



# CITY OF MORRO BAY HARBOR ADVISORY BOARD A G E N D A

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*The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean and healthy place for residents and visitors to live, work and play.*

## **Regular Meeting - Thursday, August 3, 2017 Veteran's Memorial Building - 6:00 P.M. 209 Surf Street, Morro Bay, CA**

Ron Reisner, Chair	Member at Large
Lynn Meissen, Vice Chair	Member at Large
Gene Doughty	South Bay/Los Osos
Bill Luffee	Marine Oriented Business
Neal Maloney	Waterfront Leaseholders
Dana McClish	Recreational Boating
Jeremiah O'Brien	Morro Bay Commercial Fishermen's Organization
Peter Griffin	Alternate to Jeremiah O'Brien (MBCFO)
Owen Hackleman	Alternate to Jeremiah O'Brien (MBCFO)

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR, ADVISORY BOARD MEMBER & LIAISON ANNOUNCEMENTS & PRESENTATIONS

PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Board on City business matters other than scheduled items may do so at this time. To increase the effectiveness of the Public Comment Period, the following rules shall be followed:

- When recognized by the Chair, please come forward to the podium and state your name and address for the record. Board meetings are audio and video recorded and this information is voluntary and desired for the preparation of minutes.
- Comments are to be limited to three minutes.
- All remarks shall be addressed to the Board, as a whole, and not to any individual member thereof.
- The Board respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, Board member and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the Board to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Board meetings is welcome and your courtesy will be appreciated.

**In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Harbor Department's Office Assistant at (805) 772-6254. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.**

A. CONSENT CALENDAR

None

B. REPORTS AND APPEARANCES

- B-1 Harbor Department Status Report  
**Staff Recommendation: Receive and file.**

C. BUSINESS ITEMS

- C-1 Update from the Marine Services Facility/Boatyard Ad-Hoc Committee on Committee's Recent Activities, and Consideration of Potential Next Steps in Facility Establishment  
**Staff Recommendation: Receive committee report, if any, and consider next steps in the establishment of a marine services facility/boatyard in Morro Bay.**
- C-2 Update from the Finance & Budget Ad-Hoc Committee on Committee's Recent Activities  
**Staff Recommendation: Receive and file.**
- C-3 Update from the Eelgrass Ad-Hoc Committee on Committee's Recent Activities.  
**Staff Recommendation: Receive and file.**
- C-4 Update from the Marine Sanctuary Ad-Hoc Committee on Committee's Recent Activities  
**Staff Recommendation: Receive and file.**
- C-5 Update from the Working Waterfront Ad-Hoc Committee on Committee's Recent Activities  
**Staff Recommendation: Receive and file.**
- C-6 Consideration of Recommended Changes to the Current Shark Sighting and Public Notification Protocol for Morro Bay  
**Staff Recommendation: Staff recommend the Harbor Advisory Board consider endorsing the changes in the current Morro Bay Harbor Department shark sighting/notification protocol being proposed by staff, outlined in this staff report.**
- C-7 Harbor Advisory Board Work Program for City Council Goals and Objectives Spreadsheet Matrix Update  
**Staff Recommendation: Staff recommend the Harbor Advisory Board consider the proposed update to the 2017/2018 Harbor Advisory Board Goals Work Program spreadsheet matrix for agenda and work planning purposes.**

D. DECLARATION OF FUTURE AGENDA ITEMS

Pending items previously declared:  
Goals and Objectives – Working Waterfront Designation  
Measure D  
Back Bay Water Use Forum  
Explore Benefits of Becoming a Harbor or Port District  
BOEM Update

## E. ADJOURNMENT

This agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the agenda posted at the Morro Bay Harbor Department, 1275 Embarcadero, for any revisions or call the department at 772-6254 for further information.

Materials related to an item on this Agenda are available for public inspection during normal business hours at the Harbor Department and at Mill's/ASAP, 495 Morro Bay Boulevard, or online at [www.morrobayca.gov](http://www.morrobayca.gov). Materials related to an item on this Agenda submitted to the Board after publication of the Agenda packet are available for inspection at the Harbor Department during normal business hours or at the scheduled meeting.



AGENDA NO: B-1

MEETING DATE: August 3, 2017

## Staff Report

**TO:** Harbor Advisory Board  
**FROM:** Eric Endersby, Harbor Director  
**SUBJECT:** Harbor Department Status Report

**DATE:** July 27, 2017

### RECOMMENDATION

Receive and file.

### DISCUSSION

#### **Recent Department Activity:**

Harbor Patrol statistics for the month of July 2017 to date were 17 emergency responses and 86 calls for service, 46 assists of other agencies, 32 enforcement contacts, and 2 weather hazards.

July 3, responded to a 21-foot Chris-Craft with two persons aboard that lost power 15 yards south of channel marker #3 in heavy fog. Took in tow to launch ramp.

July 9, responded to the South T-pier for a report of a small fire out on top of a pier piling on north side at the first shore power box. Somebody had possibly disposed of a burning cigarette into the top of a burrowed out piling top. All such piling tops now being filled with concrete to prevent future incidents.

July 13, responded to a surf rescue/medical aid of an injured boogie boarder with head and back injuries at the dredge disposal shoal south of the harbor. The victim self-transported back to the harbor in his own vessel and then to the hospital.

July 17, Harbor Patrol dispatched to a back-bay rescue 100 yards off the Baywood pier for a capsized canoe with three people and two dogs in the water. HPOs responded via rescue watercraft (RWC) and patrol vessel, and the RWC pulled three intoxicated adult females and two dogs out of the water. They were transported to the Baywood pier to receive medical and law enforcement attention.

July 21, at approximately 8:45 in the morning with heavy fog, a barely readable "MAY-DAY" with an unknown source or location was received by Harbor Patrol and Coast Guard. With further transmissions, it was determined there were two persons aboard a vessel going into the surf somewhere south of the south jetty. Harbor Patrol vessels, RWC and Coast Guard got underway to begin the search and rescue in 100 feet or less of visibility. The Coast Guard was the first to spot the victims, safely on the beach but with their 15-foot Boston Whaler overturned in the shallows. The victims were transported back to Morro Bay by State Parks by land, and the vessel righted and towed safely back out by the Harbor Patrol. MB Fire personnel assisted with the rescue and recovery efforts.

Prepared By: LS

Dept Review: EE

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

July 24, received a distress call from F/V RITA G taking on water from a unknown source in their engine room, approximately two miles from the harbor. The vessel's bilge pumps were apparently keeping up, but once inside the harbor, Harbor Patrol came alongside and passed a gas-powered salvage pump aboard and began dewatering. Once safely at the dock and dewatered, the source of the leak, a torn hose, was located and resolved.

### **National Estuary Program:**

As an effort to keep the beaches, bay and waterfront clean during the 4<sup>th</sup> of July holiday the National Estuary Program initiated the "Pick Up the Picnic" campaign. This clean-up challenge was a great success thanks to concerned citizens who spent volunteer time along with groups such as Morro Bay Beautiful, Eco-Rotary, and Morro Bay in Bloom helping this cause.

Event statistics were:

- 48 people spent 87.5 volunteer hours
- Over 1000 cigarette butts picked up
- 235 food-related items removed
- Only 12 July 4<sup>th</sup>-related items were found within the Morro Bay watershed, but including north Morro Bay 87 4<sup>th</sup>-related items were found

Look for this campaign to be announced again or visit their website to for details of how to participate.

### **Harbor Dredging:**

Ahtna Design-Build is slated to complete their last dredging of the Sand Trap, which completes their project, on Sunday, July 30. Once complete, they will begin demobilization, which should take about a month. After Snowy Plover nesting season is over at the end of September, they will have access to the sandspit with equipment to remove their ~3,000 feet of stranded dredge pipe there.

The public is again cautioned about the shoal water in the nearshore disposal area for the dredging south of the harbor entrance approximately one mile. It is a ~5-foot shoal in 20-40 feet of surrounding water, and at coordinates 35 20.912 degrees N, 120 52.179 degrees west. The area is marked with six "danger" buoys, and should be given a wide berth. Contact the Harbor Patrol or Coast Guard if in doubt.

### **Recent City Council Activity:**

At the regular July 11th City Council meeting, Council adopted Resolution No. 42-17, approving transfer of 51.02% membership interest of Morro Bay Oyster Company, LLC, from Dwight K. Maloney to Morro Bay Oyster Company, LLC, and conditionally authorizing the Mayor to execute documents necessary for a new loan for the lease agreement at lease site 144/144W and accepting A Deed of Trust related there to.

Also at the June 11th Meeting, Council discussed and provided direction regarding Harbor Advisory Board Request to resolve ambiguities in Measure D, and recommendations on Morro Bay "Working Waterfront" Initiative. Council direction is summated in the Status of Pending HAB recommendations matrix below.

### **Lifeguards/Junior Lifeguards:**

Lifeguards continue sever-day-per-week operations through the Labor Day weekend, while the second session of the Junior Lifeguard program began July 24, and ends August 11.

### **Fishing Front:**

Several of our commercial fisherman have departed for Oregon and Washington for this year's albacore season, although with the longfins reported offshore Morro Bay in the 250-mile range at the moment, we may see some activity back here.

**Boat Maintenance:**

As a reminder, a few years ago the Morro Bay Commercial Fishermen’s Organization (MBCFO) was awarded a grant from the Morro Bay National Estuary Program to help fund the purchase of two high powered, dust-extractor vacuum sanders to help decrease pollution into the bay from routine boat maintenance. Partnering with the Harbor Department, the MBCFO has two sanders available for all boat owners to borrow for in-water boat maintenance. The two sanders and supplies are housed at the Harbor Department. Vacuum bags are \$5 each, otherwise it is free to use the equipment. Please call the Harbor Office to arrange check out and more details, 805-772-6254.

**Past Events:**

July 4, Family Fun Day at Tidelands Dock, Harbor Patrol provided patrol boat tours and kids could shoot the water cannon. Morro Bay Fire taught CPR, and Morro Bay Police subjected themselves to a dunk tank. All events were quite popular and well-received.

July 15 was the 48<sup>th</sup> Annual Brian Waterbury Rock to Pier Run Fun Run and Half Marathon, with proceeds to going to Morro Bay Recreation’s youth sports programs.

**Upcoming Events:**

August 26, Bits of Broadway at the Morro Bay Veteran’s Hall, classic show tunes from the Broadway stage.

**Status of Pending HAB Recommendations:**

HAB Recommendation	Date	Status
Staff draft letter to Council encouraging the City to pursue negotiating with State Parks the City assume both marina and café concessions.	5/7/15	Staff’s last contact with Parks indicated no Parks interest in giving up the café concession. Since that time, all of Parks’ key personnel on the SPM have either retired or positions turned over. Staff’s current thinking is we’re at a “start-over” point with Parks to begin talks anew, and are acting accordingly before taking anything back to the Council.
Staff provide Council with modified sections of MBMC 15.24 (harbor sanitation) and develop environmental BMP’s.	7/22/15	Staff have incorporated this BMP effort into the ongoing Rules & Regs/MBMC updating project.
Council direct staff to engage consultancy relative to obtaining regulatory approval for cost-effective ocean disposal of SPM dredge material, and/or determine the practical and economic feasibility of using same as landfill.	1/7/16	Staff did engage consultancy and the Corps to investigate regulatory permit approval of SPM material disposal in the Nearshore Disposal area. With consultant cost estimate to <i>attempt</i> this approval of \$178,000, and no guarantee of success, staff ceased pursuing. In discussions with the EPA, permitting success seemed not likely. City also seeking (along with CMANC) regulatory relief of the “80-20” dredge material disposal rule, which could change the playing field.
City Council to approve issuance of the final draft Marine Services Facility/Boatyard Request for Qualifications document.	2/2/17	2/14/17. Council approved the release of a Request for Qualifications (RFQ) document as-proposed. RFQ is out, and responses due July 14, 2017.  7/27/17. No responses to RFQ. 8/3/17 HAB meeting to consider next steps.
City Council to involve the Harbor Advisory Board directly in the consideration and incorporation of Measure D into the General Plan and	3/2/17	Tentatively on the July 11, 2017 City Council Agenda for consideration regarding Harbor Advisory Board Request to Resolve Ambiguities regarding Measure D / Working Waterfront (HD).

Local Coastal Plan update.		7/27/17. City Council on 7/11/17 authorized PC subcommittee to jointly work with HAB ad-hoc committee on Measure D ambiguities and Working Waterfront policy language for consideration of incorporation into GP/LCP update process.
City to use a consultant to update the cost allocation plan, if feasible, if not, then direct staff to do an internal check.	6/1/17	Approved Council Goal Objective Work Plan Item – Internal “gut check” Goal 1(e).
City to share TOT, sales tax and possessory interest revenue that is collected in the Harbor fund and used for Harbor Capitol maintenance and improvements.	6/1/17	Pending.
City Council to include proposed eelgrass language into General Plan/Local Coastal Plan updates.	6/7/17	7/28/17. Consultant Anchor QEA is developing a proposal to review existing information and documentation, research typical projects that have eelgrass issues, interview NEP personnel, and meet with Eelgrass Ad-Hoc committee members to discuss Newport Beach management plan.
City Council to review the proposed outline for the eelgrass policy to decide if the elements are appropriate.	6/1/17	See above.
Incorporate Working Waterfront land area and uses into General Plan/Local Coastal Plan updates.	6/1/17	Tentatively on the July 11, 2017 City Council agenda for consideration with Measure D recommendation above.  7/27/17. City Council on 7/11/17 authorized PC subcommittee to jointly work with HAB ad-hoc committee on Measure D ambiguities and Working Waterfront policy language for consideration of incorporation into GP/LCP update process.
In General Plan/Local Coastal Plan updates, consideration be given to a list of uses provided, and that the Measure D area and its uses be incorporated into Morro Bay’s Working Waterfront.	6/1/17	Tentatively on the July 11, 2017 City Council agenda for consideration with Measure D recommendation above.  7/27/17. City Council on 7/11/17 authorized PC subcommittee to jointly work with HAB ad-hoc committee on Measure D ambiguities and Working Waterfront policy language for consideration of incorporation into GP/LCP update process.
Paid parking be established on and around the Embarcadero, and recommended list of issues to be addressed when considering establishment of same.	7/6/17	July 18, 2017 letter from HAB Chairman provided to Planning Commission and copied to City Council, Public Works Advisory Board and Community Development Director with HAB’s recommendations.



## CITY OF MORRO BAY

HARBOR DEPARTMENT  
1275 Embarcadero Road  
Morro Bay, CA 93442

### MEMO

**Date:** July 18, 2017  
**To:** City of Morro Bay Planning Commission  
**From:** City of Morro Bay Harbor Advisory Board  
**Subject:** Paid Parking in the Area of the Morro Bay Waterfront

In June 2017, the Morro Bay City Council approved the Harbor Advisory Board's 2017/2018 Work Program, based upon the Council's 2017/2018 Goals and Objectives. Item 1.d. from that Work Program states in part, " Evaluate opportunities for new or expanded revenue sources, including but not limited to: paid parking . . .".

During its regular meeting on July 6, 2017 the City of Morro Bay Harbor Advisory Board (HAB) addressed agenda item C-6, "*Consideration of Issues Regarding Paid Parking on the Embarcadero and Adjacent Vicinities*". The purpose was to identify issues for consideration regarding paid parking on and around Embarcadero, including a reason or reasons they are important, and what might be considered when evaluating them - as a starting point in the process of evaluating paid parking.

In its preparations for addressing the agenda item, the HAB reviewed a number of historic documents, the earliest dating back to the 1990's, relative to the concept of paid parking in the area of the Morro Bay waterfront. The most recent of these documents, and the apparently most comprehensive, is the *City of Morro Bay Parking Management Plan – Final: October 2007*, prepared by TPG Consulting, Inc. Other than suggesting or recommending paid parking in areas of Morro Bay's waterfront, no definitive City action to establish paid parking was found during the HAB's review of historic documents.

The fundamental question the HAB addressed was should there be paid parking on and around Embarcadero, and why or why not. **The HAB concluded that as a revenue generating concept, it is reasonable to consider establishing a paid parking plan on and around Embarcadero Road.** In coming to that conclusion, the HAB noted that numerous waterfront communities on the coast of California, communities that attract and benefit from tourism, have paid parking plans. These include but are not limited to:

Santa Cruz, Monterey, Pismo Beach, Avila Beach, Santa Barbara, Huntington Beach, etc.

Having concluded that the concept of paid parking on and around Embarcadero is reasonable, further HAB discussion identified the following related issues for further consideration:

- A paid parking plan on and around Embarcadero Road involves the City's downtown waterfront strategic plan, the City's economic strategic plan, the City's waterfront master plan, and the City's Harbor Lease Management Policy.
- Does the current parking configuration on and around Embarcadero optimize the amount of available parking, whether paid or not?
- Consideration of a paid parking plan on and around Embarcadero best includes the waterfront area between Coleman Beach, and the north portion of Tidelands Park.
- It would be necessary to balance the opportunity for revenue from paid parking with the needs of business, and with tourism activities.
- It is probable there will be continuing impacts on available parking in the downtown waterfront area from business property development between Beach Street and the south end of the business area – especially in the case of hotel development that inherits parking-in-lieu, or is granted parking-in-lieu.
- Input from the waterfront business community regarding the concept of paid parking on and around Embarcadero is necessary.
- Irrespective of paid parking on and around Embarcadero Road, how should the issue of impacts on waterfront parking by waterfront business employees be addressed? It is probable that waterfront business employees occupy significant portions of Embarcadero area parking.
- In a waterfront paid parking plan, should the Triangle Lot be specifically designated as “free parking”, and should public transportation be provided between the Triangle Lot and the downtown waterfront area? [As a side note, no cars were parked in the Triangle Lot at 11:30 AM on July 4, 2017, or at 12:30 PM on July 5, 2017]
- If paid parking is instituted, where specifically would it be located?
- If paid parking is instituted, would it be hourly or daily, and during what hours of the day would paid parking apply? The HAB discussed the possibility paid parking, if instituted, not applying after early hours in the evenings.
- If paid parking is instituted, how much are reasonable parking fees?
- If paid parking is instituted, what sort of equipment (kiosk, etc.) would be used, and what would be the means to collect the parking fees? It was noted that solar powered kiosks are commonplace in other waterfront communities, and in fact there is one such unit in Morro Bay's Tidelands Park, which according to the

Harbor Director paid for itself in short order, and is a regular contributor to revenue.

- If paid parking is instituted, would there be enforcement, and if so by whom?
- If paid parking is instituted, would there be free parking in the same area, and if so where, why, how much, and for how long?
- If paid parking is instituted, would paid permit parking be incorporated into the plan? For instance, would waterfront businesses be able to purchase a limited number of permits for their use?
- If paid parking is instituted, would free permit parking be incorporated into paid parking areas (i.e. fishermen with City slips adjacent to Embarcadero Road)?
- If paid parking is instituted, would some sort of permit be made available to Morro Bay residents, and if so, for what paid parking areas, for what period of time, and at what fee, if any?
- If paid parking is instituted, would parking-in-lieu be incorporated into the program, and if so, how?
- If an Embarcadero parking plan is instituted, clear and effective signage and directional information relative to paid and free parking would be critical to the plan's success.
- Any Embarcadero parking plan needs to incorporate ADA accessibility, and loading zone considerations.
- A Morro Bay waterfront paid parking plan could be implemented by phases. For instance, the HAB recommends immediately establishing kiosk paid parking in the City lot on the east side of Embarcadero, below DiStasio's.
- The lands west of Embarcadero Road are public trust land owned by the State of California. Those lands were granted to San Luis Obispo County, and in 1964/1965 upon its incorporation, the City of Morro Bay assumed trusteeship of those lands. Per the terms of the Tidelands Grant, these lands must be used for commerce, fisheries, navigation, recreational purposes, parklands, public access, public parking, and environmental protection or enhancement. Further, funds for the maintenance and improvement of these lands falls to leaseholders, and in the absence of leaseholders, to the City. Ongoing waterfront infrastructure maintenance and improvement is necessary for public access, and is costly. Revenues from paid parking in the area of the Embarcadero could be a significant contributor to the City's capital needs in this area.
- If a paid parking plan is instituted on and around Embarcadero Road, some significant portion of the net proceeds should be earmarked specifically for maintenance and improvement of City shoreline infrastructure along the waterfront - infrastructure that is necessary to the working waterfront, and necessary for tourist access and enjoyment.

The HAB looks forward to continued involvement in the issue of paid parking on and around Embarcadero, and to working with the Morro Bay Planning Commission and the Morro Bay Public Works Advisory Board to further develop the feasibility and desirability of this potential revenue producing concept.

cc: Mr. Eric Endersby; City of Morro Bay Harbor Department Director  
Mr. Scot Graham; City of Morro Bay Community Development Director  
Morro Bay Public Works Advisory Board  
Morro Bay City Council



AGENDA NO: C-1

MEETING DATE: August 3, 2017

## Staff Report

**TO:** Harbor Advisory Board

**DATE:** July 27, 2017

**FROM:** Eric Endersby, Harbor Director

**SUBJECT:** Update from the Marine Services Facility/Boatyard Ad-Hoc Committee on Committee's Recent Activities, and Consideration of Potential Next Steps in Facility Establishment

### **RECOMMENDATION**

Receive committee report, if any, and consider next steps in the establishment of a marine services facility/boatyard in Morro Bay.

### **BACKGROUND**

The Marine Services Facility/Boatyard Ad-Hoc Committee will be presenting an oral update on their activities, if any. This is a standing committee report agenda item.

In addition, the City Council-authorized Request for Qualifications (RFQ) for design/build/operate services for the marine services facility/boatyard issued earlier this year, and due July 14, 2017, unfortunately resulted in no submissions.

There was, however, interest from two engineering firms in the concept of the project, one of whose representatives traveled a good distance from Southern California for a site visit and meeting with staff and Ad-Hoc members. For this firm, uncertainty in City commitment to the site and project (i.e. just an empty piece of property and no infrastructure built or permitting underway) was cited as a primary reason they and likely others were unwilling to commit the substantial time, energy and funds necessary to research, create and submit a proposal.

For the second firm, lack of time in their becoming aware of the RFQ was the likely reason no response or further input or inquiries were received.

On March 8, 2016, the City Council authorized up to \$50,000 towards a full financial feasibility study.

Current Council-approved Harbor Advisory Board (HAB) Goal Objective 3(d) Work Plan Element 2 is:

*Depending on RFQ response, if any, develop and recommend to Council consideration of next steps, including, but not limited to, possible issuance of a RFP for boatyard development, or possible issuance of a RFP for financial feasibility study services.*

Prepared By: EE

Dept Review: EE

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

## **DISCUSSION**

Since the RFQ, a precursor to a Request for Proposals (RFP), did not result in any submissions, development and issuing of a RFP to build and operate a boatyard would not be a productive next step.

In following the Council goal objective, seeking a consultant to conduct a full financial feasibility study would be the next step to consider. Staff recommend the HAB consider recommendation of a financial feasibility study, and if recommended, provide any input or guidance for a RFP-seeking process, or for the study itself in terms of parameters, metrics, goals or other information. Like the RFQ, should a financial feasibility study RFP be developed, the Ad-Hoc committee would be participatory.

In addition to the study, other next steps could include seeking likely grant opportunities, attending the 2018 International Marina and Boatyard Conference, or establishing a trial run of paid vessel/RV storage in a portion of the Triangle lot to both gauge local interest and to provide seed money for a larger project and/or help pay for the feasibility study.

## **CONCLUSION**

Any recommendations from the HAB will be considered by staff and brought to the City Council for direction and next steps, as appropriate.



AGENDA NO: C-2

MEETING DATE: August 3, 2017

## Staff Report

**TO:** Harbor Advisory Board

**DATE:** July 27, 2017

**FROM:** Eric Endersby, Harbor Director

**SUBJECT:** Update from the Finance & Budget Ad-Hoc Committee on Committee's Recent Activities

### **RECOMMENDATION**

Receive and file.

### **BACKGROUND**

The Finance & Budget Ad-Hoc Committee will be presenting an oral update on their activities, if any. This is a standing committee report agenda item.

Prepared By: EE

Dept Review: EE

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_



AGENDA NO: C-3

MEETING DATE: August 3, 2017

## Staff Report

**TO:** Harbor Advisory Board

**DATE:** July 27, 2017

**FROM:** Eric Endersby, Harbor Director

**SUBJECT:** Update from the Eelgrass Ad-Hoc Committee on Committee's Recent Activities.

### **RECOMMENDATION**

Receive and file.

### **BACKGROUND**

The Eelgrass Ad-Hoc Committee will be presenting an oral update on their activities, if any. This is a standing committee report agenda item.

Prepared By: EE

Dept Review: EE

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_



AGENDA NO: C-4

MEETING DATE: August 3, 2017

## Staff Report

**TO:** Harbor Advisory Board

**DATE:** July 27, 2017

**FROM:** Eric Endersby, Harbor Director

**SUBJECT:** Update from the Marine Sanctuary Ad-Hoc Committee on Committee's Recent Activities

### RECOMMENDATION

Receive and file.

### DISCUSSION

The Marine Sanctuary Ad-Hoc Committee will be presenting an oral update on their activities, if any. This is a standing committee report agenda item.

Prepared By: EE

Dept Review: EE

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_



AGENDA NO: C-5

MEETING DATE: August 3, 2017

## Staff Report

**TO:** Harbor Advisory Board **DATE:** July 27, 2017  
**FROM:** Eric Endersby, Harbor Director  
**SUBJECT:** Update from the Working Waterfront Ad-Hoc Committee on Committee's Recent Activities

### RECOMMENDATION

Receive and file.

### BACKGROUND

The Working Waterfront Ad-Hoc Committee will be presenting an oral update on their activities, if any.

At their July 11, 2017 meeting, item C-2 on the City Council's agenda was consideration of the Harbor Advisory Board's (HAB) recommendations to resolve ambiguities in Measure D, and recommendations on the Morro Bay "Working Waterfront" initiative.

The City Council voted to approve staff's recommended approach for the Planning Commission (PC) to establish an ad-hoc or subcommittee of its own, with the two committees then working together, cognizant of the Brown Act, to develop policy language relative to the Measure D ambiguities, and to advance policy language to better define "Working Waterfront."

The committees' combined work effort for cohesive policy language will be brought to a future joint HAB/PC meeting, where further public input could be provided and where policy language would be finalized and forwarded to the General Plan Advisory Committee for inclusion in the General Plan/Local Coastal Plan/Zoning Code updates.

The PC is set to establish their committee at their August 1, 2017 meeting, after which staff and the committee chairs will work to establish a plan and schedule to accomplish their work.

Prepared By: EE

Dept Review: EE

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_



AGENDA NO: C-6

MEETING DATE: August 3, 2017

## Staff Report

**TO:** Harbor Advisory Board

**DATE:** July 27, 2017

**FROM:** Eric Endersby, Harbor Director

**SUBJECT:** Consideration of Recommended Changes to the Current Shark Sighting and Public Notification Protocol for Morro Bay

### **RECOMMENDATION**

Staff recommend the Harbor Advisory Board consider endorsing the changes in the current Morro Bay Harbor Department shark sighting/notification protocol being proposed by staff, outlined in this staff report.

### **BACKGROUND**

In August, 2003, an adult woman was attacked and killed by a Great White shark while swimming offshore Avila Beach for exercise. Prior to 2003, the last confirmed attacks by a Great White on humans in San Luis Obispo (SLO) County were in 1988; one off Montana de Oro in July, and one at Morro Rock in August. Neither resulted in injuries to the victims. The last fatal attack in this county prior to 2003 was in 1957 at Atascadero State Beach (Morro Strand) in north Morro Bay.

As a result of the 2003 Avila Beach attack, and with shark sightings in the county becoming a more regular occurrence, in 2004 the Harbor Department, working with other coastal response agencies, participated in development of a county-wide shark sighting and notification protocol. At that time, Great White shark sightings were still relatively rare, and interactions with or attacks on humans even rarer, therefore, there were few protocol models to look to. The shark sighting/incident response guidance in the current adopted San Luis Obispo County Coastal Incident Response Plan (CIRP) is included with this report as Attachment #1. In addition, the United States Lifesaving Association Position Statement on Shark Bite Prevention and Response is included with this report as Attachment #2.

Stinson Beach, on California's northern coast above San Francisco, was the only coastal community identified in 2004 with an established protocol and public notification policy. Stinson's protocol and signage, therefore, were adopted largely identically across the SLO county coastal agencies, including Morro Bay, because it was the only accepted model to follow.

In the event of a large shark sighting in Morro Bay, Morro Bay's protocol consists of:

1. An interview of the reporting party (RP) to determine whether or not the sighting was "credible."
2. For credible sightings, the SLO county Emergency Communications Center is notified with

Prepared By: EE

Dept Review: EE

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

the sighting location and details, so all county coastal agencies can enact their individual agencies' protocols.

3. Sighting advisory signs are placed for 72 hours at the primary beach access points in Morro Bay. Attachment #3 to this report is an example sign.
4. Harbor Patrol and/or Lifeguards will attempt to notify all persons currently surfing or swimming within City limits of the sighting.
5. For a sighting confirmed by another agency within the greater Estero Bay area, the same protocols above are followed.
6. In the event of a shark attack or aggressive behavior in Morro Bay, in addition to the above protocols, the water would be evacuated for a time indeterminate.

## **DISCUSSION**

These protocols were not created on any scientific basis for degree of the threat, if any, to the public. For example, the 72-hour posting has no true bearing on whether or not a shark is still in the area it was sighted, or poses any kind of threat.

In the years since 2004, the incidences of Great White shark sightings on the West Coast have increased dramatically. Experts believe this is a combination of increased Great White shark populations due to environmental changes and greater ecosystem health, more and more people in and around the water to witness them, including usage of camera drones, and the increased propensity for people to post sightings on social media. Along with the increased sightings, however, increased numbers of interactions with humans and attacks are occurring coast-wide as well. Attachment #4 to this report are "frequently asked questions" regarding Great White sharks along the West Coast developed by Chris Lowe of the Cal State University Long Beach Shark Lab.

Today, during the summer and fall in California, Great White shark sightings or incidents are practically a daily occurrence. Over the past three years in Morro Bay, we have had an average of eight sightings or incidents per year. In 2016, there were 14 confirmed sightings in Estero Bay. So far in 2017, we have had four confirmed sightings.

Much like bears in the mountains, cougars in the hills or rattlesnakes in the canyons, Great White sharks are a fact of life in California coastal waters, and people have grown to know and accept this. In addition, whether or not a shark advisory sign is posted has little bearing as to the "safety" of being in the water, and, in fact, can lead to a false sense of security or a false sense of danger for the public as the signs go down or up.

Finally, Morro Bay's current shark sighting protocol is a labor-intensive endeavor, and could have liability implications should signs not get posted in a timely manner, or be removed by the public, which occurs during every posting and must be regularly monitored.

For these reasons staff believe a more effective protocol be established whereby permanent advisory signs are posted, much like is common at nearly every State or National Park campground or trailhead for bears, cougars or other species of concern, and the 72-hour posting protocol is abandoned. In addition, our current beach information and warning signage is over ten years old and is due for updating.

Staff, therefore, recommend the HAB consider endorsing the following new protocol for shark

sightings and incidents in and around Morro Bay:

1. Permanent shark advisory signs be posted at the primary common beach access points in Morro Bay. Attachment #5 to this report is an example sign being adopted by the National Park Service nationwide.
2. An interview of the reporting party to determine whether or not the sighting was "credible."
3. For credible sightings, the SLO county Emergency Communications Center is notified with the sighting location and details, so all county coastal agencies can enact their individual agencies' protocols
4. Harbor Patrol will get underway to investigate further and patrol City beaches and/or water.
5. For a shark attack on a human (with or without injuries) or demonstrated aggressive shark behavior (such as "charging" or bumping a human or an attack on a marine mammal), in addition to the above protocols, the water within City limits will be evacuated until sunset, and the appropriate public safety and administrative agencies, with input from scientific or other expert sources, will determine the length and locales of beach closures or other measures to be taken based on the nature of the incident.

## **CONCLUSION**

Staff note the following agencies have adopted a permanent advisory sign program, with more agencies considering such a move:

Pismo Beach (Cal Fire)  
National Park Service (nationwide)

The guidance documentation in the CIRP provides for temporary or permanent signage, leaving the decision up to the agency having jurisdiction (AHJ) to best suit their needs and situation. Staff believe the protocol being proposed for Morro Bay will strike a better balance between public information and safety, and provide the necessary and better information for the public to make individual informed decisions as to whether or not they wish to enter the ocean in their preferred activities.

Any changes to the Morro Bay protocol will be reviewed by the City Attorney and City Manager for their input, with any new signage expected to be erected sometime this fall/winter. It should be noted, however, that while not binding, the guidance provided in the CIRP should form the framework under which the Morro Bay protocol is determined.

## **ATTACHMENTS**

1. Guidance for Response to Dangerous Marine Animals in San Luis Obispo Coastal Incident Response Plan
2. United States Lifesaving Association Position Statement on Shark Bite Prevention and Response
3. Current Morro Bay 72-hour advisory sign
4. Cal State Long Beach Shark Lab FAQs
5. National Park Service beach advisory and information sign

Appendix 5.7

# GUIDANCE FOR RESPONSE TO DANGEROUS MARINE ANIMALS

ORIGINAL APRIL 2004

REVISIONS March 2005, March 2010 April 2016

## PREFACE

This document provides guidance to San Luis Obispo County coastal response agencies in dealing with an incident involving a dangerous marine animal, most likely a shark. Each agency can utilize the material contained in this guidance as they see fit.

### I. PURPOSE:

The purpose of this guidance document is to provide a uniform tool for the various responders in CAL FIRE/San Luis Obispo County Fire Department and CAL FIRE/Pismo Beach Fire Department when responding to an incident involving a dangerous marine animal. This will also provide guidance to the Emergency Command Center when providing notifications to other agencies.

### II. AUTHORITY:

This guideline is consistent with, and includes excerpts from, the Guidance for Response to Dangerous Marine Animals appendix contained within the San Luis Obispo County Coastal Incident Responders Guide.

### III. SCOPE:

This policy was developed by CAL FIRE/San Luis Obispo management staff and applies to all CAL FIRE personnel, including paid, seasonal, reserve, and Paid-Call or others under their direction when responding to incidents involving Dangerous Marine Animals.

### IV. DEFINITIONS:

A. Dangerous Marine Animal (DMA) Incidents – DMA incidents include the following:

1. An injury to a person that was likely caused by a shark or other marine animal.

2. A credible report of a shark within 3 miles of the coastline
3. Closure or posting of a central coast beach due to a marine animal incident.
4. Other incident that management determines poses a significant risk to the public.

- B. Closed / Closing – Action taken by a government agency to stop the further public use of or access to a facility. This may include closing and locking buildings and gates, posting signs, and securing utilities. Visitors already using a closed facility would be given a reasonable time to leave. In addition to closing an entire facility, a specific function or use may be closed to the public while the remainder of the facility remains open. An example is the closing of a beach due to high seas while leaving the campground and hiking areas open.
- C. Evacuation – A formal order issued by a government agency to a park or recreation facility visitors directing them to leave the facility immediately.
- D. Posting – Placing signs informing the public of specified conditions.
- E. CAL FIRE Employee – Any CAL FIRE emergency responder or emergency responder under the direction of a CAL FIRE employee

#### V. GUIDELINES:

- A. Action to be taken by CAL FIRE Employees when notified of DMA or possible DMA:
1. Establish “low” or “high” credibility of sighting based on Dangerous Marine Animal Rating Sheet attached.
  2. Contact duty Battalion Chief with findings.
  3. Complete Incident Report form with time of each action.
- B. Action to be taken by ECC:
1. Code 2 assignment of closest fire resource to take report and establish credibility rating, if not yet accomplished.
  2. Advise Battalion Chief and Duty Chief.
  3. If “low” credibility rating; take no further action.
  4. If “high” credibility rating, notify jurisdiction of sighting and one jurisdiction above and below (North and South) the jurisdiction of sighting. Send an alfa page to all other coastal agencies. See notifications to be made by Emergency Command Center Checklist.
- C. Action to be taken by Battalion Chief:
1. Ensures that Dangerous Marine Animal Rating Sheet is completed and submitted.
  2. Verifies Low or High Credibility Rating from reporting party submitting form.
  3. Notifies Pismo Beach City Manager if incident is in or near Pismo Beach. Information required will be: Name and location of reporting party, time of sighting and reporting,

Credibility Rating, and Actions Taken.

4. Notifies Pismo Beach Police Department of actions taken if in or near Pismo Beach.

D. If “**low**” credibility rating is assessed, no further action is necessary.

E. If “**high**” credibility rating is assessed, personnel will:

1. Advise water users of DMA sighting.
2. Advise beach users of DMA sighting.
3. Post beach entrances with advisement of DMA as appropriate and in coordination with other Agencies having Jurisdiction. Post at sighting location and one jurisdiction above and below (North and South) of sighting location.
4. Permanent education signs may take the place of #3.
5. Continue above action for **3 days**.

## **SHARK ATTACK POLICY**

Employee, public, and victim safety are priority considerations.

A. Initial Steps:

1. Call 911 or report by radio to the ECC.
2. Do not go into the water without performing risk assessment.
3. Clear the water.

B. If the victim is inside the surf line, consider using Wade Depth Rescue, Rescue Board or RWC.

C. If the victim is outside of the surf line, consider the use of air resources or boats to assist in the identification and location of the victim and the DMA.

## VI. ATTACHMENTS:

- Attachment A – Dangerous Marine Animal Sighting Rating Sheet
- Attachment B – Notifications to be Made by Emergency Command Center Checklist
- Attachment C – Dangerous Marine Animal Attack Criteria, Notifications, & Actions
- Attachment D – Postings

## DANGEROUS MARINE ANIMAL SIGHTING RATING SHEET

Date:	Temperature	Wave Length	Weather Conditions
Time:	Air:		* Sunny
	Water:		* Cloudy
			* Foggy
Water Current	Water Conditions	Wave Type	* Windy
Direction:	* Glassy	* Spilling	* Rain
Speed:	* Choppy	* Plunging	* Glare
	* Murky	* Surging	* Shadows
	* Visibility	* Other:	* Other:
	* Other:		

Witness Name	
Age	
DOB	
Home Phone	
Cell Phone	
Address	

Witness Name	
Age	
DOB	
Home Phone	
Cell Phone	
Address	

What did you see?	Shark?          Other?
Have you ever seen a shark before?	Circle: Yes or No
Did anyone else see the shark?	Circle: Yes or No
How many sharks did you see?	
When did you see it?	Time:
What color was the shark?	
Did you see a fin?	Circle: Yes or No
How big was it?	
What did the fin look like?	Circle: Triangular or Curved
What was the fin doing?	Circle: Side/Side or Up/Down
How many fins did you see?	
Did you see a tall fin?	Circle: Yes or No

Exactly where was the shark when you saw it?	
How far was the shark from the beach?	
How deep was the water where the shark was sighted?	
Were there any people in the water near the shark?	Number:
Were there any other animals (seals, dolphins, birds, etc.) in the water near the shark?	Type and Number:
Was there anything else in the water near the shark?	Circle: Kelp, Debris, Other:
Which direction was the shark headed?	

Where were you when you saw the shark?	
What were you doing when you saw the shark?	
How often do you go to the beach?	
Were there people taking pictures or video taping in the area?	
Were there boats with people in them in the area?	

Completed by: Name: \_\_\_\_\_ Title \_\_\_\_\_  
 Call back phone: \_\_\_\_\_ Day/Date/Time \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**If credible report, and plan activated, implement Checklist 2 and fax this checklist to SLO ECC at 543-6909.**

# NOTIFICATIONS TO BE MADE BY SLO COUNTY FIRE ECC

Agency Having Jurisdiction (AHJ) will notify  
County Fire Emergency Command Center (ECC) at 805-543-4242.

## ECC NOTIFICATIONS CHECKLIST

AGENCY	PRIMARY METHOD	BACKUP METHOD	TIME CALLED
<b>*SLO County Sheriff</b>	Ringdown phone	Watch Commander: 805-781-4553	
County Fire Stations 62, 63, 64, 10, 11, 15	Commercial phone	County Fire Net radio	
Port San Luis	805-595-5400 B work hrs 805-235-2853 B off hrs	County Fire Net radio	
USCG Morro Bay	805-772-2167	310-521-3801	
CA State Parks Cambria & North	CA DPR Hearst Castle 805-927-2045	SURCOM 951-443-2964	
South of Cambria	SURCOM 951-443-2964	CA DPR Hearst Castle 805-927-2068	
Morro Bay Fire & Harbor Patrol	805-772-6225	County Fire Net radio	
Five Cities Fire	805-473-4511	County Fire Net radio	
CA State Parks Oceano Dunes	951-443-2964		
Cayucos Fire	805-995-3372	County Fire Net radio	
Cambria Fire	805-927-6240	County Fire Net radio	
Pismo Police	Ringdown phone	805-773-7022	
<b>*SLO County Duty Battalion Chiefs: Batt 1, Batt 2, Batt 6 &amp; US&amp;R</b>	Alpha page	County Fire Net radio	

**\*Mandatory notifications regardless of DMA Location**

- Make contact with one AHJ above and below (North & South) of DMA location.
- Alpha page sent to all coastal agencies.

## CRITERIA, NOTIFICATIONS, ACTIONS

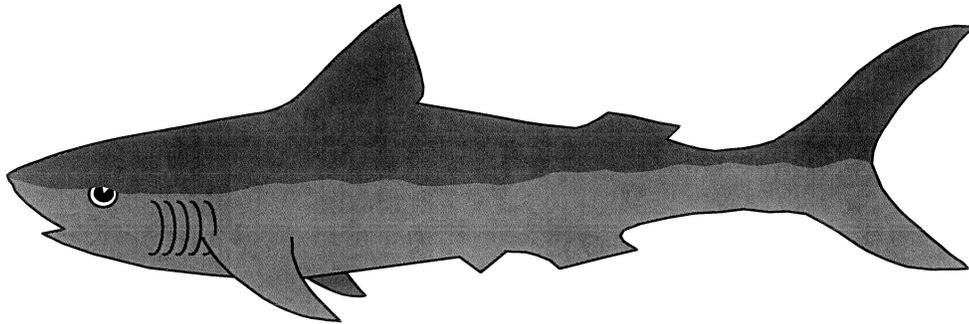
CRITERIA	NOTIFICATIONS	ACTIONS
<b>CONFIRMED ATTACK</b>	AHJ Supervisor Management Co Fire ECC  Request support  ECC All agencies on list	<b>POSTING</b> Warning sign with date of sighting Duration of posting per AHJ  <b>CLOSURE</b> Water and beach per AHJ Duration of closure per AHJ  <b>PATROL</b> Active patrol, beach & water Duration of patrol per AHJ
<b>CREDIBLE REPORT</b>  Based on first hand RP info and AHJ evaluation  Boater reports of sharks alongside boats or attacking marine mammals and/or hooked fish	AHJ Supervisor Management Co Fire ECC  ECC Agency where sighting occurred and jurisdiction above and below sighting location	<b>POSTING</b> Warning sign with date of sighting duration of posting per AHJ or permanent educating sign  <b>CLOSURE</b> None  <b>PATROL</b> Consider increased patrols
<b>NON CREDIBLE REPORT</b>  RP is vague RP info is weak Lack of confirmation Second/third-hand info	AHJ Supervisor Management  ECC None	<b>NONE</b>  No closure of water or beach No postings No patrols

**NOTES:**

- Postings will typically be left up for 3 days.
- Additional confirmed sightings/attacks will start 3-day window again
- Permanent educate sign can replace 3 day posting sign (Credible Report)
- RP = Reporting Party
- AHJ = Agency Having Jurisdiction
- ECC = Emergency Command Center

# CAUTION!

(¡PRECAUCIÓN!)



**Swim at your own risk.**

(Nade bajo su propio riesgo.)

**Keep away from marine wildlife.**

*(No se acerque a los animales marinos.)*

***CREDIBLE SIGHTING in SHELL BEACH AREA***

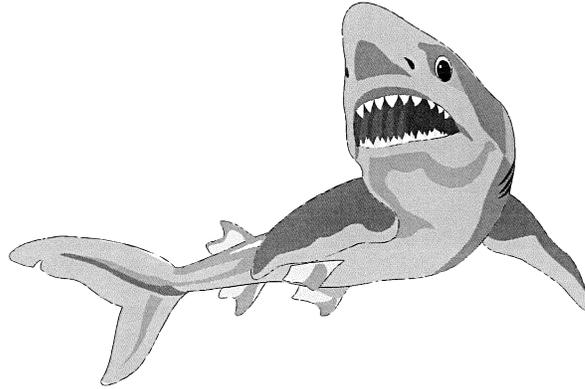
(Se ha confirmado la presencia de un tiburón)

**(SATURDAY July 9, 2005)**

**Pismo Beach Fire Department  
(Cuerpo de bomberos de Pismo Beach)**

Posted Saturday July 9, 2005

**ATTACHMENT #4 - POSTINGS**



**WARNING!**

**CONFIRMED SHARK SIGHTING**

**ENTER THE WATER AT  
YOUR OWN RISK.**

**KEEP AWAY FROM MARINE WILDLIFE.**

**Date:** \_\_\_\_\_

**Location:** \_\_\_\_\_

**Warning Expires:** \_\_\_\_\_

*LOCAL AGENCY NAME HERE*

# Beach Visitors CAUTION

## Dangerous Currents

- **RIP CURRENTS** are strong, swift moving channels of water rushing from the shore out to sea that can form anywhere.
- **RIP CURRENTS** do not pull people under, they pull them away from the shore.
- If you get caught in a rip current, do not fight it; swim parallel to the shore out of the current and then toward the shore. If you cannot escape, tread water and wave or call for help.
- **BEFORE** going in to the water, stop and ask a lifeguard about rip currents-how to recognize them and safely respond to them.



## Dangerous Marine Animal Advisory

- **Sharks & dangerous marine animals live in these waters.**
- Sharks prey on seals and other marine animals.
- Avoid swimming near seals and other marine animals.

## For Your Safety

- Hot coals burn feet, dispose of coals properly.
- Be aware of changing tides and weather conditions.
- Watch your children at all times, and keep them within easy reach.
- Stay hydrated and avoid overexposure to the sun.
- In case of emergency dial 911.



**United States Lifesaving Association  
Position Statement  
Shark Bite Prevention and Response**

**Approved by the USLA Board of Directors: May 5, 2002**

## **INTRODUCTION**

Sharks are native to the ocean, just as bears are native to the forest. They are ever-present, though rarely observed by swimmers. Far more rare than a shark sighting, is a report of a shark bite. In fact, shark bites are probably the single most unusual event threatening the safety of those involved in aquatic recreation.

Statistics compiled for the year 2000 by the United States Lifesaving Association, based on reports from 68 ocean lifeguard agencies for areas within their jurisdiction, include estimated attendance of 264,156,728 persons, provision of medical care to 236,642 persons, 70,771 lifeguard rescues from drowning, 12 drownings in areas under the immediate protection of lifeguards, 62 drownings in areas outside the protection of lifeguards, and 58 fatalities due to causes other than drowning. For the same year, at these same beach areas, the International Shark Attack File, a compilation of all known shark attacks that is administered by the American Elasmobranch Society and the Florida Museum of Natural History, recorded a total of 23 unprovoked shark bites, none of which resulted in death. For all US coastal waters in the year 2000, the International Shark Attack File reported 54 unprovoked shark bites, with one resulting in death.

These statistics make it evident that the danger of injury or death from a shark bite is far less than from drowning, near-drowning, or other beach related injuries. In fact, from 1959 – 1990, in Florida there were 313 fatalities attributed to lightning and only four attributed to sharks. Thus, in Florida the relatively death toll from lightning strikes as compared to shark bites is 78:1. Nevertheless, many people harbor a disproportionate fear of being bitten by a shark, which can sometimes rise to virtual hysteria.

Due to the level of concern surrounding shark bites, the United States Lifesaving Association has been asked by its members to promulgate recommended guidelines for shark bite prevention and for response to shark bite incidents.

## **BACKGROUND**

It is generally believed by experts that most shark bites result from *prey identification mistakes*. That is, a shark hunting its normal prey, whether fish, seal, or other food source, mistakes a human for that prey. In other cases, sharks chasing schools of fish in murky water may simply bite a human inadvertently. In the vast majority of cases, the shark bites only once, then leaves the human alone. Presumably, the shark quickly determines that the human who has been bitten is not the prey the shark was seeking and it departs.

As rare as single shark bite incidents are, a true shark attack is even more rare. For purposes of definition, we consider a *shark attack* to be an event in which the shark repeatedly bites a human or pursues a human after an initial bite. Nevertheless, there are documented cases of sharks, apparently unprovoked, repeatedly biting humans. It is unknown what may cause a shark to exhibit this behavior. Most such incidents involve ship sinkings, as was the case during World War II with the USS Indianapolis. Nevertheless, the presence of a shark or sharks which have bitten a human do present a potentially heightened hazard to persons in the water. The shark's behavior, even if inadvertent, may be repeated, or blood may attract further shark activity.

Different types of sharks in different waters may seek different types of prey, which can produce different outcomes. For example, seals are a primary food source for great white sharks off the coast of California. These sharks have been observed to kill their prey through a primary, violent bite, which results in the seal bleeding to death, after which the shark returns to eat the seal. Conversely, sharks in the Florida area are typically hunting fish, which they may consume in part or in whole in a single bite. These different circumstances may help explain why shark bites off the coast of California, while much less frequent, are more likely to result in death than are shark bites off the coast of Florida, which typically result in puncture wounds or lacerations.

The United States Lifesaving Association is unaware of any proven techniques whereby an unprotected swimming rescuer can successfully or safely intervene when a shark bites another swimmer. However, rescuers are rarely victims of shark attacks. In fact, of the 438 unprovoked shark bite incidents investigated by the International Shark Attack File that involved attempted rescue by another person, only 14 (3.2%) resulted in the rescuer being injured. Of those 14, only two (0.5%) involved injury to a beach-based rescuer who responded to assist. One of these two cases was fatal. Since most shark bites occur quickly and can cause serious, sometimes life-threatening lacerations, there is great value in the availability of trained personnel to rescue the injured swimmer, provide emergency medical care, and arrange rapid transport, after a shark bite has occurred.

## RECOMMENDATIONS

### Prevention

1. Lifeguards and lifeguard agencies should consult *The United States Lifesaving Association Manual of Open Water Lifesaving* and the International Shark Attack website (<http://www.flmnh.ufl.edu/fish/Sharks/ISAF/ISAF.htm>) for information on preventive actions that can be taken to reduce the chance of shark bites and should be prepared to inform the public of these measures.
2. Lifeguards should be trained to recognize sharks common to their area of responsibility and shark behavior that may be considered threatening.
3. When behavior of a shark or sharks appears to present an unusual hazard to swimmers, an evaluation should be made as to whether it is appropriate to warn persons involved in aquatic activity or to advise them to leave the water. In areas where shark bites are known to occur with greater frequency than normal, posted signs may be appropriate.
4. If a shark bite occurs, persons in the water in the area should be advised and encouraged to leave the water until such time that the immediate threat appears to have abated. Since

shark behavior is unpredictable, this may involve a fixed period of time or observed criteria, such as the absence of schooling fish that may have attracted shark activity. Local ordinances may require that the water be closed.

5. In the case of a shark attack, wherein the shark repeatedly bites or pursues a human, the water in the immediate area should be cleared of all swimmers and kept clear until it can be determined that the immediate threat is over. Lifeguards in adjacent areas should be notified of the attack and advised to maintain heightened vigilance.

## **Response**

6. The best protective equipment for a lifeguard attempting a rescue of a shark bite victim is an enclosed rescue boat with high gunwales. A personal watercraft may be an alternative, but most personal watercraft provide less protection to the lifeguard and may not be adequate to safely evacuate a seriously injured victim. While a rescue board or kayak may elevate the lifeguard from the water, some sharks have bitten surfers and kayakers, apparently after mistaking them for seals or sea lions. In areas where shark bites have occurred with higher than normal frequency, lifeguards should consider stationing a rescue boat in the vicinity that can allow a rapid, safe response to such incidents.
7. If a lifeguard observes a shark bite in progress, the lifeguard should immediately notify other lifeguards and determine the most appropriate course of action. This should follow the agency's overall emergency response plans and any specific plans that may exist for shark bites.
8. The United States Lifesaving Association cannot issue a blanket recommendation that that a lifeguard without protective equipment attempt to intervene during a shark bite incident, due to the potential danger. International Shark Attack File statistics however, suggest that danger to the lifeguard in an attempt to intervene is extremely limited. Moreover, in the vast majority of cases, the shark will effect a bite, then leave the victim alone, well before the lifeguard could possibly intervene. Once injury has been inflicted to the victim, heavy bleeding is likely, so rescue from the water and immediate medical aid may be essential to victim survival.
9. If a rescue boat is not available and if, as is most typically the case, the shark bite appears to be a typical single hit and run incident, and if the lifeguard considers it safe and within agency guidelines to enter the water, the lifeguard should perform a rescue and treat the wounds of the victim.
10. Once the victim has been evacuated to shore or to a rescue boat, appropriate emergency medical assistance should be provided, in accordance with the lifeguard's training. In addition to normal emergency medical priorities, particular attention should be paid to stopping bleeding and treating for shock.
11. In beach areas where shark bites have historically occurred with a frequency that is significantly higher than normal, specific policies appropriate to local conditions are recommended. These policies should be based, in part, on consultation with shark experts and local emergency medical authorities.

## **REFERENCES**

*The United States Lifesaving Association Manual of Open Water Lifesaving*

The International Shark Attack File: <http://www.flmnh.ufl.edu/fish/Sharks/ISAF/ISAF.htm>

## **CONTRIBUTORS**

Primary Author: B. Chris Brewster, Chair, USLA National Certification Committee

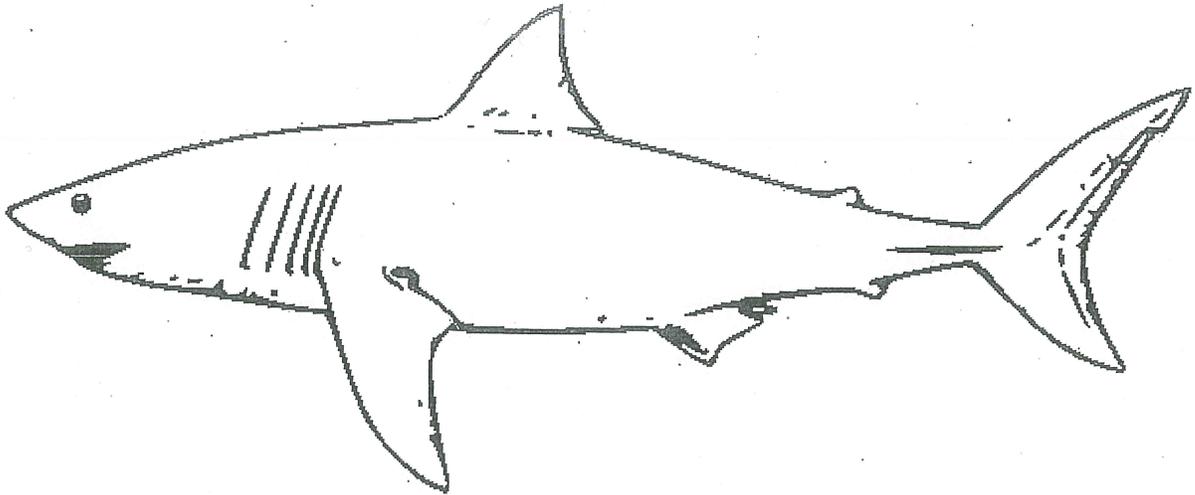
George Burgess – International Shark Attack File

Tim Gallagher – Avon-by-the-Sea, New Jersey

Rick Gould – USLA National Statistics Coordinator

Mike Hensler – Volusia County (Florida) Beach Patrol, Florida

Peter Wernicki, M.D. – USLA Medical Advisor



# WARNING

CONFIRMED SHARK SIGHTING:

JULY 24, 2017

MORRO ROCK

ENTER THE WATER AT YOUR  
OWN RISK.

KEEP AWAY FROM MARINE  
WILDLIFE.

MORRO BAY HARBOR DEPT.

Please do not remove this sign. It is a violation of the law, and may affect the public safety. Thank you.

Legal Fireworks  
in Morro Bay  
Subject to fines!



MBMC 14.08.090

**NO PARKING**  
**2:00am to 6:00am**  
M.B.M.C. 10.36.040

Mutt Mitt

Funded by Dog Owners like you  
Donate: [www.mbnap.org/muttmitts](http://www.mbnap.org/muttmitts)  
805-778-3834  
Morro Bay Mutt Mitt Program  
MBNEP/My Foundation 521 Encinitas, Ste. 11

Degradable Dog Poop Mitt

**BEACH INFORMATION**  
MORRO ROCK ACCESS

- Dogs Must be on Leash
- Camping Prohibited
- No Vehicles on Beach
- No Smoking on Beach
- Campfires in Designated Containers Only

ADDITIONAL INFORMATION: CONTACT MORRO BAY HARBOR PATROL  
805-772-6254 OR MORRO BAY POLICE DEPT. 805-772-6225.  
M.B.M.C 10.28, 8.24, 7.08, 9.24

**WARNING**  
For your safety be aware of Beach & Ocean Hazards  
Enter water at your own risk.

- Dangerous Surf & Rip Currents
- High Waves Sweep over Rocks, Jetties, Sand & Previously Dry Area Without Notice.
- NEVER Turn your Back on the Ocean
- Keep Away From Marine Wildlife

**Emergency - Dial 911**  
Morro Bay Mun. Code 10.28, 8.24, 7.08

**WARNING**  
CONFIRMED SHARK SIGHTING:  
JULY 24 2017  
MORRO ROCK  
ENTER THE WATER AT YOUR OWN RISK  
KEEP AWAY FROM MARINE WILDLIFE  
MORRO BAY HARBOR DEPT.  
Please do not approach this sign. It is a violation of the law and may affect the public safety. Thank you.



**Sharks**  
**Frequently Asked Questions**  
 (Vetted by Dr. Chris Lowe of CSU Long Beach Shark Lab 2015)

**1. Why are there so many more great white sharks this year?**

The great white shark population in California, along with other large marine predators, is in a state of growth. The Clean Air and Clean Water Act(s), bans on nearshore gillnetting, and better fisheries regulations have all contributed to this growth. Whale populations are increasing at a rate of 10% a year in California and Sea Lions at 6.5%. It follows that as fish populations increase, predatory animals would increase as well.

Additionally, with the extremely warm water (El Nino conditions) for the past two years, we have also been seeing an abundance of wildlife in the inshore coastal areas. While much of our normal bait fishes and squid have moved offshore or further north, southern species of prey such as pelagic red crabs have been dominant these last two years. Behind these schools are larger fish species such as tuna, marlin, wahoo, mahi and yellow tail. At the top of the food chain is the great white shark – the “apex predator.”

**2. When white sharks breach, is that a sign of aggression?**

Great white sharks breach for several reasons; adult white sharks in certain regions will breach while chasing fast prey like fur seals. However, it is unclear why the baby and juvenile white sharks jump. One possibility might be to try to rid themselves of skin parasites.

Experts don't believe white shark breaching to be an aggressive behavior displayed towards humans (such as a rattle snake rattling their tail or a dog growling and bearing their teeth). So long as they are not breaching on people, they aren't considered signs of aggression towards humans.

**3. “Experts” keep saying that juvenile great white sharks primarily feed on small fish, stingrays, and squid, and therefore, pose minimal threat to human unless provoked. They also say that at around 9-10', they start eating sea lions and can become more dangerous to humans. Here are some questions related to these comments:**

**a. *Do all sharks mature at the same rate? What about a very mature 7' shark? Is it dangerous?***

No, not all sharks mature at the same rate. Male white sharks mature at smaller sizes and younger ages than females. I'm sure there is variation in development with great white sharks, just as there is in most species. The bottom line is they are

predators and should be respected as such; however, they are not mindless eating machines. As such, we find a global trend that sharks less than eight feet tend to hunt fish, while sharks above eight feet tend to transition towards marine mammals (where humans are thought to be occasionally mistaken). Could an unprovoked seven foot shark bite a human? Yes, it is possible but statistically improbable.

***b. What about the hooked “juvenile” in Manhattan Beach last year that bit the swimmer?***

The hooked shark did not seek out the swimmer, but rather, while hooked, the swimmer unfortunately swam into the struggling animal. This was a series of unfortunate events, but not an unprovoked shark attack.

***c. Are there ever attacks on humans by juveniles? Have any of these occurred in Orange County?***

There has never been a documented attack on a human by a juvenile white shark in Orange County. There have been frequent sightings of sharks in both North and South Orange County water's. Despite this, there haven't been any incidents.

**3. Since the population of white sharks seems to be growing, should I be concerned about my safety in the ocean?**

We can't predict how shark behavior will change as the population continues to grow; however, it is unlikely to significantly increase human risk. Approximately 40 million people enter the waters of Orange County annually without incident. The numbers are looking good NOT to have a shark incident.

**4. How can I reduce my chances of encountering a shark?**

Avoid swimming in low light conditions such as sunrise and sunset, avoid swimming in low visibility water, swimming alone, and avoid swimming near established seal colonies or through large schools of fish.

**5. If I do encounter one, what should I do?**

Remain calm, keep a visual on the shark, make yourself or your group look big and attempt to remove yourself from the water. If the shark comes in for a close investigation or bump try to put something between yourself and the animal and push back.

Cape Cod National Seashore

National Park Service  
U.S. Department of the Interior

# SWIMMERS AND CAUTION WADERS

## DANGEROUS CURRENTS

**RIP CURRENTS** are strong, swift-moving channels of water rushing from the shore out to sea that can form anywhere. Look for foamy, sandy, choppy water, or water traveling seaward through an area of little wave activity. People entering shallow water can be caught in rip currents and quickly pulled out into deep water.

### IF YOU ARE CAUGHT IN A RIP CURRENT:

- > Stay calm. > Swim parallel to the beach until you are out of the current, then swim toward shore with incoming waves. > If you need assistance, wave your arms and yell for help.



## SHARK ADVISORY

**Great white sharks live in these waters.**

Sharks prey on seals. Avoid swimming near seals.



## FOR YOUR SAFETY

- > Sand collapses easily. Do not climb slopes or dig holes deeper than knee level.
- > Be aware of changing tides and weather conditions.
- > Watch your children at all times, and keep them within easy reach.
- > Stay hydrated and avoid overexposure to the sun.
- > Notify lifeguards in case of emergency.

## BEACH RULES

- > Fires require a permit.
- > Pets must be on a leash. Pet closures may be in effect to protect shorebirds.
- > Metal detectors are prohibited.
- > Saltwater fishing requires a license.
- > Camping is not permitted.
- > Leave no trace -- carry out what you bring.

## RESOURCE PROTECTION

**WE SHARE THE BEACH** with birds and other wildlife that depend on this undeveloped shoreline for feeding, rest, and reproduction. Watch birds from a distance and follow regulations about dogs and kites. Keep wildlife wild by not feeding, and by removing food trash that attracts predators.



AGENDA NO: C-7

MEETING DATE: August 3, 2017

## Staff Report

**TO:** Harbor Advisory Board

**DATE:** July 27, 2017

**FROM:** Eric Endersby, Harbor Director

**SUBJECT:** Harbor Advisory Board Work Program for City Council Goals and Objectives Spreadsheet Matrix Update

### **RECOMMENDATION**

Staff recommend the Harbor Advisory Board consider the proposed update to the 2017/2018 Harbor Advisory Board Work Program spreadsheet matrix for agenda and work planning purposes.

### **BACKGROUND**

On June 27, 2017, the City Council approved the final Harbor Advisory Board (HAB) Work Program for City Council 2017/2018 Goals and Objectives. A spreadsheet matrix for the work program includes the goal objectives, work plan elements to achieve the objectives, the fiscal year quarter in which HAB review or consideration of the elements is expected, and a status of each item.

### **DISCUSSION & CONCLUSION**

As the HAB member responsible for setting the agenda, for agenda planning purposes Chairman Reisner has updated the quarter review column of the spreadsheet and added a "responsible party" column to better delineate responsibilities.

Chairman Reisner is requesting HAB review, input and approval of the updated spreadsheet, included with this staff report as Attachment #1.

### **ATTACHMENTS**

1. Updated HAB Goal Objective Work Program spreadsheet.

Prepared By: EE

Dept Review: EE

City Manager Review: \_\_\_\_\_

City Attorney Review: \_\_\_\_\_

Item	Description (Revised 7-27-17)	Expected HAB Action (by fiscal year quarter)	Status / HAB Recommendation	Responsible Party
<b>Harbor Advisory Board Work Program for City Council 2017/18 Goals &amp; Objectives</b>				
updated from City Council input on 4/11/17, HAB input on 5/4/17, and City Council input on 6/13/17				
<b>GOALS</b>				
<b>Goal 1</b>	<b>Achieve Economic and Fiscal Sustainability</b>	N/A		
<b>b.</b>	<b>Pursue opportunities and relationships that are likely to result in the revitalization and redevelopment of important properties including the Morro Bay Power Plant, the existing wastewater treatment plant site, Morro Bay Elementary School, and the Morro Bay Aquarium lease site. Take proactive action to facilitate the revitalization of underused and vacant parcels in all commercial districts.</b>			
	WPE1 - Aquarium. Harbor staff and HAB provide input and guidance to Central Coast Aquarium, Community Development, Planning Commission and City Council on aquarium's redevelopment proposal during proposal development and review for Concept approval.	As-Required		Staff & HAB
	WPE3 - Morro Bay Power Plant. Harbor staff and HAB review and recommend to PC/Council on development proposals during review by PC/Council for Concept approval.	As-Required		Staff & HAB
	WPE4 - WWTP Site. Harbor staff and HAB review and recommendations to PC/Council on development proposals relative to land use during review by PC/Council for Concept approval.	As-Required		Staff & HAB
	WPE5 - Eelgrass. Continue eelgrass Ad-Hoc Committee work into research on eelgrass mitigation alternatives, potential State and Federal regulatory paths forward, including robust engagement with MBNEP, and consideration of hiring a consultant to facilitate the process.	Q1-4	This issue is on current HAB goal work plan list, and should continue under the banner of this goal objective since the presence of eelgrass and the current "unfriendly" eelgrass regulatory mitigation policy is a damper on waterfront development/redevelopment.	Eelgrass Ad Hoc Com.
	WPE8 - Eelgrass. Develop Morro Bay Eelgrass Mitigation Policy for State and Federal regulatory approval contingent upon outcome of WPE5.	Q1-3		Eelgrass Ad Hoc Com.
	WPE9 - Complete License Agreement and MOU update with the Central Coast Maritime Museum for museum establishment in the Triangle Lot per current efforts.	Q1 (License Agreement), Q2 MO	Currently underway. Final draft of License Agreement in CCMMA's hands for their approval.	HAB
<b>d.</b>	<b>Evaluate opportunities for new or expanded revenue sources, including, but not limited to: paid parking, marijuana associated revenues, other tax measures, and a review of City fees.</b>	N/A		
	WPE1 - Participate in the research and bring to Council for consideration establishment of paid parking on and around the Embarcadero.	Q1		HAB

	WPE2 - Research and bring to Council for consideration moving for-profit events and activities from the Public Area Use Permit process (no revenue generation) to a License Agreement process (with revenue generation).	Q2		HAB
	WPE3 - Research and bring to Council for consideration concessionaire contracts for food truck and/or other basic beach need sales/rentals at the Rock parking lot and/or other City locations during special events.	Q2		HAB
	WPE4 - Research and bring to Council for consideration establishment of License Agreements with base and/or percent rents for various for-profit business operations being conducted on the Bay that are not currently operating as an approved lease or sublease from a lease site.	Q2		Staff & HAB
	WPE5 - Research and bring to Council for consideration slip, pier and dock fees (or metering mechanism) to fully recover the amounts spent by the City for electrical and water usage on various pier and dock facilities.	Q3		Staff & HAB
	WPE6 - Research and bring to Council for consideration fee-based RV and/or boat/trailer storage parking in a portion of the Triangle Lot until some permanent use is allocated to that location.	Q1		Staff & HAB
	WPE7 - Research and bring to Council for consideration establishment of a concert venue in the Triangle Lot.	Q3		Staff & HAB
	WPE8 - Research and bring to Council for consideration production of more drive/walk-in movie nights at the Rock and/or Tidelands.	Q1 and Q4		HAB
	WPE9 - Research and bring to Council for consideration a waterfront leaseholder incentive to obtain more years on the term of their leases in exchange for paying more base and/or percent rents.	Q1		Staff & HAB
	WPE10 - Research and bring to Council for consideration a waterfront leaseholder incentive to obtain more years on the term of their leases in exchange for diversifying the caliber or type products or services they sell to types that are lacking/needed in the area.	Q1		Staff & HAB
	WPE11 - Seek and establish a more effective harbor-related grant-seeking process.	Q1		Staff & HAB
	WPE12 - Research, work with State Parks and bring to Council for consideration revising the State Park Marina Operating Agreement to allow the City to take over direct operations of the marina to maximize revenue collection to put toward dredging and redevelopment.	Q2		Staff & HAB
	WPE13 - Research full GIS mapping of the City's two mooring fields in order to achieve maximum utilization of space, to determine if new moorings can be established.	Q2		Staff & HAB
<b>e.</b>	<b>Considering Council direction to identify no less than \$400K of cost reductions across FY19 and FY20, develop a cost control and reduction plan to achieve these cuts, including a complete review of staffing levels and non-labor costs in all departments.</b>		HAB would like Council clarification how this objective will affect the Harbor Department since the enterprise funds are not a part of the \$400K cost reduction equation?	HAB
	WPE1 - Perform a department "gut-check" of the current cost allocation plan for accuracy.	Q2		Staff & HAB
<b>Goal 3</b>	<b>Improve Infrastructure and Public Spaces</b>	N/A		

<b>b.</b>	<b>Bring to Council for information, consideration and possible implementation, a review of circulation and parking management plans and options in the downtown and waterfront districts.</b>			
	WPE1 - HAB review and provide input on proposed management plans and options as they relate to the waterfront.	As-Required		Staff & HAB
<b>d.</b>	<b>Complete the approved RFQ process for a marine services facility (boatyard) and bring to Council for information and consideration of next steps prior to any decision on feasibility study.</b>			
	WPE1 - With Boatyard Ad-Hoc committee participation, review responses to RFQ and evaluate.	Q1	RFQ process currently underway; deadline for submission was July 14, 2017.	Staff & Marine Services AD HOC Com.
	WPE2 - Depending on RFQ response, if any, develop and recommend to Council consideration of next steps, including, but not limited to, possible issuance of an RFP for boatyard development, or possible issuance of a RFP for financial feasibility study services.	Q1		Staff & Marine Services AD HOC Com.
<b>e.</b>	<b>Inventory, evaluate and refresh existing programs for volunteer groups to assist in providing routine maintenance in the City (such a adopt-a-park programs), while soliciting and facilitating additional volunteer group support for routine maintenance (such as park beautification) and small capital projects (such as park bathroom reconstruction).</b>			
	WPE1 - Identify facilities in need or opportunities for participation and/or projects, and identify groups or organizations likely or willing to adopt or take on projects in/on waterfront facilities.	Q1		Staff & HAB
<b>Goal 4</b>	<b>Review and Update Significant Land Use Plans</b>			
<b>a.</b>	<b>Complete the GP/LCP rewrite no later than August 2018.</b>			
	WPE1 - HAB Working Waterfront Ad-Hoc committee to develop a "Working Waterfront" mission statement or policy for incorporation into the GP/LCP.	Q1		Working Waterfront Ad Hoc Com.
	WPE2 - HAB Working Waterfront Ad-Hoc committee to work with staff, consultants and GPAC to provide input and review relative to clarification of Measure D and incorporation of clarifications into the GP/LCP.	As-Required		Working Waterfront Ad Hoc Com.
<b>d.</b>	<b>Bring to Council for consideration the results of Code Enforcement outreach on existing codes related to fences and hedges, and boat, RV and trailer parking/storage on City streets and neighborhoods to determine whether to keep, or modify, related existing ordinances.</b>			Staff & HAB
	WPE1 - Provide venue to take public input and make HAB recommendations for Council consideration regarding boat and boat/trailer parking and storage.	As-Required		Staff & HAB
	<b>The following items were added by City Council 6/13/17:</b>			
	Review on an annual basis in segments, all waterfront lease sites for conformity to contractual agreements for building use, maintenance, signage, access, safety, with 100% of all lease sites to be reviewed in 3-year period.	Ongoing		Staff & HAB
	Review and submit to Council, capital improvement projects for FY 2018/19 budget study session	Q2		Staff & HAB