned in Santa Monica, San Diego, Santa Cruz, Berkeley, Malibu and Dana Point, and suggested using marine degradable ware and eliminating some items.. Discussion followed regarding problems with recycling. Committee Member Baker noted the need to keep visitors in mind and asked about enforcement. Senior Engineer Kappeler suggested generating a flyer or education piece to distribute to restaurants during inspections. Ms. Gardner noted there are more eco-friendly substitutes; discussed convincing Council this is a good direction to go in, within a certain timeline, and noted the need for increased education before the effective date of the ban. Ms. Ip reported different cities have acted on a timeline, agreed with the need for increased education and reporting violations. Ms. Gardner suggested placing signs on lifeguard towers to provide information to beach users. Discussion followed regarding the need to amend the Municipal Code and discussing further action regarding the subject at the next Committee meeting.

6) On-going Business (10 min)

(a) Bay and Ocean Bacteriological Test Results (John Kappeler) (10 min) Review and discussion of recent water quality test results within Newport Bay and along the ocean shoreline.
Recommendation: Receive and File

Senior Engineer Kappeler presented details of the report addressing 35 sites in the Bay being tested and noting he is hopeful there will be no problems with the storm drains. He noted the Upper Bay looks good, addressed Magnolia in Huntington Beach and reported the data has been very good.

7) Committee Announcements on Matters which Members would like placed on a future agenda for discussion, action or report (Non-Discussion Item) (10 min)

(a) Big Canyon Creek Water Testing (December 2019)
(b) City of Newport Beach Water and Sewer Master Plans (December 2019)
(c) City of Newport Beach Eel Grass (December 2019)
(d) Shellfish Monitoring (January 2020)
(e) Orange County Sanitation District Micro-Plastics (January 2020)
(f) Santa Ana Delhi Diversion Project Field Trip (February 2020)
(g) Vessel greywater discharge limitations (Winter 2020)
(h) City of Newport Beach Sustainability Plan (Winter 2020)
(i) Public Education Plan – Phase II (Winter 2020)

Committee Member Baker requested information regarding deposition of Upper Newport Bay and Senior City Engineer Kappeler reported he will follow up and email the information. Committee Member McNeil asked about seawater intrusion and Ms. Gardner noted it will be included in the General Plan update. Committee Member Houston referenced an article in the September 19, 2019 OC Register referencing a meeting of the Coastal Commission where an "expert" stated sea-level rise is not a crisis. Ms. Gardner reported that was one "expert". Committee Member Houston noted the City has done a prudent job to protect big risk areas and noted one of the choices must be to retreat. Ms. Gardner noted Del Mar is challenging the decision.

8) Public Comments on Non-Agenda Items (5 min)

Nancy Gardner suggested that staff contact Carl Cassidy to determine if he wants to be a member of the Committee.

Jim Mosher reported on Tuesday, City Council adopted a 53-point legislative program and there are 13 City positions on water quality issues.

Hoiyin Ip reported that she contacted the County for a follow-up presentation to the Watershed Executive Committee. Some of the suggested trash-reduction actions in her last presentation in 2017 became bills or local bans.

9) Set Next Meeting Date (5 min)

Recommendation: December 5, 2019

10) Adjournment

The meeting was adjourned at 4:47 p.m.

J. Herdman

Chair / Jeff Herdman