

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**SUPPLEMENTAL SHEET FOR REGULAR MEETING OF NOVEMBER 13-14, 2014**

Prepared on November 11, 2014

**ITEM NUMBER: 13**

**SUBJECT: Morro Bay National Estuary Program Consent Decree Funds Spend Plan**

**STAFF CONTACT: Jennifer Epp 805/594-6181 Jennifer.Epp@waterboards.ca.gov**

**KEY INFORMATION: Comments**

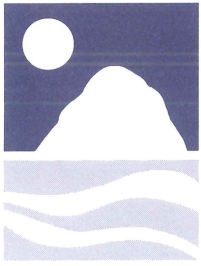
**COMMENTS**

Staff received comment letters related to this staff report. See Attachments.

Attachment 1: Letter dated November 5, 2014 from Jeffrey R. Single, Ph D., Regional Manager, Department of Fish and Game

Attachment 2: Letter dated November 6, 2014 from Jacqueline Crabb, District Manager, Coastal San Luis Resource Conservation District

Attachment 3: Letter dated November 6, 2014 from Sharon Rowley



# City of Morro Bay

HARBOR DEPARTMENT  
1275 Embarcadero  
Morro Bay, CA 93442  
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October 30, 2014

Jean-Pierre Wolff, Chair  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA. 93401-7906

**Subject: Item #13 Morro Bay National Estuary Program Consent Decree Funds Spending Plan**

Dear Chairman Wolff and Board Members:

I am writing you today to express our support for the Morro Bay National Estuary Program's (MBNEP) spending proposal for the future of the Consent Decree funds under their guardianship. Since 1997, these funds have helped support important estuarine and watershed conservation work within the Morro Bay area. As a result, the Estuary Program has leveraged \$9.35 million for water quality and habitat protection. There is a continued need for these funds to implement the Estuary Program's management plan and worthy projects identified for future spending.

The MBNEP is an important and valuable partner with the City of Morro Bay and larger Estero Bay communities as we all strive to meet common goals of balancing mixed recreational, commercial and municipal uses with watershed and ecosystem health. Since its inception the City has supported the MBNEP and has a long history of mutual collaboration and partnership.

Via the Bay Foundation and their granting programs, the MBNEP has augmented City programs aimed at reducing water pollution and other threats to the Morro Bay Estuary. Examples include:

- Funding assistance for the Harbor Department's used boater oil and oil filter recycling center.
- Removal of several derelict commercial fishing vessels that were a threat to sink and pollute, vessels that otherwise may have remained a threat due to limited available City funds.
- Funding for fuel/oil spill containment and cleanup supplies and materials, and vessel firefighting foam to minimize pollution risk to the bay in the event of a large vessel sinking, fuel/oil spill or fire.

In addition, the MBNEP is a critical City partner for outreach to the public for the Dockwalker and Clean Marina programs. MBNEP has brought the concept closer to home with local maps and useful items in a re-useable bag provided to boaters in this area.

There are several important projects from the proposed spending plan of particular interest to the City of Morro Bay:

Eelgrass Recovery  
Stormwater Management  
Water Conservation  
Water Quality Monitoring

Of particular concern and interest to the City of Morro Bay is the health and vitality of our essential habitat eelgrass beds. Without the MBNEP and their programs, outreach, testing and other projects aimed at understanding our eelgrass beds and how best manage and ensure their vitality, a "trickle-down" of negative effects would occur including loss of critical habitat, ecosystem deterioration, loss of local and eco-tourism and effects on recreational and commercial fisheries that are all tied in one way or another to these beds.

The City of Morro Bay urges your support of the Morro Bay National Estuary Program's spending plan and to support their continued custody of these funds.

Thank you.

Faithfully,



Eric Endersby  
Harbor Director

C: Morro Bay Mayor and City Council

# BOARD OF SUPERVISORS

1055 MONTEREY, ROOM D430 • SAN LUIS OBISPO, CALIFORNIA 93408-1003 • 805.781.5450



November 3, 2014

**BRUCE GIBSON**  
SUPERVISOR DISTRICT TWO

Jean-Pierre Wolff, Chair  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA. 93401-7906

Subject: Item #13 Morro Bay National Estuary Program Consent Decree Funds Spend Plan

Dear Chairman Wolff and Board Members:

I write in support of the Morro Bay National Estuary Program's continued utilization of the funds provided by the Consent Decree entered in U.S. v. P.G.&E., Civ. No. 97-1969 (1997). This Consent Decree was entered by the Court to resolve alleged violations of the Clean Water Act and State Water Code pertaining to the cooling water intake and discharges from the Diablo Canyon nuclear power plant.

As you know, the May 1997 Memorandum of Agreement was developed to guide the disbursement of funds provided by the Consent Decree for environmental enhancement through implementation of the Morro Bay National Estuary Program Conservation and Management Plan.

The original \$3.66 million in Consent Decree funds has been spent. Now, the Morro Bay National Estuary Program is proposing to spend the remaining funds (approximately \$1,821,000) generated through accrual of interest.

I support the two options identified in Morro Bay National Estuary Program's proposed Spend Plan. The time frames of either 10 or 20 years would be suitable. The proposed projects are appropriate within the MOA framework.

The Morro Bay National Estuary Program has done outstanding work on behalf of the Estuary, local agricultural interests, and our County community. I believe their plans for future spending of these funds is sound and I look forward to their continued success. If you have any questions please don't hesitate to call my office at 805-781-4338.

Sincerely,

BRUCE GIBSON  
Supervisor, District Two  
San Luis Obispo County



November 4, 2014

Mr. Jean-Pierre Wolff, Chair  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA. 93401-7906

**Subject: Item #13 Morro Bay National Estuary Program Consent Decree Funds Spend Plan**

Dear Chairman Wolff and Board Members:


I am writing you today to express our support for the Morro Bay National Estuary Program's (NEP) spending proposal for the future of the Consent Decree funds under their guardianship. Since 1997, these funds have helped support important estuarine and watershed conservation work within the Morro Bay area. As a result, the NEP has leveraged \$9.35 million for water quality and habitat protection. There is a continued need for these funds to implement the Estuary Program's management plan and worthy projects identified for future spending.

For the past 30 years the Coastal Conservancy has been actively involved in projects to reduce sedimentation to the estuary and to expand and enhance wetlands and other habitat. In 1990, the Conservancy prepared the Morro Bay Watershed Enhancement Plan and in partnership with the NEP funded conservation projects on private lands in the upper watershed. In addition to funding erosion control projects in the upper watershed, the Conservancy also partnered with the NEP and local RCD to acquire and restore lands in the lower watershed along both Chorro and Los Osos Creeks. The Chorro Flats and Los Osos Wetland Reserve projects have successfully trapped tons of sediment upstream of the bay while enhancing their riparian corridors. More recently, the Conservancy partnered with the NEP to establish the Chorro Creek Ecological Reserve, and we worked together to acquire a conservation easement on the Maino Ranch.

Next month my board will consider a request to fund the acquisition of a property along Los Osos Creek in partnership with the NEP and local RCD. I am confident this request will be warmly received; especially given the federal wetland grant funding my staff has secured with the help of NEP and RCD staff. And next spring my board will consider a request from the NEP to provide match funding for their proposed eelgrass restoration program. Again, I am confident this request will be supported given the federal funding my staff has secured with the help of NEP staff.

I urge you to support the NEP's spending plan and to support their continued custody of these funds.

Sincerely,

  
Sam Schuchat  
Executive Officer  
California State Coastal Conservancy

CC: Adrienne Harris Executive Officer, MBNEP

1330 Broadway, 13<sup>th</sup> Floor  
Oakland, California 94612-2530  
510-286-1015 Fax: 510-286-0470



C a l i f o r n i a   S t a t e   C o a s t a l   C o n s e r v a n c y