

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, 2008 at 7:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

I. ROLL CALL

Present	Members:	Gene Doughty Bill Luffee Lynn Meissen Jim Phillips
	Absent:	Ed Ewing Michele Leary Rick Algert, Harbor Director
	Staff:	Susan Lichtenbaum, Business Coordinator Polly Curtis, Office Assistant

II. MINUTES

Mr. Luffee moved the August 4, 2008 Harbor Advisory Board minutes be approved as submitted. The motion was seconded by Ms. Meissen and carried unanimously.

III. ORAL COMMUNICATIONS

Ms. Danny Nicholson of Pacific Wildlife Care (PWC) stated that they have taken in 140 young brown pelicans this year with problems such as broken wings, starvation, and especially hooks and fishing line around their legs or in their beaks. Ms. Nicholson proposed a dialog with the Board to help come up with possible prevention and awareness tactics. She suggested more signage on the fishing piers to assist people when a bird has been caught in their line, especially directing people to get assistance immediately before letting the bird go with hooks and lines attached. Ms. Nicholson said each pelican costs PWC a minimum of \$200 per bird, not including medical care.

Discussion ensued with the Board about possible solutions. Chairman Phillips said public awareness through a broadcast such as this is a good first step, as well as the recent article in the *New Times*. Ms. Lichtenbaum said the Harbor Patrol Officers do receive frequent calls about pelicans with lines or hooks attached, and the Officers do respond and are usually able to remove the lines. She said the Harbor Office is ordering more signs, including warnings against feeding wildlife, and says the Officers will continue to try being as proactive as possible.

Chairman Phillips thanked Ms. Nicholson for her presentation. Ms. Nicholson thanked the Board and said she hopes people can be humanitarian and work toward solutions to this problem.

Mr. Joey Racano stated that in September 2007, the east estuary of Morro Bay has been designated as a State Marine Reserve, which is the highest designation of a Marine Protected Area, meaning that all "take" is prohibited. Referring to the upcoming Agenda Item IV-1, Mr. Racano stated there are many barriers to the Environmental Impact Report for the proposed State Park Marina, including disturbance of wildlife, building a sea wall, and securing a waiver from the EPA to dump mud on the sandy ocean bottom habitat. He said the mitigation costs for this process would be excessive for the City of Morro Bay.

IV. PRESENTATIONS AND ACTION ITEMS

IV-1. Public Hearing - Draft Environmental Report for the State Park Marina Renovation and Enhancement Project

Ms. Lichtenbaum introduced Mr. Mike Prater, Planning Manager for the City of Morro Bay. Mr. Prater gave a brief overview of the Draft EIR process. Chairman Phillips asked Mr. Prater what happens to the Draft EIR after public comment, and the final Report goes to City Council for approval. Mr. Prater said it becomes a certified document; then back to the Harbor Department to finalize which final actual project is to be pursued. Chairman Phillips asked if all agencies who need to have commented by that point so a clearance is received to go ahead. Mr. Prater said he hopes by that point all agencies have made comments, and if an agency such as the California coastal Commission did not choose to speak at the certification phase, they will be able to speak at the permit phase. Chairman Phillips asked that once the permits are approved then is funding sought to accomplish the project. Mr. Prater answer yes; he then introduced Mr. de Wit of Padre Associates.

Mr. Ray de Wit said he is the Project Manager for the Draft Environmental Impact Report, and with him tonight is also the assistant to the project, Mr. Brian Dugas, who is also the principal investigator for the terrestrial onshore biological assessment. Mr. de Wit said tonight he is giving a summary or overview of the proposed project in a PowerPoint presentation, and will take all comments on the Draft EIR to get on record, and these comments will be responded to in writing as part of the final EIR.

Following the presentation Chairman Phillips opened the discussion to the public, and there were no additional comments. He opened the discussion to the Board.

Mr. Doughty said he had several issues with the Draft EIR, which he read in detail on the CD that was given to the Board by Padre Associates. He said the statement that trucking is not a significant problem is in error, and after much calculation, figured that there will be one big truck driving on the State Park Road every two and a half minutes for six months. He also said the sand is super fine and really black, which means unless the trucks are 100-percent watertight, there will be a trail of mud going down the road. He said he believes the road will have to be rebuilt. He also sited a potentially hazardous corner for turning at State Park Road and South Bay Boulevard.

Mr. Doughty said the mention of a hotel in the DEIR should be removed in order to avoid future problems. Mr. de Wit agreed. Mr. Doughty described the results of using a vibrating hammer; that it will kill anything around it in the mud. He also said there is no turning basin for boats in the diagram.

Ms. Meissen asked if it is possible that the Coastal Commission would approve the project, considering the statements by Mr. Racano. Mr. de Wit replied that if it were a new marina, it would not fly, but we have an existing facility that is of use and is of value, and is the largest marina available for private boats between Point Conception and Monterey; so he believes the Coastal Commission will look upon it favorably.

Chairman Phillips said he was interested in the estimated cost of the plan that if ultimately permitted, and he believes the current numbers of approximately \$24 million is prohibitive. He said the current people with slips in the State Park Marina would most likely be driven out due to the per-foot cost of keeping a boat there after the project completion. He said there does not seem to be much value of Alternative 4 in the Draft EIR, if the entrance is not dredged.

Mr. Luffee asked for clarification that in the proposed project the channel will be dredged. Mr. DeWit replied the current project does include dredging the entrance of the State Park Marina.

After further discussion on the topic of environmental impacts if “No Project” is chosen, Mr. Luffee asked Mr. de Wit when the marina would cease to exist. Mr. de Wit said a sedimentation analysis is included in the appendices, which has the estimate, but he believes the study showed at approximately 25 years the marina would be at an average depth of about minus two.

Chairman Phillips requested the Executive Summary be available separately to the public for those who want to take a quick look at what is being proposed and not have to go through several hundred pages. He thanked Mr. de Witt for his presentation. Mr. de Witt thanked the Board.

IV-2. Consideration of Forming an Ad-Hoc Committee to Review the Liveboard Ordinance

Chairman Phillips asked the Board to comment on the process of creating a committee to review the current Liveboard Ordinance. He asked Mr. Luffee and Ms. Meissen if they would consider being members of the committee, and both agreed. The Board agreed to limit the total number of members to five.

Motion: Mr. Doughty moved to request Staff to write a letter to all currently permitted liveboards and other parties who indicate an interest, requesting applicants to provide a “Letter of Interest” to the Harbor Advisory Board; the letter should state there are 3 open spaces for volunteers. The Motion was seconded by Mr. Luffee and carried unanimously.

Mr. Luffee suggested notification may also be provided to the Bay News, informing the public of the committee formation. Chairman Phillips said the committee can set the topics at the first meeting, such as the frequency of the meetings, and decide the specific dates or days to meet, which will allow members to plan ahead on their calendars. Ms. Lichtenbaum reminded the Board that the previous process of creating the original Liveboard Ordinance took approximately two years, though a review process should not take as long this time, but the applicants should understand this prior to making a commitment.

V. INFORMATION ITEMS

V-1. Harbor Department Status Report

Ms. Lichtenbaum briefed the Board on the following topics:

Measure D Potential Ballot Amendment

Storm Preparation – Be Proactive

Salmon Disaster Funds

Meet the Fleet – October 3, 2008

Harbor Fest Parking

Management Partners Report – August Workshop

Chablis Situation in Launch Ramp

Upcoming Events:

Margarita/Avocado Festival on September 20, 2008

Coastal Cleanup Day on September 20, 2008

Morro Bay Harbor Festival on October 4-5, 2008

Tall Ship Nina on November 5-16, 2008

Lighted Boat Parade on December 6, 2008

VI. ADDITIONAL COMMENTS

Mr. Doughty added to the Storm Preparation topic, reminding boaters to use one additional good pennant line of 3/4 inch to secure your boat prior to a storm.

VII. FUTURE AGENDA ITEMS

October: Measure D Public Hearing
Liveaboard Ordinance Review

VIII. ADJOURNMENT

This meeting was adjourned at 9:00 PM

Submitted by,

Polly Curtis
Harbor Department