

**Newport Bay Naturalists and Friends
Approved Minutes
Board of Directors Meeting
February 21, 2008**

1. Call to Order.

President Dennis Baker called the meeting to order at 6:30 PM at the Newport Beach Public Library. Board members present were Dennis Baker, Carolyn Kraber, Matt Yurko, Blake Anderson, Tom Mooers, Peter Bryant, Jack Keating, Larry McKenney. NBNF staff present: Roger Mallett, ED. Others present: Don Krotee and Ralph Clock.

2. Minutes.

Moved by Jack, seconded by Larry to approve the minutes of November 15, 2007, Motion passed.

Action: File

3. Accountant's Report.

The Accountant's report was received as distributed.

Action: File

4. Appointment of New Board Member.

Jack introduced Don Krotee to the Board. Don is a long-time resident of Newport Beach and has been active in SPON, Newport General Plan Update Committee, and Newport Harbor Arts Foundation. Moved by Jack, seconded by Carolyn to approve Don Krotee as new member of the board.

Action: Approve appointment of Krotee to NBNF Board of Directors.

5. Executive Director's Report.

The Executive Director's report was received as distributed.

a. Regarding UNB Information Line: Roger has discussed with Matt, Robin and Bill how to get this important initial point of contact properly staffed so that a live person consistently answers the phone. Target is to have the line consistently staffed by 3Q '08. Major problem is how to get the phone number adequately listed so that folks looking for information on UNB can actually find the information line.

b. Huell Howser video of UNB will be made available for purchase for promotional and information uses

c. The pre-CRMP. There was a short discussion about NBNF's contract with the City to gather data that exists in multiple locations and various formats. The City saw the need to assemble this information as the first step toward a comprehensive resource management plan so that a coherent and cooperative game plan for the Bay can be developed. Adaptive management can be applied to the effort ahead—that is the hope. A solid data baseline is essential to establish present states of the resources in the Bay, setting priorities and

measuring progress toward goals. NBNF will gather data and convene initial stakeholders meetings. Funding is from the City, the County and DFG

Action on Director's Report: File

6. OC Parks/NBNF Agreement.

Jack and Tom led the discussion. This 25-page agreement now in our hands incorporates all of the changes NBNF had asked for to make it acceptable to NBNF expectations. A recent conversation with Mark Denny, Director of OC Parks has been helpful. This agreement is 7 years in the making. In 2004 there was a serious point of disagreement. NBNF and its contributors expected to have the ability to specify where their contributions would be spent. The County (at that time) insisted that the funds not be specified. NBNF's fund raising efforts would be seriously hamstrung by this because our contributors want to direct where their money goes—of course! This agreement gives NBNF and its contributors the essential discretionary ability to say where the money goes into the OC Park system. NBNF can now work out an agreement with a prospective donor, talk to the County and end up with a "hard copy" agreement that binds everyone to the expenditure. Moved by Jack and seconded by Tom to accept and sign the County/NBNF Agreement for fundraising, project management and volunteer responsibilities at the County Nature Preserve with the understanding that it is conditional on approval of the Agreement by the County Board of Supervisors in its present form. Approval by the Board of Supervisors is expected in March, but McKenney added a cautionary note that sometimes agenda items take more time to make it on the calendar than one would anticipate.

Action: The Agreement was unanimously approved by the NBNF Board.

7. Discussion of Contract award process for Vista Point

A discussion was led by Jack and Ralph. This is a \$70,000 contract for improvements to Vista Point. Permit approval by the Newport Beach Planning Department and California Coastal Commission is expected in a month. Jack has already gotten early commitments from donors for the funding. He will "run the traps" when the City has taken affirmative action on the contract. Once the money is in hand, a notice to proceed will be provided to the Contractor. The City has indicated it may provide help once the work commences. No action requested tonight.

Action: No action.

8. Advocacy for continuing Federal funding for the UNB dredging project.

Larry reported that significant pressure must be applied to our Congressional representatives if we have any hope of the Federal government continuing its funding of this project. In the absence of money being appropriated in an ear-mark, then the Contractor will de-mobilize. The cost for the project will simply be increased if this happens and the likelihood of re-mobilization will be difficult to imagine. This project has been under consideration for the last 6 fiscal years and has not been officially recognized as a Federal start. For this reason, it has less funding status than it would

otherwise enjoy. The project has not been identified in the President's budget. It has required a Congressional "ear-mark" to be funded. As has been widely reported in the press, Congressman John Campbell has taken a hard-line position against ear-marks which themselves are controversial as a National political issue.

In the past, we have depended on early spending of the mandated non-Federal share of the funding. Well, that has been fully expended so now it is only the Federal share we can turn to for future years.

Larry reported that the estimated cost to complete the dredging cost is now \$16 million—higher, of course, than the original estimate on which the original request to the Federal government was based. Legitimate reasons drive the new estimate. The Contractor wants to increase the unit costs of the dredging work because his costs (like fuel, for instance) are going up.

Where do we go next? Supervisor Moorlach has indicated he's willing to approach Campbell and urge him to not oppose an ear-mark. Larry suggested that NBNF approach Moorlach and enlist his help. Others may be approaching him as well. Larry also suggested that we need to use a cost-savings argument to advocate for the project. De-mobilization and re-mobilization are real costs that can't be avoided in the absence of the continued Federal help. Sediment that is not captured in the retention basin here in the Upper Bay will eventually find its way in the lower bay. Navigation impacts and added costs will then occur there. The gold standard is to get an official start of the project because continuing projects are easier to fund—they are closer to the front of the line. Dave Kiff is putting the rationale together. TIC and others are approaching Senator Feinstein to get Senate origination for the authorization for the project so that it would then be subsequently considered by the House. Larry reported that every city in the watershed is expected to send a letter to Congress supporting the project. Larry will draft a letter from NBNF for Dennis to sign, if the Board will authorize the letter.

Other funding avenues include the Coastal Conservancy—Sat Tamarabuchi of TIC is traveling to the Bay Area to pursue this option. Garry Brown of the Orange County Coast Keepers will meet with the new DFG Commissioner and others to pursue that avenue. The Orange County Business Council (see following item) will go to Washington DC in April for its annual legislative visit and they may be willing to carry this issue with them. OCBC has supported the project in the past.

It was moved by Larry and seconded by Blake to authorize Dennis to sign a letter on behalf of the NBNF supporting the UNB dredging project and urging Congress to fund it.

Action: Support letter signed by Dennis authorized by NBNF Board

9. Outreach to Orange County Business Council.

Blake reported that he had lunch with Wallace Walrod of OCBC and approached him on the idea of NBNF making a presentation to the OCBC Public Infrastructure Committee

about the dredging project and to introduce OCBC to the significant resources within the Bay that need to be protected and managed. OCBC will be in Washington DC from April 16-19. Matters such as this are precisely what OCBC advocates. Public infrastructure has included "green infrastructure" to OCBC in the past.

Blake moved and Larry seconded that Roger, with Blake and Larry's support, be authorized to meet with OCBC and seek its support for the dredging project and to begin a dialogue on other matters of importance to the Bay

Action: Roger is authorized to approach OCBC for support of UNB dredging project and to begin a dialogue.

10. Discussion of Next Steps following NBNF Retreat

Roger is drafting a 2008 Action Plan for our consideration and approval. It contains details of where NBNF is headed and how we can achieve the goals. Roger anticipates having it completed and ready for initial circulation by the next board meeting. It will help us set annual priorities for 2008 and beyond.

Regarding the 2008-13 strategic plan that sets the overarching goals and intentions of the NBNF, we discussed the phrase "conscience of the bay" and what it really means. Jack pointed out that it was originally coined by the Robinson's many years ago and is meant to imply that NBNF's first priority must always be the long-term preservation and enhancement of the natural resources of the Bay. We are the voice of those resources. The phrase was re-affirmed by the Board at its 2007 retreat.

The board briefly discussed the outcome of the retreat and the documents that emerged from it. Jack moved and Larry seconded a motion to approve the notes of the January 19, 2008 Board Retreat and the revised 2007-08 Strategic Plan.

Action: The January 19 Board Retreat Notes and the revised 2007-08 Strategic Plan were approved on a 9-0 vote

Jack moved and Larry seconded a motion to accept the 2008-13 Strategic Plan which was developed at the Board retreat.

Action: The 2008-13 Strategic Plan was approved on a 8-0-1 vote.

11. Finance Committee Report

Tom led the discussion on this item. Fund raising needs a specific target. The upcoming action plan will give us targets to achieve. The ad budget remains on hold until we come up with a plan and the costs to achieve it. The Finance Committee assumes that the budget will be amended once the details are filled in with the action plan. Therefore, the board should be aware that this budget is somewhat provisional for now. The Finance Committee recommends that 2008 budget be approved as submitted by Roger. Tom made a motion to accept the budget and it was seconded by Matt

Action: The 2008 budget was approved on a 8-0-1 vote

12.. Executive Session

Chairman Baker asked for the board to meet in closed session to discuss the compensation of the Executive Director. Roger excused himself. There is no action to report.

13. Non-agendized Additional Discussion about Science

Peter led the discussion by saying that UNB and NBNF needs stronger environmental engineering presence to engineer the ecosystem for the benefit of the natural resources. Matt agreed that there's little ecosystem restoration expertise within the present NBNF organization and that we ought to figure out a way to add that dimension to the board. Larry pointed out that Roger comes from the world of environmental consulting and has considerable expertise in the assessment of natural conditions. Dennis agreed that we must recruit the right talent to round out the NBNF board and that's what he has been attempting over the last several months. Dennis said that Matt is our "demonstration program" for showing what is possible with respect to restoration ecology. Jack mentioned that Irwin Haydock is attempting to get science and research consistently into the dialogue and planning within the Bay and that more scientists must get involved as future decisions about the Bay are made. Jack said that the Nature Conservancy can help to fill in the gaps. Jack said that UCI is a member of the Management Coalition and this can help. Larry suggested that **Dennis** ask Roger to tie the draft action plan into the desired state. Dennis asked **Larry** to email him (Dennis) with a list of his ideas so that Dennis can approach Roger with them. Peter suggested that the **NBNF Board** consider forming a Science Advisory Board to provide the best scientific advice to the Board. **Dennis** said that he would ask Irvin Haydock to the next NBNF board meeting to continue this discussion.

Adjournment.

Meeting adjourned at 8:45 PM.

Respectfully Submitted,

Blake P. Anderson, Secretary

Draft Version March 15, 2008