

# Staff Report

**TO:** Board of Harbor Commissions

**FROM:** John Moren, Director of Operations

**DATE:** February 21, 2024

**SUBJECT:** Surfers Beach Replenishment Pilot Project Update

**Recommendation/Motion:**

Receive project permitting update

**Policy Implications:**

Consistent with the District's goal to use excess sediment build-up from within the Harbor for beneficial re-use one Surfers Beach.

**Background/Discussion:**

The goal of the Surfers Beach Restoration Pilot Project is to remove sediment which has built up inside the Pillar Point Harbor (PPH) outer breakwater and move it to Surfers Beach for beneficial re-use. In addition to addressing coastal erosion and public access issues at Surfers Beach, this project would also address the issues associated with the shoaling that has occurred inside of the Harbor since the outer breakwater was constructed. The anticipated outcome is that the project will address impaired public access/recreational impacts and damages from coastal storms.

The proposed project is located at Pillar Point Harbor and Surfers Beach in City of Half Moon Bay just south of the Harbor and west of the unincorporated community of El Granada. The proposed Project would involve dredging of up to 100,000 cubic yards of clean sand accumulated along the inside of Pillar Point Harbor's East Breakwater and a one-time placement of that sand to form an elevated berm along an approximately 1,000-foot-long section of shoreline at Surfers Beach in Half Moon Bay. The purpose of the project is to address erosion at Surfers Beach by restoring sandy beach area using clean sand dredged from navigable areas of Pillar Point Harbor, including the boat launch ramp. The project will also involve a large eelgrass mitigation effort, relocating eelgrass in the east basin prior to dredging and establishing a large eelgrass restoration area at the Harbor's west basin. This beach restoration project is designed to protect highly eroded portions of shoreline and Highway 1 and other coastal infrastructure. The project is expected to result in creation of beach habitat, restore coastal access, and safe navigation within the Harbor.



*Photo showing the proposed Surfers Beach placement area.*

**Summary of Project Updates:**

The agencies that need to issue permits for the project are: California Coastal Commission (CCC), Monterey Bay National Marine Sanctuary (MBNMS, issued by staff at Greater Farallones NMS, GFNMS), Army Corps of Engineers (USACE), and the SF Regional Water Quality Control Board (RWQCB). The other agencies that are also closely involved in review, consultation, and approval (but no permits) are US Fish and Wildlife Service (USFWS), NOAA's National Marine Fisheries Service (NMFS), and California Department of Fish and Wildlife (CDFW). [The attached memo from Consultant Damitz provides a detailed accounting of planning and permitting efforts to dates, including a comprehensive list of milestones and more than 60 permitting meetings/workshops/site visits held since the beginning of the planning phase of the project.](#)

Most permit applications were submitted over 2 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 are applications to SF 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.

One of the major reasons for the recent permitting delays is the presence of eelgrass beds in the proposed dredging areas 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, and all staff involved agreed that the proposed plan would meet all mitigation requirements. However, once the permit applications were submitted, along with the proposed eelgrass mitigation plan, staff from CDFW and NMFS raised concerns about the proposed mitigation during the formal consultation process for the USACE permitting process. This caused significant delays, requiring numerous additional meetings during the past year and a re-writing of the Eelgrass Mitigation Plan and construction plans. Agencies finally approved the revised eelgrass mitigation plans and NMFS is now finalizing its formal consultation with USACE and will issue a Biological Opinion within a few weeks, which will allow USACE to approve the District's permit.

A summary of the status with each agency's permit is below, more details are in the attached memorandum:

**California Coastal Commission** — 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.

**Army Corps of Engineers/National Marine Fisheries Service/US Fish and Wildlife Service** — Army Corps has not issued their permit yet due to the ongoing NMFS consultation process and approval of the proposed Eelgrass Mitigation Plan. Numerous design changes to the mitigation project plans were requested by NMFS and made by District consultants. Each of these modifications to the plans required significant effort including time and input from eelgrass biologists and engineers, etc. The District submitted the most recent updated plan in December and NMFS staff signed off on it in January and are now wrapping up their consultation process. Army Corps staff have indicated that they will be able to turn the permit around quickly once NMFS completes their process. USFWS completed their consultation with USACE more than a year ago in December 2023.

**MBNMS/GFNMS** — 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 permit application was submitted in February 2022, and GFNMS staff are still analyzing project permit application materials. GFNMS staff have sent numerous requests for detailed information over the past year, which the District responded to promptly. The District has

communicated regularly with GFNMS and other agencies that we need to put the project out to bid ASAP and requested an estimated timeframe for approval of the permit. However, GFNMS staff has not been able to provide information about the permitting timeline and provided the following response “*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 they have had a chance to review the Army Corps’ final permit documents.

**RWQCB Permit** — This permit application required the final Eelgrass Mitigation Plans to be complete and was therefore delayed until NMFS/CDFW approval of the mitigation plan. The permit application was submitted on 2/05/2024 once NMFS/CDFW staff have signed off on eelgrass mitigation plans and the ESA engineering team prepared the final CAD plans. RWQCB staff have reviewed all permit application materials in advance and have indicated that they can review and approve the permit quickly without delaying the project.

**Caltrans Encroachment Permit** – This permit application was submitted, along with detailed figures showing Caltrans Right of Way and project areas, on August 14, 2023. No response has been received from Caltrans, despite numerous attempts to reach out and even filing of a Public Records Act request. We do not expect this permit to delay the construction of the proposed pilot project.

Some important highlights are below:

- The Project is being planned for a construction start date in summer 2024 and is on track to meet that schedule.
- California Coastal Commission approved the Project at their September 06, 2023, hearing.
- Permitting agencies have reached agreement on a final eelgrass mitigation concept for the Project. District consultants have revised the PPH Harbor-wide Eelgrass Mitigation and Management Plan and draft Final CAD Construction Plans to address these final changes.
- CEQA review requirements have all been met.

Once all permits are approved, except for the Caltrans Encroachment Permit, the District can put the project out to bid. The draft Final Construction Plans, Technical Specifications, and Invitation for Bids documents, that are necessary to initiate the bid process, have already been prepared.

**Summary/Recommendation:**

Summary: Staff recommends the Board receive project permitting update.

**Attachments:**

- 1) [Memo: Surfers Beach Project Planning and Permitting Process Overview prepared by consultant Damitz.](#)