

**Newport Bay Naturalists and Friends
Final Draft Minutes
Board of Directors Meeting
Back Bay Science Center
November 20, 2008**

1. Call to Order

President Dennis Baker called the meeting to order at 6:40.

Board members present: Dennis Baker, Blake Anderson, Larry McKenney, Don Krotee, Peter Bryant, Jack Keating and Cathy Ha Lam

Board members absent: Krista Sloniowski

Staff present: Roger Mallett and Donna Flower-Carroll

Others present: None

2. Minutes

The minutes of October 16, 2008 were approved.

3. Election of Board Officers for 2009

Cathy Ha Lam was introduced to the Board as its newest member, having been elected to office at the NBNF General Meeting of November 6, 2008. Ha Lam is well-known within the Newport Bay environmental community and has active on a number of volunteer fronts for several years. She brings an activism and a networking skill that will be valuable to NBNF.

The annual election of officers was conducted. By acclamation, each of the following positions was approved by the board:

President: Dennis Baker
Vice President: Jack Keating
Secretary: Blake Anderson
Treasurer: Don Krotee

4. Accountant's Report

The Accountant's Report was received and filed by the Board.

During the ensuing discussion, it was pointed out the Vista Point pledges are short by about \$5,000. Keating said that the money is coming and there is no need for concern.

Mallett pointed out that if need be, the shortfall can be temporarily covered by a fund transfer from the unrestricted funds account of NBNF. We will resort to that only if there is a lag in Keating successfully receiving the funds that have been previously pledged by donors to the project.

5. Executive Director's Report

Executive Director Mallett provided the board with a written ED's report and it is incorporated into these minutes by reference.

Mallett reported that he is participating in SAWPA's Decision Plus process on behalf of NBNF. He reported that there is considerable ongoing discussion within Orange County about whether to join SAWPA in its grant application for state funds or whether Orange County should go it alone. Mallett reported that Orange County is considering taking the lead on the IRWMP draft that the City of Newport Beach and Bob Stein have been leading so far.

Baker said that the October 23 fund raising event must now be followed by the Board making contacts with our prospective contributors and refining the asks for the donations on which we are depending. Baker pointed out that the time between now and December 31—the current tax year—is important.

Bryant suggested that NBNF seek grant support for monitoring work around projects like Big Canyon. Mallett suggested that we consider creating guidelines and targets at the retreat for 2009 and beyond to address this idea.

6. Recognition of Retiring Board Members

The Board discussed ways to meaningfully recognize the service of the four retiring board members Goldberg, Yurko, Kraber and Mooers. Our consensus was for President Baker to write a letter of appreciation and to present each of them with a photo of the Bay in a nice frame.

7. Board Retreat

The Board set January 17 from 8 AM to 4 PM for its annual retreat. We will use the Duck Club. Its availability will have to be checked. *NOTE: We subsequently learned that the Duck Club is not available on January 17 and for this reason moved the retreat to January 31*

8. Interpretive Center Theatre System Status Report

Baker reported that he is meeting next week on this project with the highly recommended contractor to do the work. The existing sound system and projector are inadequate and should be replaced by a more versatile and better sound quality system. Baker said that

the Newport Beach Film Festival uses the Muth as one of its venues and may be a willing funding partner to cover some of the costs. He will approach them for help

9. Report of the Advocacy Committee

The Committee is chaired by McKenney and includes Keating, Anderson and Sloniowski.

McKenney has drafted an advocacy policy and has circulated it to the other members of the Advocacy Committee. He will also draft a procedure for systematically review new legislation. McKenney reported that he will bring it all to the retreat for consideration by the entire Board.

Anderson has drafted a sediment funding issues white paper including a proposal for a feasibility study. It has been circulated to the Advocacy Committee. After discussion of the Board it was our consensus to bring it to the Board in February for consideration and adoption. NBNF will have to walk the final version around the stakeholders and hopefully get OC to fund the initial feasibility study. McKenney and Anderson said that it will probably take several years to get a locally-based and sustained funding stream in place.

10. Separate Storm Sewer Permit for Orange County

An initial draft of OC's new permit has been circulated by the Santa Ana Regional Water Quality Control Board. It governs storm water and urban runoff discharges in the northern and central portions of Orange County—basically everything north and west of Lake Forest. The southern portion of Orange County drains to watersheds within the San Diego Regional Water Quality Control Board's purview and is governed by a separate permit. The entire watershed that drains to Newport Bay is governed by the new permit.

McKenney and Anderson reported that they will attend the RWQCB meeting of November 21 that where the draft permit will be introduced. The RWQCB has stated that it will take months of meetings and re-drafts before the permit is finalized and adopted. All relevant stakeholders—including NBNF—will be invited into the review process and will be asked to provide input that will be considered first by RWQCB staff and then finally by the RWQCB board members.

The NBNF board authorized Anderson to provide initial public comments at the November 21 RWQCB meeting. *(Note: Anderson did make a very brief comment at the RWQCB meeting and stated that NBNF would be monitoring and commenting on the permit drafting process from our view point of protecting the natural and recreational assets of Newport Bay)*

11. Report of the Board Development Committee

The Committee is chaired by Keating.

With the recent retirement of the 4 board members and the addition of one new member, the NBNF Board of Directors has 8 slots open. Baker and Keating asked for each current board member to think about his/her circle of contacts and colleagues and look for suitable candidates. Keating asked that those names be brought to his attention and he will reach out to each of them to initiate the recruitment process. In particular, NBNF needs board members that would be strong in the area of donor development.

Keating reported that he needs help with the Committee and invites other board members to consider joining him on it.

12. Report of the Research Committee

The Committee is chaired by Bryant and includes Sloniowski and Haydock.

Bryant reported that he is looking into an EPA grant program that applies research dollars toward teachers doing work in marine research including natural resource inventories. Grants in the \$50,000 to \$100,000 range are available. The idea would be to improve Orange County's environmental education capacity by exposing teachers to ocean and marine sciences in a practical and on-the-ground capacity.

Mallett and Bryant reported that they will meet with Robin Madrid of the California Department of Fish and Game next week. They will propose to co-apply for staff funding grant money. Keating volunteered to help with the outreach. There is a December 18 deadline to apply for the grant dollars. Money would be available beginning July 1, 2009.

Bryant reported that he intends to call a meeting of the Research Committee.

13. East Bluffs Improvement Project Status Report

Keating reported on this project. It is well underway and should be completed by end of year. NBNF has worked successfully with a home owners association. The eradication of non-native invasive plants that have been planted along the bluffs and in the neighborhoods that drain into the Upper Bay. NBNF has brought money to the table for these improvements and that has proved to be helpful in convincing the HOAs to cooperate with the effort. Now that the eradication process is completed, NBNF must now turn to the purchase and installation of replacement plant species that are native or at least possess desirable attributes that support the natural recovery and preservation of the Bay. The planting of the replacements should occur from now through January.

14. Vista Point Project Status Report

This project has been completed with a high degree of support from the public. It was front page news in the Daily Pilot. The memory of the Robinsons will be preserved here. The ribbon cutting ceremony was well-attended.

15. Report of the Finance Committee

Krotee is chair of the Committee.

There was no report.

16. Report of the Fund Raising Committee

The Committee includes Krotee, McKenney, and Bryant. Ha Lam agreed to be added to the Committee.

There was no report.

17. Delhi Channel Clean up Status Report

Baker reported on the Delhi Channel clean up. The channel is exceeding acceptable concentrations for a number of pollutants. Newport Beach has received \$1.5 million to help fund its cleanup. Orange County is obligated to clean up the channel. Measure M funding can be applied to help with the funding.

A question that the NBNF Board of Directors must face is this: should NBNF provide project management support for this important cleanup project? What are the liabilities, advantages and disadvantages of this project? If NBNF doesn't step up, who will? Who should?

McKenney moved, Krotee seconded and the Board unanimously approved the following motion:

That Executive Director Mallett is authorized and directed to draft a scope of work for NBNF to perform project management duties from conceptual design to project completion for the clean up of the Delhi Channel, and
That he bring the SOW to the Board of Directors for consideration and approval at a future meeting, with the intention
That the NBNF Board-approved SOW be conveyed to Kerry Shumaker of the County of Orange and to the City of Newport Beach for their consideration of the SOW.

18. Consideration of Executive Director's Contract for 2009

The Board of Directors unanimously approved the Executive Directors 2009 employment contract. Baker thanked Mallett for his service to NBNF during 2008. Members of the Board said they were happy with Mallett's performance.

19. Big Canyon Improvements Status Report

The improvements to Big Canyon have experienced several false starts. The environmental documentation has had to be re-done. Surprisingly high selenium

concentrations have been found in the water flowing through Big Canyon. The timing and scope of the improvements remain uncertain. Mallett believes that a baseline species survey ought to be conducted prior to any work commencing that would harm, disrupt or displace existing plant and animal species.

20. New Business

There was no new business reported

21. Announcements

There were no announcements reported

22. Adjournment

The board meeting was adjourned at 8:51 PM. The Board will have an all day retreat on January 31 (*Note: this date was set a few days after the Board Meeting when it was discovered that the Duck Club was not available on the date we'd originally had in mind*). The next evening meeting of the NBNF is scheduled for February 19, beginning at 6:30 PM at the BBSC. (*Note: there was a subsequent suggestion by Keating to set a January 15 Board Meeting because the retreat moved to January 31. President Baker will have to make the call.*)

Approved at January 2009 Board Meeting.