

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 4, 2014 at 6:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

ESTABLISH QUORUM AND CALL TO ORDER

Present:	Members:	Gene Doughty Jeff Eckles Tom Hafer Bill Luffee Dana McClish Lynn Meissen Ron Reisner
	Staff:	Eric Endersby, Harbor Director Polly Curtis, Office Assistant

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

Mr. Doughty made a presentation on mooring gear and mooring inspections, saying there are around 150 moorings in six federally designated areas including the launch ramp, yacht club, Morro Bay Marina, and impound moorings. He said each mooring needs to be inspected every two years, and the Harbor Patrol reviews and verifies the completed inspection.

Mr. Doughty described the gear as a block, chain, swivel, and ball. There are also two ¾-inch pennant lines which the owner is responsible for and needs to check for chaffing or wear, especially prior to winter storms. He played a video of a diver following the full length of the chain to the block; then demonstrated several mooring parts: 1-inch chain, ¾-inch chain, eye and swivel, along with a length of chain which was nearly worn through. Mr. Doughty said some of the chain lays on the ocean bottom but it stretches with the tide and wind. He said due to that movement, the mooring spaces cannot be made any bigger than they are currently.

PUBLIC COMMENT

Gary Hickson said he thought the Harbor Advisory Board and Harbor Department were doing a good job.

Gayle Buffo is an administrator for the mobile application "Fishline" which helps people find local seafood for sale directly off the boats. She said fishermen post on this site for free, and there are currently 8,500 app users of Fishline, 3,000 website users on www.fishline.com and 5,100 Fishline followers on Facebook. Ms. Buffo said this has been a very successful endeavor in Half Moon Bay, and she hopes the app will be as successful in Morro Bay. Her contact email address is: Gayle@phondini.com and she said in the future they hope to be posting photos of the fishermen's catch as well as transaction capabilities.

A. CONSENT CALENDAR

A-1 MINUTES

Mr. McClish moved the August 7, 2014 Harbor Advisory Board minutes be approved. The Motion was seconded by Mr. Hafer and carried unanimously.

B. PUBLIC HEARINGS

B-1 Harbor Department Status Report

Mr. Endersby briefed the Board on the following topics:

Boaters Check Pennant Lines and Gear Prior to Storms

North T-Pier Maintenance and Repair Project

Public Safety Dispatching (Regional) EMA/EMD

Off-Boat Fish Sales

Reuse and Recycle – Old Tires to EVOC

Bayshore Bluffs Beach Cleanup

National Estuary Program Eelgrass Planting

Lifeguard Season

Recent Events:

August 5 – Police Department’s National Night Out

August 17 – Deceased Boat Owner on Vessel

Upcoming Events:

September 6 – Dahlia Daze and MB 50th Anniversary Parade

September 7-11 – Never Quit Challenge for Veterans

September 20 – Coastal Cleanup Day 9-Noon (Bayshore Bluffs Beach)

C. UNFINISHED BUSINESS

C-1. Update from the Marine Services Facility/Boatyard Ad-Hoc Committee on Committee’s Recent Activities

Mr. Reisner said the Ad-Hoc Committee met on August 15, 2014 and reviewed two draft documents by Lisa Wise Consulting (LWC). One document was the Morro Bay Boatyard/Haulout Survey, the other Morro Bay Marine Facilities Case Studies. He said the Ad-Hoc Committee’s comments were given to Morro Bay Commercial Fishermen’s Organization (MBCFO) who were designated to pass the information on to LWC.

Mr. Hafer said Henry Pontarelli of LWC initiated the survey and there have been 23 survey documents filled out by MBCFO members and returned back to Lisa Wise Consulting, and he is expecting more surveys to be completed. Discussion ensued on the survey being a draft which was to be reviewed and commented on by MBCFO before being sent out as an actual survey. Chair Eckles said this issue would need to be taken up at the Committee level.

C-2. Update from the Capital Improvement Planning Ad-Hoc Committee on Committee’s Recent Activities

Chair Eckles said the Ad-Hoc Committee formed a Mission Statement: “To make recommendations to the Harbor Department and the City with regard to the process of Capital Improvement Planning and Funding.”

D. NEW BUSINESS

D-1 Consideration of Dynegy Applications to the Federal Energy Regulatory Commission for Energy-Generating Wave Parks in Morro Bay Area Waters

Mr. Endersby briefed the Board on the history of the power plant, its closure, and the switching station that is still active on the location. He said Dynegy applied to the Federal Energy Regulatory Commission (FERC) for a Preliminary Permit for two energy-generating wave parks in area waters; one in Estero Bay and another off Point Estero. He said the purpose of a preliminary permit is to grant the permit holder priority to file a license application during the permit term, and the deadline for filing comments or motions to intervene is September 22, 2014.

Mr. Endersby said the MBCFO have concerns about potential impacts to local fishing grounds, and the Harbor Department staff have concerns over vessel safety and hazards to navigation. He said citizens have voiced concerns over hazards to whales and other marine mammals as well as visual pollution and the environment.

Mr. Endersby displayed an ocean map on screen for the Board to see the proposed locations of the two wave parks by Dynegy. Mr. Hafer said two meetings were held by Dynegy which he and members of the MBCFO and others discussed these two sites, saying that neither location was acceptable to the fishermen. He said the best location would be five miles off shore, directly in line with the former Chevron tanker tie-up location that now holds the pipeline with cables. Mr. Hafer said the Dynegy representatives accepted this site, agreeing with the fishermen. However, this current ocean map of the proposed wave parks only shows the original two unsatisfactory locations.

Public Comment: Mr. Joseph Conchelos, local fisherman who attended these meetings, said this permit application does seem to be a foot-in-the-door scheme by Dynegy; he described the enormous size of just one single wave-generating vessel as being 230-feet long, 59-feet wide, 30-feet deep into the water and 35-feet rising in the air above the water.

Mr. Conchelos said the meeting of the MBCFO and Dynegy ultimately was a bait-and-switch proposal by Dynegy. The MBCFO asked Dynegy if the wave-generating vessels could be placed inside a Marine Protected Area (MPA) and were told these were not allowed in any MPAs. Mr. Conchelos said if these are not environmentally sound enough to be placed in an MPA, then he does not trust them going into waters where he makes a living by fishing.

Further discussion by the Board.

Motion: Chair Eckles moved that the Harbor Advisory Board request the Harbor Department staff to write a letter on behalf of the Board for all Board members' signatures stating opposition to Dynegy's Federal Energy Regulatory Commission (FERC) preliminary permit applications for their proposed Point Estero and Estero Bay Wave Parks for the following reasons: Both locations as proposed would cause significant hazards to navigation. Both locations as proposed would cause significant disruption to commercial and recreational fisheries. The Motion was seconded by Ms. Meissen and carried unanimously.

Motion: Chair Eckles moved that the Harbor Advisory Board recommend that the Morro Bay City Council take a position in opposition to Dynegy's Federal Energy Regulatory Commission (FERC) preliminary permit applications for their proposed Point Estero and Estero Bay Wave Parks for the following reasons: Both locations as proposed would cause significant hazards to navigation. Both locations as proposed would cause significant disruption to commercial and recreational fisheries. The Motion was seconded by Mr. Doughty and carried unanimously.

D-2 Consideration of Changes to the City of Morro Bay Commercial Fishing Vessel Slip Qualifications

Mr. Endersby briefed the Board on the requirements for commercial fishermen to qualify for a City slip, saying that per the Morro Bay Municipal Code section 15.04.150, fishermen must annually provide proof of \$1,000 worth of fish landing receipts or tickets for every net documented ton of their vessel, or \$5,000 minimum in tickets for state registered vessels. Two waivers are allowed in any ten year period. Mr. Endersby said that proof of fishing effort being tied to the net documented tonnage of a vessel in most cases does not truly represent the fishing potential of the vessel. He believes that either one flat dollar amount of fish tickets, or a dollar amount per foot of length of the vessel would be more appropriate.

Discussion by the Board. Mr. Hafer said in talking with the Morro Bay Commercial Fishermen's Organization members, he believes the most equitable and fair formula for commercial fishermen would be \$5,000 worth of fish tickets per year for vessels measuring 26' and under; and \$10,000 worth of fish tickets per year for vessels measuring above 26'.

Public comment: Mr. Conchelos agreed that the size of a vessel does not disclose its earning potential, and that a flat rate as mentioned would be extremely reasonable. Mr. Conchelos also suggested that qualified commercial fishermen who do not yet have a permanent slip be allowed to sublease at the rate fishermen pay, rather than the much higher current sublease rate.

Further discussion by the Board regarding special allowances for older fishermen or the possibility of a sunset clause. Board members said it is a necessity to keep Morro Bay's fishery viable by allowing new, productive fishermen to obtain a slip; and that the City has mandated through Ordinances and Resolutions that the City slips be designated for commercial fishing; and the fact that there have always been fishermen on the waiting list for commercial slips; and also not to allow the City slips to become storage places for rarely used vessels.

Public Comment: Mr. Conchelos said it might be good to remember that these "old guys" being discussed were originally the hard dudes who put these rules into place. He said much as he respects them, if a commercial fisherman cannot earn \$5,000 to \$10,000 per year, he might need to get out of the business.

Motion: Mr. Reisner moved that the Harbor Advisory Board recommend to City Council that the Morro Bay Municipal Code 15.04.150 be modified to eliminate reference to earnings by net ton, and insert language as follows: "Such use shall be verified by proof of vessels measuring 26' in length or less to qualify with fish tickets for \$5,000 per year, and for vessels measuring greater than 26' in length to qualify with fish tickets totaling \$10,000 per year." The Motion was seconded by Mr. Luffee and carried unanimously.

E. DECLARATION OF FUTURE AGENDA ITEMS

October:

**Review of Liveboard Ordinance Regarding Marine Surveyor Certification and Standardization of Liveboard Permit Inspections
Marine Service Facility Ad-Hoc Committee Report
Capital Improvements Planning Ad-Hoc Committee Report**

Future:

**Sublease Fee Schedule for Commercial Slips
State Park Marina Operating Agreement
Morro Bay Fish Quota Share and Trawl Permits
Tsunami Warning and Emergency Notification
Water Lease Site Improvements Including Dock Configurations
Mooring Field Design and Maintenance
Coast Guard Building Location Plans
Planning for Power Plant Property**

F. ADJOURNMENT

This meeting was adjourned at 8:40 PM.
Submitted by,

Polly Curtis
Harbor Department