

**Newport Bay Naturalists and Friends  
Final Draft Minutes  
Board of Directors Meeting  
Back Bay Science Center  
October 15, 2009**

**1. Call to Order**

President Dennis Baker called the meeting to order at 6:25

Board members present: Dennis Baker, Blake Anderson, Don Krotee, Jack Keating, Cathy Lam, Krista Sloniowski, Steve Bender, Jerry King

Board members absent: Peter Bryant, Larry McKenney

Staff present: Roger Mallett, Donna Carroll

Others present: None

**2. Minutes**

The final draft minutes of July 16, 2009 were approved as submitted by Anderson  
There was no August meeting of the Board.

The final draft minutes of September 17, 2009 were tabled for consideration at the  
November 19 Board meeting

**3. Power Point Presentation for Public Meetings**

Baker provided all board members present with CDs of two versions of Power Point (ppt or pptx) presentations he has created for general use by the board members when addressing outside groups. There are 83 slides, a movie, and notes. Any slide(s) can be "hidden" at the discretion of the presenter. The intention is for the presentation to remain dynamic and subject to editing as the priorities and conditions of the Bay change.

Baker announced that he tentatively will be presenting at an upcoming Speak Up Newport meeting and also the Corona Del Mar residents association.

Anderson suggested that a master calendar of upcoming events such as this would be useful for other board members. Mallett said he will inform the board members about how to access a Google Group Calendar account that we can use for this purpose.

Keating asked all board members to inform him by email when a presentation or meeting occurs.

#### **4. Executive Director's Report**

Mallett's written monthly report for October is incorporated into these minutes by reference.

#### **5. Treasurer's Report/Finance Committee Report**

Carroll reported that our Accounts Receivable make us financially sound, only to the extent that they replenish restricted accounts that are set aside for specific tasks and contracts. Grants, for instance, that have been authorized for work NBNF has underway or completed will reimburse the staff time hours and out-of-pocket expenses of NBNF.

Mallett continues to delay draws on his salary, awaiting the payments due NBNF for the work he has done on contracts. City payments, for instance, have a considerable lag between NBNF performing the work, NBNF billing the City, and the City completing the processing, authorization and payment cycle.

NBNF continues to await donations that were pledged for the Vista Point work. NBNF paid the contractors and suppliers and now waits for the donations to replenish those accounts.

The board discussed the looming end-of-year opportunity to get donors to provide funds during this tax year. Presumably, this is in the minds of donors looking for tax right-offs. Baker asked for a list of potential donors and the amount of funds they've donated in the past to help set priorities for this end-of-year "ask" of most likely donors.

Mallett referred to this month's Executive Director report to emphasize that he projects NBNF will end the year with a zero balance on our unrestricted funds with his back salary paid. There are insufficient funds for paying him his starting bonus, so that will continue to be deferred. This assumes we bill the City for the final 10% on the current Data Catalog Project. We have made some significant expenditures that are important business development costs (e.g. all of the various literature, the research grants, fulltime Program Coordinator) that have added to the draw down on the unrestricted funds. Mallett emphasized we need to reap the benefits of these development costs with substantial outreach. Getting the City to move on the CRMP, the Data Catalog Maintenance Project and the Delhi Channel Project is important for the sake of these projects as well as NBNF ability to remain self-sustaining as an important steward and project manager for the interests of the Bay.

#### **6. Bylaws Committee**

Keating and Anderson recommended that no modifications to the present Bylaws be proposed at the November Annual Meeting because no substantive needed changes have emerged from the Board of Directors. There are a few minor changes and

editorial adjustments that can wait until November 2010. Therefore, the General Membership will see no Bylaws changes in their agenda packages. The Board members present provided nodding agreement to this recommendation. No formal Board action was taken.

## **7. Board Development**

Keating reported that there are still a few individuals that would be good committee candidates. There are no additional prospective board members under consideration. The Board now stands at 10 members. A few additional board members (up to 5 more) are still needed.

Keating reported that he sent an email request to all 150 Naturalists, asking about their interest in serving on the Board or on a committee. As of today (nine days after sending the request) there have been no indications of interest from the Naturalists.

Candidate statements from all 10 returning board members have been received and will be provided to the General Members in their agenda packages.

Keating indicated that he would provide minutes of the 2008 General Membership meeting for inclusion in the agenda packages.

## **8. Research Committee**

Research Committee Chair Bryant provided an e-mailed status report to the board members. It is incorporated into these minutes by reference. Bryant reported that he has received status reports from three of the researchers that NBNF has provided \$1000 research grants.

## **9. Advocacy and Partner Relations Committee**

Baker reported that he addressed the Orange County Board of Supervisors on his own behalf and not representing NBNF expressing significant concern that the transfer of 20,000 acres from The Irvine Company to OC Parks is problematic because of OC's lack of sufficient funding to properly protect and manage this natural resource. He asked the Supervisors to consider the costs and liabilities in regard to the acceptance of the property. He expressed concern that the acquisition might draw resources from the the bay.

Baker said that a portion of the transfer involves an area in Black Star Canyon that is not in our watershed and would appear to be of little consequence or interest to NBNF.

Baker said that he is meeting with OC Parks to discuss the continued degradation of East Bluff by erosion. Deferred maintenance is causing serious erosion problems with the bluffs.

Regarding eel grass, at a previous board meeting we agreed to authoring a white paper that would outline the scientific basis for setting a management policy and practice. Keating reported that Rick Ware is prepared to provide the information that would be the basis for such a white paper. Eel grass removal at the docks can be mitigated by establishing new tracts of eel grass within the Upper Newport Bay. Ware will provide answers to the questions that have been raised about the efficacy of the mitigation idea.

Anderson and Keating reported that they met with Leslie Daigle about the proposed Confined Aquatic Disposal (CAD) method for sequestering the estimated 1.5 million yards of contaminated sediments that exist in several areas of the Lower Newport Bay and, in particular, the Rhine Channel. As a result of that meeting, Anderson facilitated a meeting between Daigle and Steve Weisberg, the Executive Director of the Southern California Coastal Water Research Project (SCCWRP) and Ken Schiff, the Assistant ED of SCCWRP to discuss the dredging project. SCCWRP conducts monitoring and research about the condition of the marine resources within Southern California Bight and the impacts of anthropogenic sources on these resources. SCCWRP conducts scientific seminars and serves as the meeting place for the scientists that work for local, State and federal agencies having responsibility for the condition of marine resources throughout Southern California.

Keating reported that Daigle has asked for a description of the restricted practices and protective measures that NBNF believe are needed for the Upper Newport Bay. Presently it is designated as an ecological reserve and a State park. Keating reported that he and Mallett, on behalf of NBNF, called to inform Daigle that the status quo is sufficient to protect the resources while allowing public access to the recreational assets of the Upper Newport Bay.

Keating and Mallett proposed that they would quickly draft an NBNF position paper on this subject in a form of a letter, get it reviewed by the Advocacy and Partner Relations Committee and by Krotee prior to getting it to Daigle in time for the series of public meeting being held on designating new portions of the coast for further marine protection.

It was moved, seconded and approved on a vote of 8-0 to authorize Keating and Mallett to proceed with drafting and conveying the position paper as outlined in the previous paragraph.

It was the general consensus of the Board that the Upper Newport Bay is already sufficiently protected by its present designation and no further action by the State of California is necessary at this time.

## **10. Donor and Community Relations Committee**

Keating said that he would re-distribute the donor list to the board members with the expectation that each member will volunteer to select a number of the donors and reach

out to them for end-of-year donations to NBNF. Keating recommended that an end-of-year appeal letter be drafted and sent to our donors list.

### **11. New Business**

Keating asked Sloniowski for an update on her review of the Newport Beach General Plan for compliance with the sustainability provisions of AB 32, as demanded by the State Attorney General's office of all cities in California. The AG wants all General Plans to address global warming and provide evidence that they have sufficiently done so. Sloniowski reported that she submitted her review of the City of Newport Beach General Plan to Melanie Schlotterbeck for inclusion into the review of all General Plans in the County. The impetus for the General Plan reviews is AB 32, but the items that were requested for review expanded beyond that policy into other areas of sustainability in general. In general, the Newport Beach General Plan is very progressive and is likely to be considered the most sustainable plan in Orange County. The Green Visions group will be holding a presentation of all the findings at a workshop on Nov 6th at the IRWD Duck Club.

### **12. Announcements**

King announced that Jerry Thibeault, the Executive Director of the California Regional Water Quality Control Board, Santa Ana Region, will receive a life time achievement award in water resources at a ceremony to be held at California State University, San Bernardino on November 14. Anderson suggested that NBNF put together a suitable plaque or award that we could present at that meeting. The Board agreed to the idea and authorized Anderson to put an award together and present it to Thibeault on November 14.

(NOTE: Subsequent to the October 15 board meeting, Anderson had second thoughts about the idea and re-polled the Board, suggesting that a presentation by NBNF to Thibeault be delayed until June 2010 when Thibeault is scheduled to formally retire from the RWQCB. This would be a more suitable time to do so. The board members indicating a preference unanimously agreed to the delay and Anderson acted accordingly, not acting on the Board's authorization to prepare an award at this time.)

### **13. Adjournment**

The meeting was adjourned at 8:25 PM. The next regular meeting of the Board is scheduled for November 19 at 6:30 PM at the BBSC.