



CITY OF NEWPORT BEACH WATER QUALITY/COASTAL TIDELANDS COMMITTEE AGENDA

Zoom Meeting

Thursday, October 1, 2020 - 3:00 PM

Water Quality/Coastal Tidelands Committee Members:

Council Member Jeff Herdman Chair
Council Member Duffy Duffield, Vice Chair
Dennis Baker, Member
Carl Cassidy, Member
Louis Denger, Member
Fred Galluccio, Member
Lawrence Houston, Member
Richard McNeil, Member
George Robertson, Member

Staff Members:

John Kappeler, Senior Engineer
Karen Gallagher, Administrative Assistant

The Water Quality/Coastal Tidelands Committee meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Water Quality/Coastal Tidelands Committee agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Water Quality/Coastal Tidelands Committee. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact John Kappeler, Water Quality Enforcement Manager, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3218 or jkappeler@newportbeachca.gov.

NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the Public Works Department 24 hours prior to the scheduled meeting.

- 1) **CALL MEETING TO ORDER**
- 2) **ROLL CALL AND INTRODUCTIONS**
- 3) **PUBLIC COMMENTS ON AGENDA ITEMS (5 min)**
Public comments are invited on agenda items. Speakers must limit comments to five minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.
- 4) **REVIEW AND APPROVAL OF MINUTES (5 min)**
Recommendation: Approve minutes as presented
[090320_NPB_WQCT_Updated Minutes](#)
- 5) **CURRENT BUSINESS (60 min)**

(a) Committee Goals/Objectives (Shane Burckle) (5 min) Review and status update on the committee's goals and objectives.

Recommendation: Committee Discussion

(b) Food Ware Services Ordinances (John Kappeler/Hoiyin Ip) (15 min) Update on the five ordinances previously reviewed and approved by the committee.

Recommendation: Committee Discussion

(c) Abalone Water Quality Study (John Kappeler) (10 min) Presentation on a water quality study at Abalone Ave on Little Balboa Island.

Recommendation: Committee Discussion/Comments

(d) Big Canyon Phase 2A (Bob Stein) (30 min) Presentation on the Big Canyon Phase 2A construction project.

Recommendation: Committee Discussion/Comments

6) **ON-GOING BUSINESS (5 min)**

(a) Bay and Ocean Bacteriological Test Results (John Kappeler) (5 min) Review and discussion of recent water quality test results within Newport Bay and along the ocean shoreline.

Recommendation: Receive and File

7) **COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM) (5 min)**

(a) Peters Canyon Diversion (Nov 2020)

(b) Food Ware Services Ordinances (Nov 2020)

(c) Fecal Coliform Time Schedule Order (TSO) (Dec 2020)

(d) Balboa Island Drainage Plan (Dec 2020)

(e) Shellfish Monitoring (Jan 2021)

(f) Orange County Sanitation District Micro-Plastics (Feb 2021)

(g) City of Newport Beach Street Sweeping Program (Winter 2021)

(h) City of Newport Beach Sustainability Plan (Spring 2021)

(i) University of California Irvine (UCI) Beach Dynamics Study (Spring 2021)

(j) Orange County Sanitation District (OCSD) Coordination (Spring 2021)

(k) Ocean Kelp Project (Spring 2021)

8) **PUBLIC COMMENTS ON NON-AGENDA ITEMS (5 min)**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Committee. Speakers must limit comments to three minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

9) **SET NEXT MEETING DATE (5 min)**

Recommendation: November 9, 2020

10) **ADJOURNMENT**

Date: September 3, 2020

Time: 3:00 p.m.

Location: Newport Beach Civic Center, Zoom Conference Call, Newport Beach, CA 92660

Meeting Minutes prepared by:

1. The meeting was called to order at 3:03 p.m. by Chair, Councilmember Jeff Herdman.

2. Roll Call and Introductions

Committee Members present:

Councilmember Jeff Herdman, Chair
Dennis Baker
Louis Denger
Fred Galluccio
George Robertson

Committee Members absent:

Tom Houston
Richard McNeil
Councilmember "Duffy" Duffield, Vice Chair

Guests present:

Hoiyin Ip, Sierra Club
Jim Mosher, Resident
Nancy Skinner, Resident
Dr. Jochen Schubert
David Pohl

Staff present:

John Kappeler, Senior Engineer
Karen Gallagher, Administrative Assistant
Shane Burckle, Water Conservation Coordinator
Bob Stein, Senior Engineer

3. Public Comment on Agenda Items

Resident Jim Mosher commented on the Minutes from March and requested modifications which will be incorporated into them. Committee member George Robertson also requested that the last sentence in Section 7 under Public Comments be deleted.

4. Review and approval of minutes

Committee Member George Robertson moved to approve the Water Quality/Coastal Tidelands Committee Minutes of March 5, 2020, as corrected. Committee Member Dennis Baker seconded the motion, which carried, unanimously.

5. Current Business (50 min)

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

Senior Engineer John Kappeler gave a brief update on the Hazardous Oil Drop Off sites including the improvements at the Balboa Yacht Basin; reported work has begun on the second site located on the Peninsula behind the American Legion; noted site preparation is currently underway with the electrical panel updates, concrete and other maintenance work; indicated the structure should be delivered within six weeks and the secondary containment unit has already been delivered. Water Conservation Coordinator Shane Burckle added that the structure should be delivered by mid-October; reported the oil containment will be housed in there along with bilge pads and lockers; stated Cal Recycle will come out to certify the location and provide signage; indicated there has been a lot of work behind the scenes; commented that it will be a nice amenity for the Harbor and announced the Harbormaster would like to plan an event in the future.

Administrative Assistant Karen Gallagher announced there were no public comments on this item.

- (b) Newport Bay Trash Interceptor Project (David Pohl) (30 min) Presentation and update on the Newport Bay Trash Interceptor Project.

Chair Herdman noted this item relates to the Trash Wheel. David Pohl, Burns & McDonnell, Contractor, presented a report addressing an overview of the project and design goals to remove trash from San Diego Creek; noted it is most effective during more frequent storm events and at the beginning of large storm events; reported on the prospective system design and how it operates and discussed the location of the Trash Wheel. In response to Chair Herdman's question regarding the distance between the Trash Wheel and the Fletcher Jones Mercedes dealership, Senior Engineer Kappeler reported the distance will be approximately 600 feet. Mr. Pohl noted the location allows for use of existing roads; indicated it will be a conveyor system with a fixed rail system that will be adaptive but will have an operation limit; discussed evaluation of flood conditions, the height of piles as flood levels rise and securing the system; reported it is designed for more frequent storms; stated trash transfer operations will be located with enough space for turnaround and addressed training. He added the facility will have security with fencing and video allowing access by City personnel, only. Regarding the schedule, Mr. Pohl announced 75% of the design will be completed by December 2020 and 100% of the design will be completed by June 2021 with construction in December 2021. Chair Herdman asked about the construction timeline and Mr. Pohl reported construction should not be more than two-to-three months. Committee Member Baker noted the wheel was treated as an interim device and in response to his question regarding upriver possibility plans and how long the device will run, Assistant City Engineer Bob Stein reported the project is listed with the OC Watershed group; noted the need to wait for all cities to implement their trash removal programs and show them the program will not be sufficient. He added the City is approximately five years away from looking at a full-capture system. Committee Member Denger asked about the use of netting on the boom and it was noted the focus is floating debris. Committee Member Denger reported California Fish and Wildlife requested the netting size allow certain sizes of fish to pass through. Discussion followed regarding addressing trash in the middle of the channel and access to trash on both sides of the channel. Assistant City Engineer Stein suggested a secondary collection point. Water Conservation Coordinator Burckle discussed the boom netting at San Diego Creek; envisioned the float would have a boom with a curtain going down a foot below the surface and noted it would minimize the problem, but not solve it. Committee Member Baker felt the surface should be as smooth as possible and the boom should be adaptable. Resident Nancy Skinner expressed concerns with the speed of the creek and protecting the device. Mr. Pohl reported modeling will be done and will be part of the design of the piles and other elements. Assistant City Engineer Stein added the height of the flood stage is critical to the design of the support piles. Committee Member Galluccio asked about a guarantee for the Trash Wheel if it should get destroyed and Mr. Pohl reported the system is contained within four piles,

will rise with the flood levels and additional cables will be attached to the piles. Committee Member Denger suggested resources of information about flood control. Senior Engineer Kappeler addressed the project budget; reported the City received a \$1.68 million grant from the Ocean Protection Council Proposition 1 and has applied for additional grants (\$500,000) from Orange County Transportation Authority, OCTA, and added the application has been deemed complete.

Administrative Assistant Karen Gallagher announced there were no public comments on this item.

- (c) San Joaquin Marsh Concept Project (Jochen Schubert) (25 min) Presentation on a concept proposal to divert storm flows into the Irvine Ranch Water District treatment ponds.
Recommendation: Committee Discussion/Comments

Dr. Jochen Schubert presented a concept proposal to divert storm flows into the Irvine Ranch Water District treatment ponds; displayed a Flood Hazard Model; noted they run a flood risk and modeling once a year by graduate students and stated the focus is on understanding flood hazards along San Diego Creek. At the request of Assistant City Engineer Stein, Dr. Schubert addressed the central purpose of the study, noting it is to develop an understanding of flood hazards. Assistant City Engineer Stein added the study is a way to modify the creek so they could protect the IRWD facility from flooding during 100-200-year events and develop functional solutions. Dr. Schubert addressed current channel conditions with vegetation buffers, the baseline flood hazard for 1-, 10-, 25-, 50-, 100- and 200-Year events and how to mitigate flooding; shared various Diversion Design concepts and results from these designs including for Campus and for MacArthur. Dr. Schubert reported Campus diversion only diverts flood water during the largest flood events and MacArthur diversion diverts flood water over a wide range of flow events and allows for natural drainage of the flood plain after a flood event. He shared the implications of diversions including sediment transport and increased pollutant loads into the San Joaquin Marsh. Committee Member Denger said it was a good student project and asked how it applies to Newport Beach. Assistant City Engineer Stein indicated this could be an option to have a spillway that could provide emergency storage and capture first flush pollutants and potentially protect the Bay from sediment and an emergency release from the IRWD facility and suggested the UCI study could be used for the City's benefit. Committee Member Denger asked about Sand Canyon reservoir and stated he is not convinced that the University will be willing to take in reclaimed water on their site. Committee Member Galluccio stated he would like to see both projects go forward. Committee Member Robertson discussed the need to make projections prior to proceeding.

Administrative Assistant Karen Gallagher announced there were no public comments on this item.

6) On-going Business (5 min)

- a. Bay and Ocean Bacteriological Test Results (John Kappeler) (5 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 shared the Bay and Ocean Bacteriological Test results and noted that in reviewing the data there is a bit of a trend on Abalone, on the south side of the Little Island. He reported it is no cause for alarm but noted the need for an investigation to make sure there are no issues needing the City's attention. He addressed detailed testing done by City staff; stated he will share the results with the Committee at its next meeting and reported specific testing showed good results.

Administrative Assistant Karen Gallagher announced there were no public comments on this item.

7) Committee Announcements or Matters which Members would like placed on a Future Agenda for Discussion, Action or Report (Non-Discuss Items) (5 min)

- (a) Fecal Coliform Time Schedule Order (TSO) (Fall 2020)
- (b) City of Newport Beach Street Sweeping Program (Fall 2020)
- (c) Shellfish Monitoring (Winter 2020)
- (d) Orange County Sanitation District Micro-Plastics (Winter 2020)
- (e) City of Newport Beach Sustainability Plan (Winter 2020)
- (f) University of California Irvine (UCI) Beach Dynamics Study (Spring 2021)
- (g) Balboa Island Drainage Plan (Spring 2021)

Committee Member Denger requested information regarding Peters Canyon Diversion, an update on Big Canyon, how Phase II is going and who will be doing the long-term maintenance. Committee Member Baker reported he received a call from a reporter about the removal of the Pepper trees in Big Canyon.

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

Resident Jim Mosher referenced his written comments on non-agenda items; discussed a ballot measure in November putting the Harbor Commission on the City Charter and reported the Water Quality/Tidelands Committee has a longer history than the Harbor Commission and is in greater need of protection. Additionally, he announced the topic of “live-aboards” in the Harbor will be considered next Wednesday by the Harbor Commission to make recommendations to the Council.

Hoiyin Ip showed the City’s restaurant flyer regarding food ware serve on request; reported increased use of plastic since the COVID-19 pandemic and suggested minor COVID-19 updates to the City’s Trash and Toxic Reduction Ordinance.

9) Set next Meeting Date (5 min)

Recommendation: October 1, 2020

10) Adjournment

The meeting was adjourned at 4:36 p.m.

Chair Jeff Herdman