

**Newport Bay Naturalists and Friends  
Approved Minutes  
Board of Directors Meeting  
Back Bay Science Center  
September 18, 2008**

**1. Call to Order**

President Dennis Baker called the meeting to order at 6:30.

Board members present: Dennis Baker, Matt Yurko (arriving late), Blake Anderson, Jack Keating, Larry McKinney, Krista Sloniowski, Don Krotee, and Tom Mooers

Board members absent: Carolyn Kraber Peter Bryant Rita Goldberg

Staff present: Roger Mallett

Others present: None

**2. Minutes**

The minutes of August 21, 2008 were approved.

**3. Accountant's Report**

Baker requested that the written accountant's report provided by Flower-Carroll be received and filed and is incorporated into these minutes by reference.

**4. Executive Director's Report**

Executive Director Mallett provided the board with a written ED's Report.

Under discussion, Mooers asked Mallett about the status of the funding for the CRMP.

Baker reported that Newport Beach receives \$1 million in petroleum revenue from the wells they own.

Mallett asked board members to follow up on calling the people on the donors list that was circulated in May and June and finalized at the June board of directors meeting. At that time, members of the board volunteered to contact certain individuals on the donors list and agreed to be assigned the task of doing so. Mallett said he would re-convey the list to all members of the Board of Directors

By affirmation, the Board of Directors received and filed the September 2008 Executive Director's Report and is incorporated into these minutes by reference.

## **5. Authorization to Hire Patrick McCaffrey to fill the Program Coordinator position**

Mallett reported that NBNF interviewed four good candidates for the Program Coordinator position. Two rounds of interviews were conducted and the panel unanimously selected Patrick McCaffrey as the top candidate.

The Board of Directors on a 7-0 vote authorized the Executive Director to hire Patrick McCaffrey as Program Coordinator.

## **6. Status Report on DFG Agreement**

Mallett provided a verbal report on the agreement pending between DFG and NBNF. He believes the agreement will meet the needs of NBNF. Baker observed that a complete file for each of the agreements between NBNF and others should be developed so that future boards and future executive directors have a full understanding of each of them. Mallett said he agrees with that and will do so.

## **7. Report of the Advocacy Committee**

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

There was no meeting of the Committee since the last board meeting.

McKenney provided the Board with the first draft of a new “Advocacy Policy” that will provide direction to the Board of Directors. He stated that a “Positions Guideline” will also be drafted that could be adopted annually and attached to the longer-standing Advocacy Policy.

Keating suggested that the two existing policies, “Strategic Decision Policy” and “Partnership Policy” ought to be incorporated into the body of the “Advocacy Policy”.

McKenney briefly described the content of the “Advocacy Policy” including purpose, key messages, correspondence, public statements, stakeholder advocacy and communication to membership.

The Advocacy Committee will review the draft and bring it back to the Board of Directors at a future meeting. McKenney said that he would welcome any comments from all members of the Board at any time during this drafting process.

Regarding the Nitrogen/Selenium Task Force, McKenney reported that Karen Cowan and Terry Reader are interested in NBNF’s participation. Mallett reported that he is already participating in the Organo-Chloride task force. Participation in the task force requires signing a nondisclosure agreement. After discussion, the Board of Directors, by consensus decided that:

Nitrogen/Selenium Task Force

NBNF Representative	Peter Bryant
NBNF Alternate	Roger Mallett
Organo-Chloride Task Force	
NBNF Representative	Roger Mallett
NBNF Alternate	Peter Bryant

Baker said that he would approach Bryant and ask him if he is willing to participate in the two task forces according to this arrangement.

On September 17 Mallett, McKenney and Anderson met with a representatives of IRWD and Orange County to discuss the draft “Desired State” of Newport Bay. This is part of the “walk around” that NBNF will undertake for the purpose of receiving comments and suggestions on the draft and developing consensus among the public agencies and key stakeholders. A common understanding and version of a desired state would facilitate actually getting there. NBNF’s objective is to facilitate the ongoing dialogue on the critical issues of preserving and improving the state of the natural resources of the Bay and developing a common vision that government, business, residents and environmental advocacy groups can share and support.

Mallett reported that Anderson has agreed to help with the outreach to the water agencies within the Newport Bay watershed to facilitate the “walk around” of the Desired State document with this key stakeholder group.

### **8. Report of the Board Development Committee**

The Committee is chaired by Keating and includes Goldberg.

Keating reminded the Board that a slate of candidates must be developed for the November election of officers.

The prospective Board candidates suggested by Goldberg will be offered Duffy Boat trips to tour the Bay as part of the outreach that Baker and the BDC will employ to vet the candidates and to introduce them to the idea of board membership.

### **9. Report of the Research Committee**

The Committee is chaired by Bryant and includes Yurko, Sloniowski and Haydock

Sloniowski reported that this newly formed Board committee has not yet met and there is nothing new to report.

### **10. Delhi cleanup Fund**

Chair Baker provided a verbal update on the status of the money that TIC has agreed to pay as part of a settlement with Defend the Bay for the purpose of a cleanup of the Delhi Channel. Baker will approach Bob Caustin and determine whether Caustin would be

open to a dialogue with NBNF to seek/hear our suggestions and input on how the funds can be most effectively allocated to the cleanup effort.

### **11. Status Report on the Interpretive Center Entrance Mural**

Keating reported that the muralist has been selected but there has been no action yet on completing an implementation plan. The County has agreed to have NBNF administer the work through a grant provided by the County. Keating has discussed the project with Premier as the potential Contractor for the work. NBNF has the discretion of using a sole source contract. Supervisor Moorlach's office will take the lead on the County's end of this. One of the objectives of moving forward now with the promise of a \$130,000 grant from the County is that once the contract has been signed and the project is in motion, then this forms a "prospectus" that donors can consider and their donation money will flow toward the mural so that the grant money can be offset. With this happening, then all or part of the County grant can be preserved for other needed work in Newport Bay. If we can leverage and re-leverage the County grant in this way then NBNF has a powerful tool for bringing much-needed project funding to bear on the Bay.

### **12. Status Report on the Bluffs Improvement Project**

Yurko reported that the project (supported by a \$23,000 Southern California Wetlands Recovery Project Grant) for the removal of invasive species, planting of native species and other improvements including a meditation area and benches is well underway. A number of mature Brazilian Pepper Trees and a much larger number of saplings have been removed from the East Bluffs. NBNF is coordinating with the home owner associations. NBNF is getting terrific support from the Orange County Conservation Corp. There has been some sensitivity and concern expressed by some home owners who value the shade and privacy that the Brazilian Pepper Trees offer them and for this reason not every tree that would be ordinarily removed for the sake of invasive species eradication can be removed. This presents a long-term maintenance challenge, but it can be addressed if the seedlings and saplings that will result from each of the remaining mature trees are regularly removed. The remaining trees are within the common areas of the home owner associations and it is the hope of NBNF that the landscape maintenance conducted in these areas will include this work. Areas downslope of the privately-owned property will have to be maintained as well.

### **13. Status Report on Vista Point Project**

This project is nearing completion. There will be a formal opening of the Vista Point Project on October 11 at 9 AM and all members of the Board of Directors are invited. Jay Robinson will be there to honor his parents who were the first people to step forward on behalf of the natural resources of Back Bay in the 1960's and present development that would have destroyed what we and others find so valuable today.

Keating noted that there is another \$10,000 in donations for the project that are currently being held by Buck Johns and Keating will meet with Johns to receive this money.

#### **14. Report of the Finance Committee**

Tom Mooers is the sole member of the Finance Committee.

There was no report provided.

#### **15. Report of the Fund Raising Committee**

The Committee is chaired by Baker and includes Goldberg, Krotee, McKenney, Bryant and Mooers.

A date for the BBSC event has been set for Thursday, October 23 beginning at 5:30 and ending at 8:00. This is an NBNF event that should be supported and attended by all members of the Board of Directors. Tickets are \$100 and are intended to cover the cost of holding the event which includes providing “comps” given to certain dignitaries from surrounding public agencies and cities that are stakeholders in Newport Bay and are within the watershed that drains to Newport Bay. Baker asked the Board members whether they should pay for the tickets themselves or be comp’ed. No consensus was reached for this reason Baker indicated he would call the board members individually and determine their preferences.

#### **16. Should the NBNF ask certain public agencies to provide liaisons to NBNF board of directors meetings?**

Baker and Keating led a discussion of this question. It is apparent to them that the improved cooperation that is now occurring between the major public agencies and stakeholders within Newport Bay is valuable and that NBNF ought to find ways to support a continuation of that spirit. In particular, NBNF’s activities and those of the California Department of Fish and Game (DFG) and the Orange County Parks Department ought to be coordinated and smoothed. Good relationships and continuous communication would be helpful to that end. For this reason, it is now suggested that these two agencies be formally invited to become ex officio participants in NBNF Board of Directors meetings. They would be non-voting participants in the discussions and would actively help NBNF develop ideas and explore concepts—as we typically do at a board meeting.

After discussion Anderson moved, Mooers seconded and a motion was approve 8-0:

The NBNF Board of Directors authorizes the Board President and Executive Director to approach DFG and OC Parks and request that one ex officio/non-voting liaison be named by each of these two agencies and assigned to NBNF Board of Directors meetings effective January 2009 and continuing with the assignment for the next 12-months. Furthermore, NBNF desires that each liaison attend at least 6 of the next 12 Board meeting for the purpose of observing the

activities of the NBNF Board of Directors, actively providing information and input to the Board and reporting back to their own organizations about the NBNF's actions and initiatives. It is the intent of the Board of Directors to reconsider the idea of having liaisons at their board meetings near the end of 2009 and to determine then how to proceed in future years.

## **17. New Business**

Under "old new business" (as so expressed by Keating) he reported that he attended a Naturalists meeting where he reported on the activities of the Board of Directors and was warmly applauded by the attendees at the end of the presentation. Keating interprets this as the Naturalists finding the report relevant and interesting and he concludes that the Board should provide regular updates to the Naturalists for this reason. If responsibility to attend and report was distributed among all of the board members, then each of us would have to attend only one meeting per year. His point was that the Naturalists (and the Board of Directors) would gain much by our offering to provide a brief report at every Naturalist meeting. The Advocacy Committee agreed to develop and manage a calendar to accomplish this objective.

Keating suggested that a brief version of the Board minutes be routinely provided as an article within the monthly Clapper Rail. The Advocacy Committee indicated that it would take this suggestion and develop an approach.

Baker asked Sloniowski to informally approach the Regional Water Quality Control Board and determine whether and how NBNF could apply for grants funded under the ongoing "Supplemental Environmental Project" (SEP) program that the RWQCB administers at the regional level. When dischargers pay fines, a portion is normally directed to improvement projects that are approved by the RWQCB. There are a number of terms and conditions that the grantee must agree to prior to receiving the grant. Those details would have to be approved by the NBNF Board of Directors prior to moving forward, assuming that this idea becomes an option.

## **18. Announcements**

Baker reminded the Board of Directors that September 20 is Bay Clean up Day.

Sloniowski announced that there is a September 30, 2008 informational workshop that will be conducted by the Corp of Engineers on mitigation banking. When a project is permitted by a federal agency there may be a requirement for environmental mitigation to offset the unavoidable impact of the proposed project. Project proponents are often times looking for eligible mitigation projects that must be approved by the permitting federal agency. Conceivably, NBNF could receive sizeable grants through this program.

## **19. Adjournment**

The board meeting was adjourned at 8:40 PM