



# City of Morro Bay

HARBOR DEPARTMENT  
1275 Embarcadero  
Morro Bay, CA 93442  
Ph. 805-772-6254  
Fax: 805-772-6258

August 21, 2013

Division of Environmental Planning & Management  
California State Lands Commission  
100 Howe Ave., Suite 100-South  
Sacramento, CA 95825

RE: CITY OF MORRO BAY COMMENTS ON LOW ENERGY OFFSHORE GEOPHYSICAL PERMIT PROGRAM UPDATE

Thank you for providing the City of Morro Bay the opportunity to comment on the State Lands Commission's proposed Mitigated Negative Declaration (MND) for the Offshore Geophysical Permit Program (OGPP) Update (hereinafter "Project"). As you may know, Morro Bay is an important commercial and recreational fishing port, and the Morro Bay City Council has passed several resolutions over the years supporting the Morro Bay Commercial Fisherman's Organization and the commercial fishing industry in general. As such the City is concerned with some of the conclusions drawn and lack or inadequacy of proposed mitigation measures in the MND. Therefore the City of Morro Bay submits the following comments for your consideration:

1. Region II of the Project, which includes San Luis Obispo County on the included maps, inadvertently does not include San Luis Obispo County in the narrative of figures ES-1 and 2-1 that describe the regions. The narrative for Region II should read "The area between the Los Angeles/Ventura County line and the San Luis Obispo/Monterey County line."

2. Section 4.1.1.2 of the MND cites overall declines in registered commercial fishing vessels statewide since 1980. This paints a picture of declining importance and participation in commercial fisheries and downplays their significance for consideration in the MND and OGPP. However, this is not an accurate portrayal in regard to the Morro Bay/Port San Luis areas and in other areas statewide as well. The decline in participating vessels can be partly attributed to a decline in numbers of participating fishermen; however, it can be equally accounted for by consolidation of fleets and an increase in vessel sizes, necessitating fewer vessels in the fleet. In addition, many fishermen now participate in several fisheries with one vessel, as opposed to single vessels working single fisheries as has generally been a common practice in the past.

Landings by weight have steadily and significantly increased since 2007 in our area. In 2012, commercial fishermen in Morro Bay generated over \$6.3 million in earnings at the dock, the second highest level since 1997, maintaining a continuous upward trend from the 20-year low in 2007 when the earnings at the dock were only \$1.7 million. Landings in Morro Bay have returned to mid-1990's levels, with over 5 million pounds landing in 2012, vs. only 686,000 pounds landing in 2007. Furthermore, 2012 Morro Bay landings supported approximately 170-195 jobs on the boats, docks, and processing plants, and the 17 new and returning commercial fishermen, and 12 new and returning vessels into the area in the past 4-5 years are all

indicators that the fisheries are on the rebound and that the positive upward trends will continue into the future (Morro Bay 2013 Commercial Fisheries Economic Impact Report, Lisa Wise Consulting, August 2013). In addition to supplying fresh, sustainable seafood to local, regional, national, and international markets, commercial fishing is an important driver of our local tourism economy. **With that information at hand, the role and importance of commercial fisheries to the Morro Bay and regional economies, as well as the continuing upward trend in landings cannot be downplayed as they currently are in the MND.**

3. Several areas in section 3.3.4.3 Impact Analysis of the MND conclude that there will be impacts and effects on fish and other marine animals, including but not limited to startle responses, avoidance behavior, and in some cases have “the potential to adversely affect the survival of individuals and/or populations.” Pages 3-121 of the MND state, “Fish exposed to OGPP equipment noise would be expected to show a startle response, including avoidance behavior and movement out of the immediate area of the survey. Due to the relatively short duration and localized operations of OGPP surveys, impacts to fish are expected to be less than significant.”

While the impacts to the fish and other animals may (or may not) be “less than significant” from a biological sense, the City of Morro Bay is concerned that the real impacts to our fishermen will be significant and thus warrant consideration of mitigating measures based on a case-by-case basis as permits are evaluated. This mitigation is absolutely necessary due to the spatial closures (marine protected areas, Essential Fish Habitat, Rockcod Conservation Areas, etc), seasonal closures and limits, and the physical limitations of wind, weather, and swell, that all serve to severely limit the areas and opportunities for commercial and recreational fishermen to fish. In addition, of those areas remaining available and open for fishing, the vast majority are open or barren bottom, and the fishing effort is often concentrated in the remaining productive habitat areas, so any further limits or impacts on those remaining areas such as OGPP activity are significant. **Therefore the conclusion drawn in the MND, that anything less than ten percent of the currently available fishing area lost or less than one month of fishing activity precluded is “less than significant” (Section 4.1.3 Impact Analysis), is an incorrect conclusion and that mitigating measures for commercial and recreational fishermen must be part of any OGPP process. Fishermen must be provided a mitigation path to pursue under the permitting process should they suffer economic or other losses.** Under its current form, the MND assumes that there will be no significant impacts to fishermen, thus precluding any mitigating requirements.

The City of Morro Bay respectfully requests that these oversights be addressed, and we are happy to provide more information or assistance if requested. Thank you for your consideration.

Sincerely,



Eric Endersby  
Harbor Director

cc: Morro Bay Mayor and City Council  
Andrea Lueker, City Manager  
Morro Bay Commercial Fisherman's Organization