

MEMORANDUM

To: James Pruet, John Moren, San Mateo County Harbor District

From: Brad Damitz

Date: February 15, 2024

Subject: Surfers Beach Project Planning and Permitting Process Overview

1. INTRODUCTION:

The purpose of this memo is to provide an update on the status of the planning and permitting process for the proposed Surfers Beach Pilot Restoration Project (Project). This includes: a comprehensive overview of the planning process, to date, for the proposed Surfers Beach Pilot Restoration Project; an overview of the permit-required eelgrass mitigation process; and a detailed permitting overview and update, including a list of meetings, workshops and site visits with agency staff.

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 2023 as previously planned. However, the permitting process is now nearly complete, and the District remains on track to put the project out to bid in early spring timeframe and complete construction sometime in summer 2024.

2. OVERVIEW OF SURFERS BEACH PLANNING PROCESS TO DATE:

Phase 1 – Initial Funding Efforts

Dates: October 2015 – July 2017

Description: Following the Army Corps of Engineers’ determination that a project at Surfers Beach would not receive federal funding the Board of Harbor Commissioners agreed to pursue a Surfers Beach “Pilot Project” that would be led by the San Mateo County Harbor District (District). At the recommendation of the Board of Harbor Commissioners, the District and consultant Brad Damitz entered into an unpaid Performance-based Compensation Agreement with the scope of work being to successfully secure grant money as a funding source for planning, permitting, and implementation of the San Mateo County Harbor District’s Surfers Beach Pilot.

During this unfunded phase of the project, Damitz coordinated with District staff to explore and pursue grant funding sources to allow for the planning process to officially begin. Several grant applications were prepared and submitted during this period and the District was able to secure funds for a portion of the Project construction (\$800,000 from CA Division of Boating and Waterways (CDBW)) and for project planning (\$75,000 from CA Ocean Protection Council (OPC)). With the OPC funding Damitz would be given the opportunity to lead planning, public outreach, and agency coordination efforts, beginning in July 2017.

In addition to seeking funding sources, during this phase initial brainstorming for the project occurred and input and feedback was solicited from project stakeholders and subject matter experts. Existing literature and scientific data were compiled and reviewed and a scope of work for project planning and permitting was developed.

Milestones and Deliverables for Phase 1

- Prepared Initial Surfers Beach Project Description and background documents.
- Prepared and submitted grant applications to CDBW and OPC.
- Presentation and discussion at Board of Harbor Commission meeting to provide information about the proposed project, 2/15/17.
- Meeting of the Board of Harbor Commissioners’ Beach Replenishment Committee on 3/09/16 to discuss and solicit initial input on the pilot project from Commissioners, agency staff and public.

Phase 2 – Feasibility Assessment, Scoping and Early Planning

Dates: July 2017 – November 2019

Description: Upon securing grant funding in July 2017, Damitz was awarded a Professional Services Agreement with the District, which provided funding for a project management scope of work and allowed the planning phase to officially be underway.

At this time, placement of dredged sediment inside the boundaries of Monterey Bay National Marine Sanctuary (MBNMS) was prohibited and District and Sanctuary staff were unsure whether a pilot beach nourishment project could even be allowed at Surfers Beach. It was also unknown whether the sediment in the east basin proposed maintenance dredging areas was clean sand suitable for beach placement. Therefore, an initial feasibility assessment and discussions with permitting agencies was a necessity before moving forward with planning.

During this phase of the planning process Damitz and District staff worked closely with Greater Farallones National Marine Sanctuary (GFNMS) to garner support for the pilot project and determine a proposed methodology that would allow the sanctuary to be able to approve a permit for the project. Damitz and Moren gave presentations at several MBNMS and GFNMS Advisory Council meetings, proposing to move forward with the planning of a pilot Surfers Beach Restoration Project. The District sent an official letter to GFNMS and MBNMS Superintendents stating their intent to move forward with the proposed pilot project and raising several specific questions about how the MBNMS permitting requirements would apply to different alternative project methodologies. GFNMS Superintendent Maria Brown sent a reply letter to the District General Manager stating their support for the pilot project in July 2015.

This phase was also heavily focused on public outreach and soliciting stakeholder input for the project. Coordination and solicitation of input from agency staff, subject matter experts, and other stakeholders. Working with the sub committees of the Harbor District Board of Commissioners as a venue we were able to conduct public outreach and solicit input. Also, during this phase, a Technical Advisory Group was established and convened to discuss and provide feedback on the proposed pilot project design and potential permitting considerations.

A significant amount of early coordination with agency staff from Army Corps of Engineers (Corps, USACE), MBNMS, GFNMS, US Environmental Protection Agency (EPA), National Marine Fisheries Service (NMFS), SF Regional Water Quality Control Board (RWQCB), California Coastal Commission (CCC), California Department of Fish and Wildlife (CDFW), Caltrans, City of Half Moon Bay (HMB), and County of San Mateo (County), also occurred during this phase. These initial meetings with permitting agencies and municipalities allowed the District to identify the permitting requirements and procedures and the necessary studies and surveys that would be required for permitting.

Many of these studies and surveys required the District to release Request for Proposals and select contractors for services during this phase such as sediment sampling and analysis,

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engineering and design services, eelgrass surveys, bathymetry surveys, etc. During this phase ESA was awarded a Professional Services Agreement for engineering and design services. ESA conducted initial engineering feasibility, site visits and constructability review, and developed permitting level plans during this period.

Also, during this phase, Eelgrass was discovered to be in the proposed dredging areas in late 2019. This added another layer of complexity to the project since it meant that a large eelgrass mitigation project would be required to be constructed along with the proposed Pilot Project.

Meetings, Milestones and Deliverables for Phase 2

- Determined all necessary permits for Surfers Beach Pilot Project. Contacted all potential permitting agencies and initiated discussions with staff from the following agencies and municipalities: MBNMS/GFNMS; USACE; EPA; CalTrans; RWQCB; CCC; CDFW; CSLC; NMFS, HMB, SM County. Held numerous meetings, site visits and discussions with agency staff on various aspects of project planning. See summary of meetings with agencies at the end of this document.
- Formed and convened a Technical Advisory Group (TAG) to provide input on the Project design and engineering decisions. Conducted alternatives analyses of various construction methodologies in collaboration with TAG and established a preferred for construction design and methodology.
- Continued Surfers Beach Pilot Project update presentations/discussion at Board of Harbor Commissioners meetings 11/14/17, 5/23/18, 4/17/19.
- Continued meetings of District's Beach Replenishment Committee and Climate Change Resilience Committee on 9/12/17, 11/14/17, 2/15/17, 2/26/18, 3/13/18, 4/10/18, 7/11/19 to provide project planning updates presentations, discuss the project and solicit input from Commissioners, District staff, agency staff, and members of the public in attendance.
- Participated in California Coastal Sediment Management Workgroup meeting on 9/20/17 and gave presentation about the proposed Surfers Beach Pilot Project and solicited input from the workgroup members.
- Formal letter from District GM Steve McGrath to MBNMS and GFNMS Superintendents with a list of specific questions about the project and the feasibility of obtaining permits for placement of dredged sand within MBNMS boundaries. Met regularly with staff from both sanctuaries to discuss details of the letter and agree on a path forward in planning for the Surfers beach pilot project. Presented proposed project at MBNMS Advisory Council meeting.
- Held discussions with EPA and USACE regarding sediment sampling and analysis requirements. Gained approval for proposed sampling methodology.

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- Prepared and distributed Request for Proposals for sediment sampling and analysis services. Selected contractor who prepared Sampling and Analysis Plan and conducted vibracore sampling within the proposed dredging areas. Prepared Sampling and Analyses Plan reports and ultimately determined that most of the sediment is clean sand that is suitable for beach placement. These results were used to identify the proposed dredging areas for the project.
- Presented the proposed pilot project at a King Tides and Coffee public Sea Level Rise event sponsored by the County.
- Prepared and distributed Request for Proposals for engineering and design services. District awarded contract to Environmental Science Associates (ESA). ESA engineers Prepared conceptual and permitting level plans for the project.
- Grants Applied for during Phase 2: National Fish and Wildlife Foundation National Coastal Resilience Fund 2019 Grant. Status: not awarded

Phase 3 – Environmental Review, Mitigation Planning and Permit Pre-Application Coordination

Dates: December 2019 – February 2022

Description: During this phase the District completed numerous studies and surveys to meet California Environmental Quality Act (CEQA) and permitting requirements. A draft and final CEQA Initial Study/Mitigated Negative Declaration was completed in early 2022, along with a Mitigation Monitoring and Reporting Program and other documents including:

- Wetland/Jurisdictional Delineation, Federal and State versions.
- Biological Assessment – Special Status Habitat and Species Analysis
- Eelgrass Survey Reports
- Pillar Point Harbor Eelgrass Mitigation and Management Plan.
- Harbor-wide bathymetry survey and engineering analysis comparing to prior bathymetry surveys to determine shoaling trends inside Harbor.
- Final Sediment Sampling and Analysis Report
- Surfers Beach Preliminary Design Report.

Much of the District's efforts during this phase went into developing an eelgrass mitigation program for the project, since eelgrass was identified during a survey within proposed project dredging areas. A series of multi-agency meetings and site visits were held, and Damitz worked with biologists from Marine Taxonomical Services (MTS) and engineers from ESA to develop a Pillar Point Harbor-Wide Eelgrass Mitigation and Management Plan that was acceptable to the

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agency staff at that time. ESA prepared permitting level CAD plans for the eelgrass mitigation design.

During this phase California Department of Fish and Wildlife staff raised concern about impacts to eelgrass and required District to demonstrate that sedimentation is causing negative impacts to the Harbor and that maintenance dredging is needed. This required an analysis of bathymetry changes over more than 20 years to show that there is significant sedimentation of the Harbor.

This timeframe also included major delays due to Covid pandemic and related closure of the Harbor, and delays in conducting surveys.

Milestones and Deliverables for Phase 3

- Completed Harbor-wide bathymetry survey and conducted a delta analysis showing morphology change inside harbor from 2005 to 2019 based on bathymetric surveying of the harbor.
- Held numerous meetings and discussions with agency staff on various aspects of project planning. See summary of meetings with agencies at the end of this document.
- Contracted MTS for eelgrass mitigation planning services and began work on mitigation planning. Initial Eelgrass Mitigation Plan was finalized in August 2020.
- Completed harbor-wide bathymetry survey and assessment of bathymetry change between 2005 and 2019.
- Continued to provide update presentations and solicit input from Board of Harbor Commissioners at meetings on 4/15/20 and 10/21/20.
- Provide update presentation and solicit input at Board Ad Hoc Committee for Dredging and Sediment, 5/04/2021.
- ESA engineering and design team prepared eelgrass mitigation Permitting Level (30%) Plans and a Preliminary Design Report.
- Developed final Project Description and permit application materials.
- Developed CEQA IS-MND and Mitigation Monitoring and Reporting Program documents.
- Grants applied for in Phase 3:

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- Ocean Protection Council (OPC) Prop 68 grant application for construction costs for Surfers Beach. Application was submitted on 11/13/20. Status: grant was not awarded.
- State Coastal Conservancy Proposition 1 Grant in 2020 to cover planning phase costs associated with the Project. Status: grant was not awarded.
- California Resilience Challenge grant for Project planning costs in 2020. Status: grant was not awarded.
- OPC grant, in coordination with staff from Greater Farallones National Marine Sanctuary (GFNMS) and Greater Farallones Association (GFA), to cover costs for Surfers Beach Project physical and biological monitoring and other necessary studies required by permitting agencies. Update: GFA/GFNMS was not awarded this grant.
- NOAA Effects of Sea Level Rise grant, in coordination with staff from Greater Farallones National Marine Sanctuary (GFNMS) and Greater Farallones Association (GFA) to cover costs for Surfers Beach Project biological monitoring. Status: GFA/GFNMS was awarded the grant and will provide \$125K of funding for the Project's biological monitoring program.
- National Fish and Wildlife Foundation National Coastal Resilience Fund Grant in 2021 for funding for construction. Status: grant was not awarded.

Phase 4 – Permit Application Review and Agency Consultations

Dates: February 2022 - ?

Description: This phase began when permit applications were submitted and the initial proposed eelgrass mitigation plan and a CEQA Initial Study-Mitigated Negative Declaration were finalized. This phase will be complete when all permits are approved, and the project goes out to bid.

Work completed during this phase consisted of further developing the project plans and meeting with and responding to requests for information from permitting agencies. Another major focus has been revising eelgrass mitigation plans in coordination with NMFS, USACE and CDFW. More detailed information on the permitting process is included below in the permitting overview.

Milestones and Deliverables for Phase 4:

- 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.

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- 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 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.
- Presentation to HMB 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 and 10/18/23.
- Grants applied for in Phase 4:
 - 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, no response yet.
 - California Division of Boating and Waterways Public Beach Restoration: Application Submitted 2/01/24, no response yet.

3. EELGRASS MITIGATION REQUIREMENTS:

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.

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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 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.

PERMITTING OVERVIEW and UPDATE:

As noted above in the Overview of Planning Process to Date, extensive coordination with permitting agencies has occurred during all phases of project planning, including more than 60 meetings, workshops, and site visits (see details below). Permit applications for the project were submitted in February 2022. Since then, District consultants have continued to participate in numerous meetings with staff from Greater Farallones National Marine Sanctuary and Greater Farallones Association, Coastal Commission, Regional Water Quality Control Board, Cal Department of Fish and Wildlife, U.S. EPA, Army Corps of Engineers, US Fish and Wildlife Service, National Marine Fisheries Service, City of HMB and San Mateo County.

The District and consultants have coordinated closely with all agencies and responded promptly to all requests for information. All agencies are aware of the proposed construction timeline and the need to issue permits in a timely manner to avoid delaying the project further. Therefore, we expect that the remaining permits will be available soon. See agency by agency updates below for additional details of permitting status.

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. 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.

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One of the major reasons for the recent permitting delays is the presence of eelgrass beds in the proposed dredging areas (see eelgrass overview above) 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 in February 2023 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:

California Coastal Commission — Consolidated Coastal Development Permit

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 agree to the Coastal Commission being the agency that reviews the project and issues a permit.

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

USACE staff have also requested additional information early on during the application review process. On September 9, 2022 USACE and EPA staff informed the District that we would need

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to conduct sediment chemical analysis or prepare a Tier 1 Exemption Request 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. The District compiled these data and submitted the initial draft memo on 11/01/22. The final request was submitted and approved in early January 2023.

Army Corps has not issued their permit yet because of the ongoing NMFS consultation process and approval of the proposed Eelgrass Mitigation Plan. The District first received NMFS comments from the NMFS/USACE consultation process on 2/06/2023, and numerous meetings and discussions between District consultants and NMFS/USACE/CDFW/CCC continued until the end of 2023. During that process NMFS provided a memo to the District with comments and recommendations for eelgrass mitigation on 4/24/2023 and an updated version on 7/18/2023, along with numerous request for information on construction methodologies and other project details. Since the initial comments were received District consultants have prepared several updated versions of the eelgrass mitigation conceptual plans to address design changes that were requested by NMFS before the approved version was developed and submitted in late 2023. 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.

The District submitted the most recent updated Eelgrass Mitigation and Management Plan in December and NMFS staff signed off on it in January and are now wrapping up their consultation process, with an expected end date in early March. In addition to eelgrass habitat, other issues of concern included black abalone, steelhead, green sturgeon, coho salmon, and sunflower sea star. USFWS completed their consultation with USACE more than a year ago in December 2023. Army Corps staff have indicated that they will be able to turn the permit around quickly once NMFS completes their process.

MBNMS/GFNMS — National Marine Sanctuaries Permit

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. We have 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 are 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.

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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 — CWA Section 401 Water Quality Certification

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. We do not expect this permit to delay the construction of the proposed pilot project.

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.

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- 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.
- 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.

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- 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.
- 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.

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- 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.
- 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.

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- 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, 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.

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- 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.
- 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.