

MEMORANDUM

Date: June 06, 2024

Subject: Surfers Beach Project Permitting Process Overview

1. Introduction:

The purpose of this memo is to provide an update on the status of the permitting process for the proposed Surfers Beach Pilot Restoration Project (Project).

Brief Project Background:

The Project is being led by the San Mateo County Harbor District (District) and planning has been underway since 2017. The project area is located inside and adjacent to Pillar Point Harbor (Harbor or PPH) in San Mateo County. The overall goal for the proposed Project is to address the significantly accelerated coastal erosion rates that have occurred on the beaches adjacent to the Harbor due to the construction of the East Breakwater approximately 60 years ago and address the severe shoaling that has occurred inside the Harbor since the outer breakwaters were constructed.

The project involves dredging up to 100,000-cubic yards of clean sand along the Harbor's East Breakwater and near the Boat Launch Ramps and using that sand to restore a previously existing beach through construction of an elevated berm along a ~1,000-foot-long section of shoreline at Surfers Beach. The project also will mitigate for current and future damages to eelgrass by creating new eelgrass habitat and relocating eelgrass within the harbor to improve conditions for fish and wildlife species. For more background information see: <https://www.smharbor.com/surfers-beach-pilot-restoration-project-schedule>.

Project Schedule:

Permitting has been challenging for numerous reasons, including endangered species and sensitive habitats in the construction areas and agency staffing limitations. Due to the delays in the availability of permits it was not possible to initiate construction in summer 2024 as previously planned. Construction is currently being planned for late Spring/Summer 2025.

2. Permitting Overview and Update:

The permit application review and agency consultation phase of Project planning began in late 2021 when the initial proposed *PPH Harbor-wide Eelgrass Mitigation and Management Plan* and a CEQA Initial Study-Mitigated Negative Declaration were finalized. Initial permit applications were submitted in February 2022.

The District and consultants have coordinated extensively with permitting agencies, beginning many years before permit applications were submitted and continuing through the current permit application review and agency consultation phase of project planning. This includes

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more than 60 meetings, workshops, and site visits (as detailed below) with the following agencies and jurisdictions:

- Monterey Bay National Marine Sanctuary (MBNMS)
- Greater Farallones National Marine Sanctuary (GFNMS) and Greater Farallones Association
- California Coastal Commission (CCC)
- San Francisco Bay Regional Water Quality Control Board (RWQCB)
- California Department of Fish and Wildlife (CDFW)
- Caltrans
- U.S. Environmental Protection Agency (EPA)
- Army Corps of Engineers (USACE, Corps)
- US Fish and Wildlife Service (USFWS)
- NOAA's National Marine Fisheries Service (NMFS)
- City of Half Moon Bay
- San Mateo County

The District and consultants have closely coordinated with all agencies and responded promptly to all requests for information. All agencies were regularly made aware of the proposed construction timelines and the need to obtain permits in a timely manner to avoid delaying the project further. See agency by agency updates below for additional details of permitting status.

Most permit applications were submitted almost 2.5 years ago in February 2022, after several years of planning and meeting with agency staff to discuss permitting requirements and project details. The two exceptions were applications to Regional Water Quality Control Board for a Section 401 Water Quality Certification and Caltrans for an encroachment permit, which required more advanced project plans and details before submitting to these agencies for approval. Once all permits are approved, the District can put the project out to bid.

One of the major reasons for the recent permitting delays is the presence of eelgrass beds in the proposed dredging areas (see eelgrass overview below) and the need to mitigate for those losses by transplanting that eelgrass to an area on the other side of the Harbor near the elbow of the west breakwater. The District coordinated closely with staff from all agencies that review/approve the eelgrass mitigation, including more than 10 meetings and site visits during the development of the initial *PPH Harbor-Wide Eelgrass Mitigation and Management Plan* (July 2020). During this time agency staff involved in those meetings agreed that the proposed July 2020 plan would meet all mitigation requirements. However, after the permit applications were submitted, during the formal consultation process for the USACE permitting process along with the proposed eelgrass mitigation plan, staff from CDFW and NMFS raised concerns about the proposed mitigation, in February 2023, that were not previously voiced. This caused significant unexpected delay, requiring numerous additional meetings and a re-writing of the Eelgrass Mitigation Plan and construction plans. Agencies finally approved the revised eelgrass

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mitigation plans and NMFS finalized its formal consultation with USACE and issued a Biological Opinion on February 26, 2024.

A summary of the status with each agency's permit is below:

California Coastal Commission — Consolidated Coastal Development Permit

STATUS: Approved September 2023

Staff Point of Contact: Isobel Cooper (415) 904-5260; isobel.cooper@coastal.ca.gov

After a complex review process the Coastal Commission unanimously approved their Coastal Development Permit for the project at their September 06, 2023, hearing. Coastal Commission staff submitted numerous requests for information throughout the review process and the District was required to complete numerous additional studies and surveys to address CCC concerns regarding biological impacts.

During their application review process, CCC staff sent 3 filing letters to the District, on 9/21/2022, 11/22/23, and 4/21/23, requesting clarifications, additional information, and supplemental studies/analyses. In response to each, the District replied with a letter and all requested information including: a detailed Parcel Analysis and property tax bills for all District parcels; updated dredge/fill volumes; updated Stakeholder Contact List; Assessment of Sea Level Rise, Erosion, and Flooding at Surfers Beach; Surfers Beach Pilot Restoration Project Special Status Habitat and Species Analysis – supplemental assessment and update; Memo on Noise Levels from Beach Nourishment Activities, and; Surfers Beach and Eelgrass Mitigation Site Plans.

This permit is a Consolidated CDP, which means that the *City of HMB* and *County of San Mateo*, who also have jurisdiction and own land within the project footprint, were required to approve the project and send a Letter of Agreement that the Coastal Commission would be the agency that reviews the project and issues the *Coastal Development Permit (CDP)* for the Project.

The special conditions in the CDP include “Prior to Issuance” conditions that require certain actions before the CCC can issue a *Notice to Proceed* with project construction. These include submission of a Construction Plan (developed by the approved contractor), evidence that all required permits have been received, and completion of several pre-construction biological surveys.

Army Corps of Engineers/National Marine Fisheries Service/US Fish and Wildlife Service — Section 304/10 Permit and Endangered Species Act Consultations

STATUS: Application Review, Consultations, and NEPA Analysis Completed. Final permit approval pending upon completion of RWQCB permitting process.

Staff Point of Contact: Jessica Vargas (415) 254-3328; Jessica.M.Vargas@usace.army.mil

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USACE staff requested additional information early on during the application review process, which the District provided. On September 9, 2022 USACE and EPA staff informed the District of the need to either conduct additional *sediment sampling and chemistry analysis* or prepare a *Tier 1 Exemption Request Memo* that includes a detailed assessment of prior sediment testing results in Pillar Point Harbor and information on all reported spill incidents in the Harbor since 2016. If the memo could provide evidence that the sediment in the dredging areas is clean and suitable for beach placement then chemistry analysis would not be required. The District compiled these data and submitted the initial draft memo on 11/01/22. This request was submitted and approved in early January 2023. EPA and Corps staff requested an updated Tier 1 Exemption Memo on March 1, 2024, and it was prepared and submitted by District on March 6th.

Consultation, pursuant to the *Endangered Species Act (ESA)*, between USACE and National Marine Fisheries Service is a requirement for approval of the Corps' permit. Some delays in the Army Corps permit review process were due to this consultation process with NMFS, which involved approval of the proposed Eelgrass Mitigation Plan (see *Permitting Overview and Update Section* above). The District was notified of NMFS concerns, with initial comments received on 2/06/2023. Numerous meetings and discussions between District consultants and NMFS, USACE, CDFW, and CCC continued until the end of 2023. During that process NMFS provided a memo to the District with recommendations for a revised eelgrass mitigation approach on 4/24/2023 and another updated version of the memo on 7/18/2023. During this consultation process District consultants responded to numerous requests for information on construction methodologies and other project details. This resulted in several updated versions of the eelgrass mitigation conceptual plans to address design changes that were requested by NMFS. Each of these modifications to the plans required significant effort including time and input from eelgrass biologists and engineers, etc. Following approval of the proposed mitigation plans, ESA engineers developed the draft Final CAD Plans for the eelgrass mitigation project in the west basin of the harbor. NMFS and the other agencies approved the revised eelgrass mitigation plans and NMFS finalized its *Formal Consultation* with USACE and issued a *Biological Opinion* on February 26, 2024. In addition to eelgrass habitat, other issues of concern addressed in the Biological Opinion included black abalone, steelhead, green sturgeon, coho salmon, and sunflower sea star.

Under the ESA, U.S. Fish and Wildlife Service also is required to consult with USACE prior to the Corps' permit. USFWS completed their review and consultation with USACE in December 2022.

MBNMS/GFNMS — National Marine Sanctuaries Permit

STATUS: Application review mostly completed. Final permit approval pending upon Sanctuary review of Army Corps final permit documents.

Staff Point of Contact: Lilli Ferguson (415) 530-5367, Lilli.Ferguson@noaa.gov

Surfers Beach sand placement area is within MBNMS and requires a permit, however the project activities inside the harbor do not (e.g. dredging, eelgrass mitigation, etc.). The original

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permit application was submitted in February 2022 and an updated application was re-submitted in March 2023, upon request of GFNMS.

GFNMS staff have sent numerous requests for detailed information during 2023, which the District responded to promptly. We have communicated regularly with GFNMS and other agencies of the need to put the project out to bid ASAP and requested an estimated time limit for approval of the permit. However, GFNMS staff were not able to provide information about the specific permitting timeline and provided the following response to a request for information on the timeline: *“we are not able to give an estimated date that it may be issued at this time, as that relates to continued processing and review, our staff's overall workloads, priorities, Congressional budgeting for our agency, etc.”* More recently, GFNMS Permitting Coordinator stated that the sanctuary is not able to issue their permit until staff has had a chance to review the Army Corps' final permit documents.

After submitting the original permit application in February 2022, GFNMS staff first reached out to the District with a request for information on 11/28/2022 and the District replied on the same day. Additional requests for information were received on: 3/10/2023 (District replied 3/13/23); 5/05/2023 (District Replied 5/09/23 and 5/11/23 with additional figures and info); 7/11/2023 (District replied 7/13/23); 7/13/2023 (District replied 7/13/23); 10/04/2023 (District replied 10/13/2023); 11/14/2023 (District replied 11/15/23 and 11/16/23); 12/13/2023 (District responded 12/21/23). The most recent GFNMS request for information was received on 1/22/2024 and the District responded the same day.

RWQCB Permit — Clean Water Act, Section 401 Water Quality Certification

STATUS: Undergoing final management review (as of 5/29/24)

Staff Point of Contact: Tahsa Sturgis (510) 622-2316, Tahsa.Sturgis@Waterboards.ca.gov

This permit application required the final Eelgrass Mitigation Plans to be complete and submission was therefore delayed until NMFS/CDFW approval of the mitigation plan. The permit application was first submitted in October 2022 but was returned on 4/14/23, deemed incomplete due to lack of eelgrass mitigation plans and Final CEQA document. A new application was again submitted on 2/05/2024 (with updated permit attachments), along with payment of the permit fee, following completion of a *CEQA Notice of Determination*, agency approval of the eelgrass mitigation plans and preparation of final CAD engineering design plans. On 4/09/24, RWQCB staff informed the District that we needed to re-submit the application once again. The District re-signed and submitted the application a third time. RWQCB staff notified District consultant on May 29 that the application was under review by management and expected that the permit would be signed during the week of June 3rd. Once the permit is signed then Army Corps can issue their permit then GFNMS assumedly will review the Corps' permit and sign off on the National Marine Sanctuaries Permit.

Caltrans — Encroachment Permit

STATUS: Approved

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Staff Point of Contact: Gagandeep Purewal (510) 414-9780, Gagandeep.K.Purewal@dot.ca.gov

This permit application was submitted, along with detailed figures showing Caltrans Right of Way and project areas, on August 14, 2023. Permit was issued on October 3, 2023 and received by District on February 28, 2024.

List of Permitting Meetings Held (partial list):

Pre-Application-Submittal Permitting Meetings

- 1) 7/5/17 – Meeting with Greater Farallones National Marine Sanctuary (GFNMS) Permitting Coordinator to discuss the proposed Pilot Project and how Monterey Bay National Marine Sanctuary (MBNMS) regulations and permitting may or may not allow for implementation of the project.
- 2) 7/13/17 – Initial meeting with U.S. Army Corps of Engineers, SF District_(Corps, USACE) to discuss the proposed Pilot Project and Corps involvement in permitting, review and project planning.
- 3) 7/13/17 – Meeting with California State Lands Commission (CSLC) staff to discuss proposed project details and land ownership and determined that the project does not require a Mineral Extraction Lease or any other form of approval from CSLC, since all project parcels are owned by San Mateo County Harbor District (District).
- 4) 7/15/17 – Meeting with GFNMS Permitting Coordinator and Coastal Scientist to discuss options for construction methodologies and permitting feasibility under then existing regulations.
- 5) 7/20/17 – Initial meeting with U.S. Environmental Protection Agency (EPA) staff to discuss Surfers Beach Pilot Project plans and sediment sampling and analysis requirements for the project.
- 6) July, 2017 – Initial meeting with San Francisco Regional Water Quality Control Board (RWQCB, WaterBoard) staff to discuss the proposed Pilot Project and RWQCB permitting and review process.
- 7) 8/16/17 - Provided presentation about the Surfers Beach Pilot Project and participated in a MBNMS/GFNMS Sanctuary Advisory Council workshop on beach nourishment on 8/16/17.
- 8) 8/21/17 – Initial meeting with California Coastal Commission (CCC) Senior Engineer and Coastal Planner to discuss the proposed Surfers Beach Pilot Project and the CCC's review and permitting process.

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- 9) 8/29/17 – Initial meeting with San Mateo County Public Works and Planning staff to provide details about the proposed project and discuss the county’s involvement in project planning, permitting, and review.
- 10) 9/21/17 – Initial meeting with California Department of Fish and Wildlife (CDFW) staff to discuss the proposed pilot project, solicit input on potential issues of concern, and discuss CDFW’s role in permitting and review of project plans.
- 11) 11/9/17 – Meeting with Monterey Bay National Marine Sanctuary (MBNMS) and GFNMS staff to discuss status of the project planning and a letter that the District sent to the GFNMS and MBNMS Superintendents about the Surfers Beach project and how the MBNMS regulations will apply.
- 12) 11/14/17 – Meeting with U.S. Environmental Protection Agency (EPA) staff to discuss the requirements for and details of the sediment sampling and analysis for the pilot project.
- 13) 11/17/17 – Meeting with Army Corps of Engineers staff to discuss potential collaboration and support from the Corps on developing project designs for Surfers Beach.
- 14) Consultant Damitz and Moren attended a MBNMS Advisory Council meeting discussion in Monterey on beach nourishment and the Surfers Beach pilot project, on 12/15/17. Provided comments encouraging the Council to adopt an “interpretive rulemaking” option to allow for placement of clean sand within MBNMS boundaries as part of the pilot project at Surfers Beach. Answered questions about the project from Council members.
- 15) 1/4/18 – Meeting with GFNMS Permitting Coordinator to discuss the MBNMS/GFNMS’ assessment of options for “dredge disposal” regulation and implications for permitting of the pilot project.
- 16) 1/31/18 – Meeting with City of Half Moon Bay (HMB) Public Works Director and City Engineer to provide an overview of the project and answer questions; discuss the city of HMB’s involvement in the project, participation in the TAG and permitting process.
- 17) 2/01/18 – Meeting with GFNMS Permitting Coordinator to discuss the status of the MBNMS/GFNMS’ evaluation of their current regulations pertaining to disposal of “dredged material” and how the results of this process will affect the Surfers Beach Pilot.
- 18) 2/09/18 – Meeting with GFNMS Superintendent and Permitting Coordinator to discuss the sanctuary’s responses to the questions about the permitting process raised in the District’s letter.

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- 19) 2/26/18 – Multi-Agency Permitting Workshop and Site Visit. Fourteen individuals from local, state and federal agencies and local municipalities participated in this workshop to discuss design options and permitting considerations.
- 20) 3/7/18 – Call with GFNMS Permitting Coordinator to discuss the proposed project and follow up on specific action items after the permitting workshop.
- 21) 7/24/18 – Meeting with GFNMS and Army Corps of Engineers (USACE, Corps) staff to discuss various Surfers Beach project design scenarios for the purposes of modeling to inform project planning.
- 22) 9/19/18 – Meeting with USACE and GFNMS staff to discuss potential biological monitoring requirements for the Pilot Project.
- 23) 11/05/18 – Call with US EPA staff to discuss sediment sampling and analysis requirements for the project.
- 24) 11/09/18 – Meeting with California Department of Fish and Wildlife (CDFW) staff. Discussed potential ecological impacts of various project design alternatives, and biological monitoring.
- 25) 1/31/19 – Multi-Agency Meeting and Site Visit including 14 staff from Coastal Commission, National Marine Fisheries Service (NMFS), and CDFW. The purpose was to provide information about the Pilot Project and to solicit input from the agencies regarding project planning, permitting process and biological monitoring and potential mitigation.
- 26) 5/16/19 – Meeting and Site Visit with Coastal Commission and CDFW staff to provide a comprehensive project overview and update to newly hired staff at CCC/CDFW who will work on permit review for the Surfers Beach Pilot Project.
- 27) 6/24/19 – Meeting with Greater Farallones National Marine Sanctuary staff to discuss the Permitting Level project plans and proposed methodologies.
- 28) 8/08/19 – Call with CCC staff to discuss project updates and eelgrass mitigation requirements.
- 29) 8/30/19 – Meeting with US EPA staff to discuss sediment sampling and analysis requirements.
- 30) 9/03/19 – Call with CDFW staff to discuss sediment sampling and analysis and eelgrass survey results.

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- 31) 9/13/19 – Meeting with CCC ecologist staff to discuss potential eelgrass mitigation needs and protocols for Surfers Beach Pilot Project.
- 32) 9/16/19 – Multi-Agency Meeting and site visit with NMFS, CDFW, USACE, CCC to discuss project updates, eelgrass mitigation and potential dredging footprints.
- 33) 9/19/19 – Meeting with CDFW staff to discuss eelgrass mitigation and District’s maintenance dredging needs at PPH.
- 34) 11/13/19 – Call with Coastal Commission staff to discuss project planning updates.
- 35) 11/14/19 – Meeting with Caltrans engineering staff to discuss Surfers Beach Pilot Project plans and opportunities for collaboration.
- 36) 2/12/20 – Meeting with RWQCB staff to discuss project updates and eelgrass mitigation.
- 37) 5/06/20 – Meeting with staff from Coastal Commission, CDFW, RWQCB, and NOAA-NMFS, and the team from, Marine Taxonomic Services, to discuss development of the PPH Harbor-Wide Eelgrass Mitigation and Management Plan.
- 38) 5/07/20 – Meeting with Army Corps staff to discuss permit application process and project updates. Discussed recommendations for moving forward with the eelgrass mitigation process.
- 39) 07/28/20 – Zoom meeting with CDFW staff to discuss eelgrass mitigation requirements and proposed mitigation approach.
- 40) 09/01/20 – Multi-agency Zoom meeting with NMFS, Coastal Commission, CDFW, RWQCB, Army Corps and MTS ecologists to discuss Draft Eelgrass mitigation plan. Obtained input from agency staff and answered questions.
- 41) 4/21/21 – Meeting with GFNMS staff to discuss project updates and permitting requirements.
- 42) 5/07/21 – Call with San Mateo County planning staff to discuss project planning updates.
- 43) 5/25/21 – Call with San Mateo County Parks Director to discuss project planning updates and the proposal to set up an equipment staging area on county land during construction.
- 44) 7/08/21 – Multi-agency zoom pre-application meeting to present the proposed construction plans (permitting level, 30%) for eelgrass mitigation and dredging/beach nourishment projects to agency staff for discussion and feedback. Agency staff from the following agencies were in attendance: Coastal Commission, U.S. Fish and Wildlife Service,

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U.S. Army Corps of Engineers, NOAA- National Marine Fisheries Service, Regional Water Quality Control Board and NOAA – Greater Farallones National Marine Sanctuary.

- 45) 7/26/21 - Zoom meeting focused on the eelgrass mitigation project with staff from NMFS and Army Corps of Engineers. Discussion included proposed methods and construction plans, monitoring requirements, and permitting procedures.
- 46) 8/31/22 – Multi-agency Zoom Meeting, North-central California Coastal Sediment Coordination Committee, Permitting Sub-Committee. Presentation to agency/municipality staff on proposed project and discussion/solicitation of feedback on project details.
- 47) 12/02/22 – Meeting with GFNMS permit coordinator to discuss project and the District’s permit application for a National Marine Sanctuaries Permit. Provided background documents and responses to questions.

Post- Application-Submittal Permitting Meetings

- 48) 2/10/22 – Meeting with staff from City of Half Moon Bay and District to discuss Surfers Beach Project and the Consolidated Coastal Development Permit.
- 49) 2/11/22 – Meeting with San Mateo County Planning staff to discuss Surfers Beach Project and the Consolidated Coastal Development Permit.
- 50) 8/31/22 – Multi-agency permitting meeting with staff from GFNMS, NOAA Fisheries, US Fish and Wildlife Service, Army Corps of Engineers, US EPA, Coastal Commission, CDFW, Water Board, and San Mateo County.
- 51) 9/09/22 – Meeting with staff from Army Corps and RWQCB to discuss sediment analysis and permitting for the project 9/09/22.
- 52) 3/06/23 - Interagency zoom meeting to discuss eelgrass mitigation permitting requirements. Included staff from CCC, National Marine Fisheries Service, US EPA, Army Corps and Regional Water Quality Control Board.
- 53) 3/08/23 – Permitting meeting and site visit, California Coastal Commission staff.
- 54) 3/15/2023 – Meeting with NMFS and USACE to discuss Endangered Species Act consultation process for the Army Corps permit. Discussed construction methods and required biological surveys including black abalone, eelgrass, snowy plover, and nesting birds.
- 55) 4/20/2023 – Meeting with Regional Water Quality Control Board staff on permitting requirements for the project. Discussed water board requests for information and process for resubmitting application.

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- 56) 5/18/23 – Meeting with Caltrans staff on. Discussed revised Surfers Beach project plans, encroachment permit process.
- 57) 5/25/23 - Meeting with NMFS and USACE to discuss Endangered Species Act consultation process for the Army Corps permit. Discussed construction methods and required biological surveys including black abalone, eelgrass, snowy plover, and nesting birds. Provided additional follow up and responses to requests for information on construction details and proposed biological survey protocols.
- 58) 11/06/23 – Zoom meeting with Regional Water Quality Control Board staff to discuss updates to project plans.
- 59) 11/20/2023 – Meeting with National Marine Fisheries Service, CDFW, and Army Corps staff regarding requirements for the eelgrass mitigation for Surfers Beach project.
- 60) 11/27/23 – Meeting with NMFS, CDFW, and Army Corps staff regarding requirements for the eelgrass mitigation for Surfers Beach project.
- 61) 11/30/23 – Meeting with National Marine Fisheries Service, CDFW, and Army Corps staff regarding requirements for the eelgrass mitigation for Surfers Beach project.

Major Milestones and Deliverables completed for the Permit Application Review and Agency Consultation Process:

- Prepared response to permitting agency requests for information, including Coastal Commission's 3 filing letters. Prepared a detailed Parcel Analysis, updated dredge/fill volumes, updated Stakeholder Contact List, Assessment of Sea Level Rise, Erosion, and Flooding at Surfers Beach, Surfers Beach Pilot Restoration Project Special Status Habitat and Species Analysis – supplemental assessment and update, Memo on Noise Levels from Beach Nourishment Activities, and Surfers Beach and Eelgrass Mitigation Site Plans.
- Completion of an ambient noise analysis at PPH/Highway 1 and assessment of potential construction noise impacts. At the request of Coastal Commission staff.
- Completion of a Surfers Beach Pilot Restoration Project Special Status Habitat and Species Analysis – Supplemental Assessment and Update.
- Prepared Physical Monitoring and Adaptive Management Plan.
- Prepared a Tier 1 Exemption Memo and a detailed analysis of prior sediment testing results in Pillar Point Harbor and all reported spills in the Harbor since 2016, at the request of Army Corps of Engineers and US EPA staff. Prepared an updated Tier 1 memo in 2024.

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- Presentation/discussion at Half Moon Bay City Council on 6/21/22.
- Update presentations and discussion at Board of Harbor Commissioners meetings 7/20/22, 1/18/23, 4/19/23, 9/20/23, 10/18/23, and 2/21/24.
- Grants applied for during permit application process:
 - National Fish and Wildlife Foundation Emergency National Coastal Resilience Fund Grant in 2022 for funding for construction, submitted in February 2022. Status: grant was not awarded.
 - National Fish and Wildlife Foundation National Coastal Resilience Fund Grant in 2023 for funding for construction. Status: grant was not awarded.
 - NOAA Climate Resilience Regional Challenge grant in 2023. Status: LOI submitted. Status: grant was not awarded.
 - California Division of Boating and Waterways Public Beach Restoration: Application Submitted 2/01/24. Status: grant was not awarded.
 - Ocean Protection Council Proposition 1: Letter of Interest submitted March 2024. Status: Met with OPC staff and Invited back to apply for grant.

3. Overview of Eelgrass Mitigation Planning Process:

Eelgrass plays many important roles in marine ecosystems and the environment and is highly protected both federally and by the State of California. Seagrass habitat is designated as a Habitat Area of Particular Concern (HAPC) by National Marine Fisheries Service and protected under the Clean Water Act. Additionally, the California Public Resources Code is committed to protecting and expanding eelgrass resources. Compensatory mitigation is required for any eelgrass that would be damaged by a proposed project.

Eelgrass is currently present in a portion of the Surfers Beach Project's proposed dredging areas in the Harbor's east basin and will be impacted by the proposed dredging activities. The District's proposed eelgrass mitigation program is required to align with the California Eelgrass Mitigation Policy and Implementing Guidelines (CEMP; NMFS 2014). The CEMP contains guidelines for mitigation for vegetated and unvegetated eelgrass habitat to be successfully completed at a ratio of at least 1.2:1 mitigation area to the impacted area, as well as preferred methodologies and success criteria.

The most recent eelgrass survey completed in late May 2023 shows a significant reduction in the amount of eelgrass in the east basin dredge areas but significant increase at the west breakwater mitigation site, as compared to the late 2019 survey that the EMMP is based on. This means that the eelgrass mitigation needed to be scaled down from the original concept proposed in the 2020 EMMP. The plan was recently updated to reflect revisions to the mitigation platform design based on input received by CDFW and NMFS. For the eelgrass mitigation, an area has been identified in PPH's west basin off the west breakwater dogleg. The

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proposed mitigation site occurs around currently growing eelgrass and once graded, will cover approximately 2.7 acres, which is enough to accommodate the initial mitigation need based on the May 2023 estimate of potential impacts. Proposed mitigation site modifications would result in creation of an eelgrass planting platform and would include placement of fill along the offshore portion of the eelgrass beds currently growing there. A total of up to 12,000 cubic yards of fill material are needed to shallow deeper portions of the mitigation site. The fill will be imported from the proposed dredging areas 1B and 1C, as shown in the draft Final Plans. The revised eelgrass mitigation plan and the draft Final plans with eelgrass mitigation CAD drawings have been completed.