



**Executive Committee Quarterly Meeting  
Estuary Program Offices, Morro Bay, CA  
and via Video Conferencing**

**August 21, 2024  
4:00 pm**

**Minutes**

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**Attendees:** Jason Curtis, *Bay Foundation*; Ethan Bell, *Stillwater Sciences*; Phil Hammer, *Central Coast Regional Water Quality Control Board*; Becka Kelly, *Morro Bay Harbor Department*; John Flaherty, *Recreation/Tourism seat*; Kate Ballantyne, *SLO County Public Works*; Blake Fixler, *SLO County*; Crow White, *Cal Poly*; Vivian Lopez, *USEPA*; Ann Kitajima, *MBNEP Staff*; Melodie Grubbs, *MBNEP Staff*.

**1. Introductions and Updates**

- Jason Curtis: Works at Cuesta College but representing the Bay Foundation as Vice President of the Board.
- Blake: Supervisor Gibson's Legislative Assistant. Clean up has occurred at Turri Rd and Los Osos Creek. All of the trash was removed. Earthwork berms were put up to facilitate pedestrian/bike access but dissuade vehicle parking in that area. Hopefully there won't be any more issues with trash or biological materials going into the creek. The Coastal Commission approved the Los Osos Community Plan. It's likely to be on the agenda at a Board of Supervisors meeting in late October to discuss the plan, the habitat conservation plan, the future of development, and Los Osos groundwater basin impacts.
- Crow: Representing Cal Poly. There will be a master's thesis defense on Sep 3 on the effect of Brant geese on eelgrass in Morro Bay by Dakota Osborne, Dr. Charlie Knight's student at 11 a.m. in Building 33. Contact Crow for details. Marine operations staff Tom Moylan asked to spread the word about how they are supporting us, including allowing us to store two kayaks in their dock space and providing access to their Whaler with no charge. NOAA is going to establish a National Marine Sanctuary (NMS) office on the Cal Poly campus for the Chumash Heritage NMS. This hasn't happened yet but it's being worked through. It will be located in the Tech Park of Cal Poly off of Highland Drive. This partnering with a university is a model that NOAA has used in the past, specifically in Santa Barbara and Monterey. Cal Poly is excited since the partnership will bring NOAA staff to the university and to our area, creating new opportunities.
- Becka: The Harbor Department will participate in the EcoSLO Creeks to Coast Day on September 21. The Harbor Department has a site for the fourth year at the Bayshore Bluffs on the beach across from Inn at Morro Bay where there are a lot of kayaks and old forgotten boats. People tarp their boats and plastics are breaking off. Please help spread the word. They were contacted by a group in SLO called Revive Dive that wants to do an underwater dive cleanup in the harbor on September 28 and they are looking for the best spot to go. It will be 30 divers. A group used to do this the North and South t-piers but now that there's less boat activity, they're thinking it might not be as good a site for cleanup. Becka thinks maybe the fuel dock might be better, maybe down towards Anchor Memorial Park at the walkout fishing pier. She asked if we had any other ideas for good locations, and she'd need to know by Friday afternoon. The Ironman race backed out of the third year of their contract, in part because of the issues with the swim course. They'd considered a new swim course but it would have cost more since it involved transporting athletes from Tidelands Park to Morro Rock. Between that cost and the State Park Marina permit issues, they backed out of the third year of their agreement. The Morro Bay triathlon is still planned for November 3. The Morro Bay Triathlon hosts about 800 athletes as opposed to the 2,000 in the Ironman. About six weeks ago, there was a sewage spill in the harbor. The Harbor Department didn't find out about it until the next day. Becka is still tracking it down to have better response and awareness so they can let the public know if there's a similar spill in the future.
- Kate: County Public Works. The county is concerned about the Turri Road berms as they are basically dirt piled on side of road. They will be hydroseeded with native seed mix closer to rainy season.

- Ethan: Stillwater Sciences. They are working with us to monitor steelhead in Chorro Creek. They'll be PIT tagging fish and measuring growth rates, which so far have been high. They're also monitoring movement of steelhead through the lower portion of watershed. A lot of fish have been leaving San Luisito Creek and successfully smolting. They are currently prepping to get out this fall to monitor steelhead and manage invasive pikeminnow. They are also in the process of analyzing the data that they collected on fish species composition in the bay last spring. Also Stillwater is looking to get the permits and support to do an acoustic tagging study of steelhead smolts entering the bay. They will be tracking them to see how long they spend in the bay, what type of habitat they use (eelgrass vs open channel), how much time they spend near piers vs back bay, etc. That work would be funded by the Army Corps of Engineers (ACOE) and would inform the potential impacts of the annual dredging operations on steelhead.
- Phil: Central Coast Regional Water Quality Control Board. Their Central Coast Ambient Monitoring Program (CCAMP) is now collecting data in the Morro Bay watershed. They rotate between watersheds each year and usually hit each one once every five years. Now is Morro Bay's turn and they're monitoring in the Chorro and Los Osos valleys. So expect new data from CCAMP in the next few months. The Water Board has another pending permit application for geotechnical investigations for cables from wind energy. One permit was issued for a lease, and now another lease will apply for more of that type of work. It's pretty minor work from a water quality standpoint. In terms of sound issues, they follow the Land Commission's guidance on that. They don't have the application yet but it's pending.
- John: Recreation/tourism chair. Currently winding down the summer season. It's been busy on the bay. The numbers of visitors is slightly down from last year, which seems to be similar for most businesses with a tourism focus. They're doing a lot of great work with the Adventure Pass program with State Parks for 4th graders and their families, funded by grant money.
- Vivian: EPA Program Officer. The Estuary Program's Program Evaluation will be next year, headed up by EPA HQ.
- Mel: No updates.
- Ann: No updates.

## 2. Public Comment

None.

## 3. Agenda Revisions

Ann requested to hold the Executive Committee (EC) membership vote before the vote on the minutes since several members were up for re-election.

## 4. ACTION: Executive Committee Membership Vote

The EC considered the slate of stakeholder group members for re-election. These included Ethan Bell, Crow White, John Flaherty, and Trudy O'Brien as members, and Virginia Flaherty, Emily Bockmon, and Jeremiah O'Brien as alternates. Jason proposed considering the slate as a whole for a vote, with the understanding that members were not voting for themselves but rather for the rest of the slate.

**Vote:** Jason moved to approve the seven candidates. Kate seconded. All in favor. None opposed.

## 5. ACTION: Consider Approval of May 15, 2024 EC meeting minutes (see attached)

**Vote:** Blake motioned to approve the minutes as presented. John seconded. All in favor. None opposed.

**6. ACTION:** State Parks Community Project (see attached)

Staff presented the budget and tasks for a Community Projects with California State Parks (CSP). The project involves reprinting a popular Marine Protected Area (MPA) activity guide for distribution by CSP staff at their museums, parks, and events over the next year. The group discussed what would not be funded if the entire Fiscal Year (FY) 2025 budget went to support this project. Staff explained that projects are developed in collaboration with staff rather than the previous process of an open call for applications. As this was the only project that was developed, there were no other projects ready to go that would be missing out on funding. Becka liked the idea of printing the education resource since so much of what kids do is only available online. Jason mentioned that the Bay Foundation had discussed a QR code to allow people to donate but that the group had decided that it wasn't feasible.

**Vote:** Crow moved to approve the application. Becka seconded. All in favor. None opposed.

**7. DISCUSSION:** Fiscal Year (FY) 2025 Bipartisan Infrastructure Law (BIL) Workplan (see attached)

The program's Section 320 workplan was already considered and approved by the EC in May. This will be the fourth year of a five-year funding cycle for BIL. In the staff report, we included a long list of workplan task categories. Most are staying the same as in the previous BIL workplans. Some projects have been identified for possible additional funding. We are expecting \$917,000 for FY25. We now have access to three years of funding (FY2022 through FY2024). We have several notable multi-year projects including a historical ecology study, a sea level rise model study with the U.S. Geological Survey, fish passage barrier removal, etc. Several projects will continue in FY25 since they are multi-phase projects. We will develop the workplan and budget and bring them to the EC in November to approve. We do not have a match requirement for the BIL funding. We do have a few new efforts planned including genetic analysis of eelgrass wasting disease, a baywide eelgrass map, and best management practice projects in the watershed with the Coastal San Luis Resource Conservation District.

If members can think of any projects that would be a good fit for BIL funding, please reach out. We will be developing the workplan over the next couple of months and are hoping for people's input and ideas in the next couple of weeks. Kate asked about the amount of money available for new projects. We don't have an exact number at this time as we're analyzing what phases of projects will be undertaken as part of the FY25 workplan. Our next step is to seek alternate funding for BIL-funded projects in anticipation of the BIL monies coming to an end. We are starting to transition staff time to external grants whenever possible.

**8. DISCUSSION:** Habitat Restoration and Protection Strategy (HRPS) review

When we submitted the Comprehensive Conservation & Management Plan (CCMP) in 2022, there were a number of required ancillary documents. One of these is the HRPS. In 2020, we engaged our technical advisory committees (TAC) to draft what we thought would be an appropriate document. EPA reviewed the document and wanted us to take a different approach. So starting in 2022 we went back to the drawing board. The new document gathers materials that were in other places, including goals/objectives and habitat descriptions. Basically the document is an extension of the CCMP that is habitat focused. It goes through habitats for the entire watershed and included a very thorough mapping process. The maps are based on the best available data on the habitats and plant information. It describes the types of projects we've done and those we'd like to pursue for each habitat. Climate resilience is a big component of the strategy. It's a long and dense document, but we encourage folks to look at the summary document to get a sense of what it contains. We will submit it to EPA before the updated guidance comes out in the fall. We will need to revisit this plan the next time we update our CCMP.

Ethan noted that Stillwater is working on a project with the Coastal San Luis Resource Conservation District and CSP to restore the lower Chorro floodplain. They utilized our map files from the HRPS. They found them to be very helpful for their project, and they were grateful to have that resource.

**9. DISCUSSION:** Program Evaluation (PE) status update (see attached)

Staff presented the highlights of the PE update.

**10. DISCUSSION:** Program Highlights

- **Community Projects Updates:** Staff present a summary of the completion of the Community Project with One Cool Earth.
- **Monitoring Updates:** Staff described the ongoing monitoring.
- **Restoration Updates:** Staff gave a status update on several restoration efforts including riparian invasive mapping on Chorro Creek, Camp SLO stormwater planning, and a historical ecology study.
- **Education & Outreach Updates:** Staff gave updates on the summer outreach activities, which were very successful.

Crow brought up the proposed battery plant in Morro Bay and wanted to know if the Estuary Program had a position on it. Staff responded that we have participated in some initial stakeholder meetings and site tours but haven't yet voiced a position. We noted that we have some potential concerns about sea level rise and flooding and that did not seem to be adequately addressed in the EIR. The Morro Bay wastewater treatment plant was already relocated to get it out of the floodplain, and the battery plant would be in that same area. Mel is interested in any thoughts from the EC on the project and what stance would be appropriate for our program in context of our CCMP and goals. There were other concerns about fire and safety, etc., and we've not considered those as they don't fall within our purview as a science-based organization. Community groups have formed to oppose the facility, and Mel has met with some of them to hear their concerns, mostly around the potential hazards. There was an incident a few years ago at a facility in Moss Landing that has people concerned.

Since we only meet quarterly, Jason wasn't sure if checking in every three months on this issue will be very timely.

Crow says staff's response answered his question. The program has no formal position right now and is not yet clear on what their position would be or how it would be communicated. Our program has written letters in response to projects with our position or concerns. We wrote one about the underground energy storage project in the Chorro Valley as we found a direct impact from that project to our work. Crow said the letter we wrote in 2022 was crucial to the project stopping and that we have influence. Crow is being asked what our stance is so he wanted to be sure he knew our position. Becka said with the ongoing efforts on sea level rise, we will be a key group to provide data as this moves forward. Blake says he agrees with our stance and that the mission of this group is not to weigh in pro or con on this type of issue but to give good factual data to the public. Mel agrees this summarizes our approach, with our focus on staying science-based and sharing our data.

**11.** Adjourned at 5:18 p.m. to the next meeting of November 20, 2024 at 4:00 p.m., to be held via Zoom and in the Morro Bay offices.