



CITY OF MORRO BAY HARBOR ADVISORY BOARD A G E N D A

*The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life.
The City shall be committed to this purpose and will provide a level of municipal service and safety
consistent with and responsive to the needs of the public.*

**Regular Meeting - Thursday, October 4, 2012
Veteran's Memorial Building - 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Jim Phillips, Chair

Jeff Eckles, Vice Chair
Gene Doughty
Dana McClish

Brett Cunningham
Bill Luffee
Lynn Meissen

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE
CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Commission on City business matters other than scheduled items may do so at this time. To increase the effectiveness of the Public Comment Period, the following rules shall be followed:

- When recognized by the Chair, please come forward to the podium and state your name and address for the record. Commission meetings are audio and video recorded and this information is voluntary and desired for the preparation of minutes.
- Comments are to be limited to three minutes.
- All remarks shall be addressed to the Commission, as a whole, and not to any individual member thereof.
- The Commission respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the Commission to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Commission meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Recreation and Parks' Administrative Technician at (805) 772-6280. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

A. CONSENT CALENDAR

- A-1 Approval of Minutes from Harbor Advisory Board meeting held on September 6, 2012
Staff Recommendation: Approve minutes.

B. PUBLIC HEARINGS, REPORTS, AND APPEARANCES

B-1 Lifeguard Season End Report
Staff Recommendation: None, verbal report only.

B-2 Harbor Department Status Report
Staff Recommendation: Receive and file.

C. UNFINISHED BUSINESS

C-1 Receipt of Harbor Advisory Board Letter Commenting on PG&E Seismic Testing and Update on Project Status.
Staff Recommendation: Receive and file.

D. NEW BUSINESS

D-1 None

E. DECLARATION OF FUTURE AGENDA ITEMS

F. ADJOURNMENT

This agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the agenda posted at the Morro Bay Harbor Department, 1275 Embarcadero, for any revisions or call the department at 772-6254 for further information.

Materials related to an item on this Agenda are available for public inspection during normal business hours at the Harbor Department and at Mill's/ASAP, 495 Morro Bay Boulevard, or online at www.morro-bay.ca.us/rpc. Materials related to an item on this Agenda submitted to the Board after publication of the Agenda packet are available for inspection at the Harbor Department during normal business hours or at the scheduled meeting.

CITY OF MORRO BAY

HARBOR ADVISORY BOARD

SYNOPSIS MINUTES

The regular meeting of the City of Morro Bay Harbor Advisory Board was held Thursday, September 6, 2012 at 6:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

ESTABLISH QUORUM AND CALL TO ORDER

Present:	Members:	Brett Cunningham Gene Doughty Jeff Eckles Bill Luffee Dana McClish Lynn Meissen
	Absent:	Jim Phillips
	Staff:	Eric Endersby, Harbor Director Polly Curtis, Office Assistant

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

Vice Chair Eckles welcomed new Harbor Advisory Board member, Mr. Dana McClish, who has filled the Recreational Boating seat, and asked him to introduce himself. Mr. McClish said he has been a resident of Morro Bay for 34 years and an 18-year member of the Morro Bay Yacht Club. He said he is the president of the newly formed Morro Bay Youth Sailing Program, which is a non-profit group.

Ms. Meissen inquired about a vessel docking at the Tidelands three-hour dock overnight for three or four days and if the vessel was charged. Mr. Endersby said the Harbor Patrol tries to uphold the three-hour limit, but if a vessel has broken down and been towed there by the Coast Guard, or is too large for a slip, or the Yacht Club is full, the vessel could be allowed to stay at the Tidelands dock. He said there is a fee of a daily slip rate.

Ms. Carla Borchard, City Council, said that Congresswoman Lois Capps attended the Morro Bay Business Forum recently and expressed her concern of the PG&E Seismic testing, and is open to public contact and continuing this conversation. Senator Feinstein is also on a committee on this topic with Ms. Capps. Ms. Borchard also said Closed Sessions are continuing with several Tidelands Lease Site renewals.

PUBLIC COMMENT

None.

A. CONSENT CALENDAR

A-1 MINUTES

Mr. Luffee moved the August 2, 2012 Harbor Advisory Board minutes be approved as submitted. The Motion was seconded by Ms. Meissen and carried unanimously.

A-2 HARBOR DEPARTMENT STATUS REPORT

Mr. Endersby briefed the Board on the following topics:

**Coast Guard Change of Command
State Park Marina Dredging
DBW Equipment Grant for Patrol Boat
F/V South East Accident at Fowler's Docks**

B. PUBLIC HEARINGS

None.

C. UNFINISHED BUSINESS

C-1 PG&E Seismic Study Update

Mr. Endersby said the California State Lands Commission certified the Environmental Impact Report (EIR) for the project, with future hearings necessary and approvals needed from the California Coastal Commission, APCD, Fish and Game, and others. He said Morro Bay City Council at their Tuesday, September 4th meeting voted to approve a "strong resolution of opposition" to PG&E's proposed offshore seismic testing, and the resolution will be brought back to the September 11th meeting for approval.

Discussion by the Board on the noise levels and decibels carrying underwater; the lack of any studies on the West Coast on effects from seismic testing; the question of any alternative method of testing which is not as lethal; the abundant presence of marine life showing in Avila currently, and the need for further studies on the effects of seismic testing on marine life prior to commencement of testing.

MOTION: Mr. Doughty moved that the Harbor Advisory Board support the Morro Bay City Council's strong resolution in opposition to PG&E's seismic testing for Diablo Canyon nuclear power plant. The Motion was seconded by Mr. McClish and carried unanimously.

Further discussion by the Board.

MOTION: Mr. Cunningham moved that the Harbor Advisory Board direct the Harbor Director to draft a letter to support the City Council resolution in opposition to PG&E's seismic testing. The Motion was seconded by Mr. Doughty and carried unanimously.

The Board recommended the following points to be included in the letter supporting the Council's resolution opposing PG&E's seismic testing:

- That other, less damaging technology is sought to accomplish the seismic imaging needs of PG&E.
- That due to the unknown effects on marine life the seismic imaging as proposed is ill advised and should not be conducted unless more studies are done to gauge the true effects on marine life.
- That should the project go forward in any form an adequate compensation/mitigation plan must be in place for fishermen and impacted individuals/businesses for damages caused by the testing. At the least, said plan must be acceptable to the Morro Bay and Port San Luis Commercial Fisherman's Organizations.

Mr. Endersby noted that there is a link on the City's website to the PG&E Seismic information on the left toolbar where the public can also choose Notify Me on this topic.

D. NEW BUSINESS

D-1 Discussion on Formation of a “Friends of the Harbor Department” Non-Profit as a Support and Fundraising Mechanism for the Department

Mr. Endersby said two models for this type of organization are already in place for the police and fire departments; he asked Mr. Luffee to present his ideas to the Board. Mr. Luffee discussed some of his thoughts with the Board on the formation of a non-profit organization to create a possible revenue mechanism for the Harbor Department.

Councilmember Borchard said the organizations formed to support other City departments have been extremely successful; however, the group cannot be formed or operated through the Harbor Department or the City itself, it must be organized and run separately by community members which could include an Ad-Hoc committee of up to three members of the Harbor Advisory Board.

Discussion by the Board. Vice Chair Eckles suggested broadcasting this idea on Channel 20 as well as recommending that the public send e-mails to Board members through the City's website at www.morro-bay.ca.us or to contact Mr. Luffee by phone at 550-9250.

MOTION: Mr. Luffee moved to form an Ad-Hoc committee of three members of the Harbor Advisory Board to explore the establishment of a “Friends of the Harbor Department” non-profit 501c organization. The Motion was seconded by Ms. Meissen and carried unanimously.

Vice Chair Eckles asked for volunteers on the Board to form the Ad-Hoc committee. Mr. Luffee, Mr. McClish, and Ms. Meissen volunteered to be the three members of the Ad-Hoc committee.

D-2 Discussion on Future Planning Process for the Power Plant Property

Mr. Endersby said the power plant is still seeking contracts, but since once-through cooling will not be permitted, the plant will most likely cease operations in 2015. He said Mr. Eckles requested to agendize this item and asked him to continue the discussion.

Vice Chair Eckles said the plant closure date is closer than we may realize. He met with City Attorney Rob Schultz recently to discuss this topic, and found out that a lot of work has already been done previously. In 2007 an Ad-Hoc committee established by City Council had been formed called, the Morro Bay North Embarcadero Waterfront Futures Group, or NEW Futures Group. Mr. Eckles said the report created by the group is extensive and offers multiple recommendations for the property. He said the City needs to be proactive on this, and that contingency planning is necessary. Discussion by the Board. Mr. Eckles requested that the 200-page NEW Futures document be posted on the City website.

MOTION: Mr. Eckles moved that the Harbor Advisory Board recommend to City Council to reconvene the NEW Futures Group Ad-Hoc committee. The Motion was seconded by Mr. Luffee and carried unanimously.

E. DECLARATION OF FUTURE AGENDA ITEMS

Oct: Lifeguard Season Review

Future: Boat Yard/Haul Out

F. ADJOURNMENT

This meeting was adjourned at 7:25 PM.

Submitted by,



Polly Curtis
Harbor Department



AGENDA NO: B-1

MEETING DATE: October 4, 2012

Staff Report

TO: Harbor Advisory Board

DATE: September 27, 2012

FROM: Eric Endersby, Harbor Director

SUBJECT: Lifeguard Season End Report

Verbal report only to be given by Kyle Shaffer, Lifeguard Supervisor.

Prepared By: EE

Dept. Review: EE



AGENDA NO: B-2

MEETING DATE: October 4, 2012

Staff Report

TO: Harbor Advisory Board
FROM: Eric Endersby, Harbor Director
SUBJECT: Harbor Department Status Report

DATE: September 27, 2012

RECOMMENDATION

Receive and file.

DISCUSSION

State Park Marina Dredging

The dredging continues to go well with most of the teething pains worked out. Associated Pacific has removed approximately 15,000 cubic yards of material to date out of approximately 33,000 available. The mitigation for the "wetlands" impacts has been done in conjunction with State Parks with replanting denuded areas of wetland vegetation in an area on the far side of the peninsula opposite the marina.

Army Corps of Engineers' Eelgrass Mitigation

As was reported in local papers, in conjunction with the Black Brant Group and the Morro Bay National Estuary Program, the Army Corps of Engineers spent the week of September 24 doing eelgrass restoration and replanting work required by eelgrass take during the 2009/2010 dredging operations. "Donor" eelgrass was taken from the Coleman Beach area and replanted in the back bay southwest of the State Park Marina.

Joint Fire Training with MB Fire

On Wednesday evening, September 19, Morro Bay Fire and Harbor departments convened at the Coleman Beach area for a joint training exercise using Harbor Patrol boats and equipment. Various scenarios were practiced and familiarization between Fire and Harbor personnel was heightened. Ironically and unfortunately, this training came into play two nights later.

Prepared By: EE

Dept. Review: EE

Vessel Fire

At approximately 11:00 on Friday night, September 21, the transient motor vessel King Kamehameha II caught fire because of an electrical problem at the Yacht Club dock. There was one other vessel tied alongside and another at the Club dock to the north, both of which were able to escape unscathed. Morro Bay Fire, Harbor, Police, and Coast Guard personnel and equipment were mobilized to the scene and had the fire quickly knocked down before any other damage could be done. There were no injuries. However, the King Kamehameha was extensively damaged.

Vessel Sinking

On September 20, the commercial swordfish boat ALLISON C (ex-SHEELAGH B, ex-MAR E SOL) sank approximately 150 nautical miles NW of Piedras Blancas. Since the cause of the sinking, an apparent hole in the hull that the crew was trying to plug, didn't cause a fast sinking the crew had ample time to contact the Coast Guard and get into their lifeboat and await rescue. The Coast Guard arrived a short time later with a helicopter and all three crew aboard were safely recovered.

Other Training News

Reserve Harbor Patrol Officer Jeremiah Jacobs attended a Department of Boating and Waterways (DBW) sponsored Basic Boating Skills and Operations class in Needles during the week of September 17. This is the first course required by DBW in their series of Boating Law Enforcement Training courses. The City's costs for food, lodging, and transportation are reimbursable from DBW via an MOU program that we are a part of, and since July 2011 we have received almost \$5,500 in training reimbursements for these courses.

C-MANC Washington Week Cable Committee Grant

The department recently received reimbursement for sending the City Manager and Harbor Director to Washington DC last spring for the California Marine Affairs and Navigation Conference (C-MANC) annual trip to visit our legislators and to lobby for continued Federal dredge and other harbor/port funding and other issues. Total costs were \$5,678, and were 100% reimbursed from a grant with the Central California Joint Cable/Fisheries Liaison Committee. Without this funding from the Cable Committee the City might not be able to effectively address the myriad of dredging, harbor, and commercial fishing issues facing the City on an ongoing basis.

Upcoming Events

Harbor Festival Saturday and Sunday October 6 and 7. No major event or site changes anticipated.

Morro Bay Triathlon Saturday October 13 from Coleman Beach to Target Rock and back. Expecting approximately 100 participants.

Other important upcoming meetings and comment periods are:

Fish and Game Commission: Wednesday, October 3 in Sacramento. Although the PG&E project is not on the agenda and will not be discussed, the regular public comment period may be used to voice one's opinion on the project as Director Bonham should be present.

California Coastal Commisison: Wednesday October 10 in Oceanside. The PG&E project is on this agenda, and this will be a key opportunity for public and agency comment on the project. The City of Morro Bay will be sending representatives to comment.

National Oceanic and Atmospheric Administration (NOAA): Comment period open until October 15 for National Marine Fisheries Service (NMFS) proposed Incidental Harassment Authorization to be issued for the project. Access where to comment on the NOAA website via a link on the City of Morro Bay website on the left toolbar, PG&E Seismic Imaging Project, NOAA link.

CONCLUSION

Several regulatory meeting and comment periods are upcoming and it is important for the general public to research the project and make their comments. The City of Morro Bay website is being updated nearly daily with the latest information.

Prepared By: EE

Dept. Review: EE

RESOLUTION NO. 49-12

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORRO BAY, CALIFORNIA
OPPOSING THE CENTRAL COASTAL CALIFORNIA
SEISMIC IMAGING PROJECT**

**THE CITY COUNCIL
City of Morro Bay, California**

WHEREAS, the Central Coastal California Seismic Imaging Project proposes to perform seismic testing from November 1, 2012 through December 31, 2012 in and around the waters of Morro Bay; and,

WHEREAS, the City of Morro Bay sent a letter to the California State Lands Commission regarding the Draft Environmental Impact Report outlining numerous concerns; and,

WHEREAS, those concerns included the extension of recreational rockfish season to December 31st, the short-term, long-term and permanent effects on fish, fishing, and fish stocks; the short-term, long-term and permanent effects on marine mammals; a portion of the seismic project boundary being located within a highly rich Marine Protected Area; and, the inability for vessels to leave and enter the Morro Bay Harbor; and,

WHEREAS, the project has not taken into consideration the land side impacts related to fishing that include, but are not limited to, reduced fish landing and processing activity, fish availability for restaurants, tourism and other environmental issues; and,

WHEREAS, the project has not identified an adequate mitigation and claims process for those affected; and,

WHEREAS, the project does not include an adequate monitoring plan for assessing fish stock recovery in either the short or long term periods.

NOW, THEREFORE, BE IT RESOLVED, that the City of Morro Bay opposes the Central Coastal California Seismic Imaging Project being proposed by Pacific Gas and Electric.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting thereof held on the 11th of September 2012, by the following vote:

AYES: Borchard, Johnson, Leage, Smukler, Yates

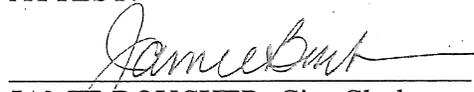
NOES: None

ABSENT: None



WILLIAM YATES, Mayor

ATTEST:



JAMIE BOUCHER, City Clerk

date

name
address
address

RE: OPPOSITION TO PG&E'S PROPOSED SEISMIC IMAGING PROJECT
ON THE CENTRAL CALIFORNIA COAST

Dear (name),

On September 6, 2012 the Morro Bay Harbor Advisory Board voted unanimously to support the Morro Bay City Council's resolution #49-12 (attached) unanimously opposing PG&E's proposed seismic imaging project on the Central California Coast. The Harbor Advisory Board is a diverse group of seven members appointed from the public representing the public and our working waterfront to advise the Morro Bay City Council on a broad array of harbor and ocean-related topics and issues.

In addition, the Harbor Advisory Board went unanimously on record with the following comments on the proposed project:

- That other, less damaging technology is sought to accomplish the seismic imaging needs of PG&E.
- That due to the unknown effects on marine life the seismic imaging as proposed is ill advised and should not be conducted unless more studies are done to gauge the true effects on marine life.
- That should the project go forward in any form an adequate compensation/mitigation plan must be in place for fishermen and impacted individuals/businesses for damages caused by the testing. At the least, said plan must be acceptable to the Morro Bay and Port San Luis Commercial Fisherman's Organizations.

Thank you for taking the comments of the Morro Bay Harbor Advisory Board into consideration.

Jim Phillips, Chair
Marine Oriented Business

Jeff Eckles, Vice Chair
Waterfront Leaseholders

Brett Cunningham
Commercial Fishing

Gene Doughty
Los Osos/Baywood

Bill Luffee
Marine Oriented Business

Dana McClish
Recreational Boating

Lynn Meissen
Member At Large