

SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

PROJECT: Pillar Point Harbor Dredging & Surfers Beach Pilot Restoration Project

PUBLIC NOTICE NUMBER: SPN-2012-00207

PUBLIC NOTICE DATE: 07-21-2022 COMMENTS DUE DATE: 08-20-2022

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1. **INTRODUCTION**: The San Mateo County Harbor District (Harbor District) 504 Avenue Alhambra, 2nd Floor, El Granada, California 94108) has applied to the U.S. Army Corps of Engineers (USACE), San Francisco District, for a Department of the Army Permit to complete maintenance dredging and a pilot beach restoration project at the Pillar Point Harbor and adjacent Surfers Beach. The proposed project includes dredging sand in order to restore safe navigational depths in the Harbor then using the sand for construction of a berm and opportunistic placement of sand along Surfers Beach. Additionally, the Harbor District plans to mitigate for eelgrass impacts caused by the proposed dredging. This Department of the Army permit application is being processed pursuant to the provisions of Section 404 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1344 et seq.) and Section 10 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. § 403 et seq.). This Department of the Army Permit application is being processed pursuant to the provisions of Section 404 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1344 et seq.) and Section 10 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. § 403 et seq.), and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended (33 U.S.C. § 1413 et seg.).

### 2. PROPOSED PROJECT:

**Project Site Location**: The proposed project would take place in Half Moon Bay, near Pillar Point Harbor's west and east Breakwater and along Surfer's Beach, just south of Pillar Point Harbor (PPH),

immediately north of the City of Half Moon Bay, and west of the unincorporated community of El Granada, in San Mateo County, California.

**Project Site Description**: Surfer's Beach is bordered by Highway 1 to the east in addition to the unincorporated communities Princeton, to the north, and El Granada to the east. Pillar Point Harbor is encompassed by its east and west breakwaters, and outside of these breakwaters is part of the Monterey Bay National Marine Sanctuary (MBNMS). Surfer's Beach is a popular recreation site, as well as a very popular surf spot for surfers of all levels of experience, and in particular beginners because of its sheltered location.

Project Description: As shown in the attached drawings, the applicant plans to remove approximately 100,000 cubic yards (cys) of sediment from approximately 15 acres in two dredge areas behind the east Breakwater and near the Pillar Point Launch Ramp. The design depth for the Pillar Point Harbor dredge footprint is -10 feet NAVD. The material would be removed using a hydraulic dredge. The majority of the dredged material will be pumped via pipeline to Surfer's Beach. The dredged sand pumped to Surfer's Beach through a pipeline will be used to create a sand berm that will dissipate into a sandy shore over time. The project plans for the pipeline to run along the harbor's beach, east breakwater, and the Coastal Trail above Surfer's Beach. The pipeline will discharge sand into a pregraded 4 to 6-foot-tall temporary containment berm at the southern end of Surfer's Beach. The containment berm construction requires 1,000 cubic yards of existing

beach to be graded. Additionally, the containment berm will be located above the mean high water (MHW) line, which complies with Monterey Bay National Marine Sanctuary's (MBNMS) requirement that prohibits dredged material from being placed below the MHW. Later, the contained sand will be pushed north along Surfer's Beach and shaped over roughly 5 acres into a 10-foot-tall and 150-foot-wide embankment using heavy machinery such as dozers. The sand berm will occupy 1,000 feet of shoreline and will level out into a sandy beach with time. A small amount of the dredged material will be moved by barge to the eelgrass mitigation site near the west Breakwater.

Prior to each dredging episode, the Dredge Material Management Office (DMMO) will evaluate the sediments to be dredged for disposal or reuse suitability. The DMMO is tasked with approving sampling and analysis plans in conformity with testing manuals, reviewing the test results and reaching consensus regarding a suitable disposition for the material.

**Basic Project Purpose:** The basic project purpose comprises the fundamental, essential, or irreducible purpose of the project, and is used by the Corps to determine whether the project is water dependent. Although the purpose of the project, as stated above, is for safe navigational depths, for consideration in Section 404(b)(1) (Clean Water Act), the basic purpose of the project is navigation.

Overall Project Purpose: The overall project purpose serves as the basis for the Section 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, while allowing a reasonable range of alternatives to be analyzed. The overall project purpose is to restore safe navigational depths within Pillar Point Harbor.

**Project Impacts**: The proposed dredging would temporarily impact approximately 15 acres of benthic environment. The placement of the sand on Surfer's Beach would place clean sand on approximately 5 acres of intertidal zone. The proposed eelgrass

mitigation would impact approximately 3.9 acres of benthic environment to create eelgrass habitat and support eelgrass plantings.

The detrimental effects on erosion/sedimentation rates, substrate, water quality, fish habitat, air quality, and noise are all expected to be minor and short term. No permanent negative effects such as undesired substrate alteration, decreased water quality, loss of fish habitat, decrease air quality, and noise pollution are anticipated. Negative effects to eelgrass are expected to be mitigated through the creation of eelgrass habitat on the west side of the Harbor. The beneficial effects on economics, employment, safety and navigation are major and long term.

**Proposed Mitigation**: Mitigation would be required to compensate for the loss of eelgrass within the dredge footprint. The project involves eelgrass mitigation efforts that will create approximately 3.90 acres of eelgrass habitat (nearly a 1.5:1 ratio of created to impacted) using the fine sands that will be dredged as part of the project work. In addition, prior to dredging, qualified biologist (knowledgeable and experienced with eelgrass) shall harvest as much of the existing eelgrass from the dredge footprint as practicable. As soon as feasible, the harvested eelgrass will be replanted within the newly created habitat.

## 3. STATE AND LOCAL APPROVALS:

Water Quality Certification: State water quality certification or a waiver is a prerequisite for the issuance of a Department of the Army Permit to conduct any activity which may result in a fill or pollutant discharge into waters of the United States, pursuant to Section 401 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1341 et seq.). The applicant has recently submitted an application to the California Regional Water Quality Control Board (RWQCB) to obtain water quality certification for the project. No Department of the Army Permit will be issued until the applicant obtains the required certification or a waiver of certification. A waiver can be explicit, or it may be presumed if the RWQCB fails or refuses to act on a complete application for water

quality certification within 60 days of receipt, unless the District Engineer determines a shorter or longer period is a reasonable time for the RWQCB to act.

Water quality issues should be directed to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612, by the close of the comment period.

Coastal Zone Management: Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. § 1456(c) et seq.), requires a nonfederal applicant seeking a federal license or permit to conduct any activity occurring in or affecting the coastal zone to obtain a Consistency Certification that indicates the activity conforms with the state's coastal zone management program. Generally, no federal license or permit will be granted until the appropriate state agency has issued a Consistency Certification or has waived its right to do so.

Coastal zone management issues should be directed to the District Supervisor, California Coastal Commission, North Central Coast District Office, 455 Market Street, Suite 300, San Francisco, California 94105, by the close of the comment period.

# 4. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act (NEPA): Upon review of the Department of the Army Permit application and other supporting documentation, the Corps has made a *preliminary* determination that the project neither qualifies for a Categorical Exclusion nor requires the preparation of an Environmental Impact Statement for the purposes of NEPA. At the conclusion of the public comment period, the Corps will assess the environmental impacts of the project in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347), the Council on Environmental Quality's Regulations at 40 C.F.R. Parts 1500-1508, and the Corps Regulations at 33 C.F.R. Part 325. The final NEPA analysis will normally address the direct,

indirect, and cumulative impacts that result from regulated activities within the jurisdiction of the Corps and other non-regulated activities the Corps determines to be within its purview of federal control and responsibility to justify an expanded scope of analysis for NEPA purposes. The final NEPA analysis will be incorporated in the decision documentation that provides the rationale for issuing or denying a Department of the Army Permit for the project. The final NEPA analysis and supporting documentation will be on file with the San Francisco District, Regulatory Division.

Endangered Species Act (ESA): Section 7(a)(2) of the ESA of 1973, as amended (16 U.S.C. § 1531 et seq.), requires federal agencies to consult with either the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) to ensure actions authorized, funded, or undertaken by the agency are not likely to jeopardize the continued existence of any federally-listed species or result in the adverse modification of designated critical habitat. Based on this review, the Corps has made a preliminary determination that the following federally-listed species and designated critical habitat are present at the project location or in its vicinity, and may be affected by project implementation.

The North American green sturgeon (*Acipenser medirosrtis*) was listed as threatened under the ESA on July 6, 2006 (71 Fed. Reg. 17757). Critical habitat for the North American green sturgeon southern DPS includes coastal marine waters, bays, and estuaries in California and was designated on October 9, 2009 (74 FR 52300).

The Marbled Murrelet (*Brachyramphus marmoratus*) was listed as threatened under the ESA on October 1, 1992. Marbled murrelets historically live along the Pacific Coast in Alaska, California, Oregon, British Columbia and Washington. They live most of their life at sea and retreat inland to nest in old growth coniferous forests with slightly open canopy cover. In California, they usually make nests in Douglas fir and coastal redwoods.

The Western Snowy Plover (*Charadrius nivosus nivosus*) was listed as threatened under the ESA on March 5, 1993. The Pacific coast population of the western snowy plover is defined as those individuals that nest beside or near tidal waters, and includes all nesting colonies on the mainland coast, peninsulas, offshore islands, adjacent bays and estuaries from southern Washington to southern Baja California, Mexico (USFWS 2001).

The Black Abalone (*Haliotis cracherodii*) was listed as endangered under the ESA on April 13, 2011. Black abalone are marine mollusks that live in the rocky intertidal and subtidal reefs along California and Baja California's coasts. At least a portion of the project site is located within Critical Habitat for black abalone, which includes rocky intertidal and subtidal habitats as well as all water from MHHW to a depth of 20 ft.

The Southern Sea Otter (*Enhydra lutris nereis*) was listed as threatened under the ESA on January 14, 1977. Sea Otters are found in nearshore waters along the central California coastline, often near kelp beds. Although the nearest kelp bed is outside the Harbor, sea otters have been observed in Pillar Point Harbor before and it is possible that they will occur near the project site.

The Green Sea Turtle (*Chelonia mydas*) was listed as threatened under the ESA on May 6, 2016. The east pacific green sea turtle DPS population inhabit open ocean, nearshore habitat, and nest on sandy sloped tropical and subtropical beaches. Their ranges overlap in the Atlantic, Pacific and Indian Oceans, though are most common in subtropical waters.

Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA): Section 305(b)(2) of the MSFCMA of 1966, as amended (16 U.S.C. § 1801 et seq.), requires federal agencies to consult with the National Marine Fisheries Service (NMFS) on all proposed actions authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH). EFH is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. EFH is designated

only for those species managed under a Federal Fisheries Management Plan (FMP), such as the *Pacific Groundfish FMP*, the *Coastal Pelagics FMP*, and the *Pacific Coast Salmon FMP*. As the federal lead agency for this project, the Corps has conducted a review of digital maps prepared by NMFS depicting EFH to determine the presence or absence of EFH in the project area. Based on this review, the Corps has made a preliminary determination that EFH is present at the project location or in its vicinity, and that the critical elements of EFH may be adversely affected by project implementation. The proposed project is located within an area managed under the Pacific Groundfish, the Coastal Pelagic and/or the Pacific Coast Salmon FMPs.

Eelgrass beds are known to occur within the proposed dredge footprints and will be negatively impacted by the dredging. The Harbor District contracted with Marine Taxonomic Services, Ltd. (MTS) to identify the extent of eelgrass (Zostera marina and Z. pacifica) within Pillar Point Harbor and prepared a Pillar Point Harbor-Wide Eelgrass Management and Mitigation Plan (EMMP). The EMMP provides a long-term strategy for the Harbor District to establish and expand eelgrass beds in the harbor's west basin, in an area with fewer impacts from human use such as anchoring, vessel navigation and recreational shellfish harvesting and where future maintenance dredging is not required. The eelgrass mitigation plan includes details on the location and methods for creating new eelgrass habitat and a fiveyear monitoring plan to assess establishment of the created eelgrass habitat to ensure that the minimum coverage and density obligations are met per the California Eelgrass Mitigation Policy (CEMP).

Marine Protection, Research, and Sanctuaries Act (MPRSA): Section 302 of the MPRSA of 1972, as amended (16 U.S.C. § 1432 et seq.), authorizes the Secretary of Commerce, in part, to designate areas of ocean waters, such as the Cordell Bank, Gulf of the Farallones, and Monterey Bay, as National Marine Sanctuaries for the purpose of preserving or restoring such areas for their conservation, recreational, ecological, or aesthetic values. After such designation,

activities in sanctuary waters authorized under other authorities are valid only if the Secretary of Commerce certifies that the activities are consistent with Title III of the MPRSA. No Department of the Army Permit will be issued until the applicant obtains the required certification or permit. Since the project occurs in or near sanctuary waters and may affect sanctuary resources, the applicant has been advised to apply for certification or a permit from the Secretary of Commerce, or his designee, to comply with this requirement.

National Historic Preservation Act (NHPA): Section 106 of the NHPA of 1966, as amended (16 U.S.C. § 470 et seq.), requires federal agencies to consult with the appropriate State Historic Preservation Officer to take into account the effects of their undertakings on historic properties listed in or eligible for listing in the National Register of Historic Places. Section 106 of the NHPA further requires federal agencies to consult with the appropriate Tribal Historic Preservation Officer or any Indian tribe to take into account the effects of their undertakings on historic properties, including traditional cultural properties, trust resources, and sacred sites, to which Indian tribes attach historic, religious, and cultural significance.

Because the Harbor has been previously dredged, historic or archeological resources are not expected to occur in the project vicinity. If unrecorded archaeological resources are discovered during project implementation, those operations affecting such resources will be temporarily suspended until the Corps concludes Section 106 consultation with the State Historic Preservation Officer or the Tribal Historic Preservation Officer to take into account any project related impacts to those resources.

5. COMPLIANCE WITH THE SECTION 404(b)(1) GUIDELINES: Projects resulting in discharges of dredged or fill material into waters of the United States must comply with the Guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. § 1344(b)).

An evaluation pursuant to the Guidelines indicates the disposal of dredged material is not dependent on location in or proximity to waters of the United States to achieve the basic project purpose. This conclusion raises the (rebuttable) presumption of the availability of a less environmentally damaging practicable alternative to the project that does not require the discharge of dredged or fill material into waters of the U.S.

The applicant has submitted an analysis of project alternatives which is being reviewed by the Corps for compliance with the Guidelines to determine if the project is the least environmentally damaging practicable alternative.

6. PUBLIC INTEREST EVALUTION: The decision on whether to issue a Department of the Army Permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the project and its intended use on the public interest. Evaluation of the probable impacts requires a careful weighing of the public interest factors relevant in each particular case. The benefits that may accrue from the project must be balanced against any reasonably foreseeable detriments of project implementation. The decision on permit issuance will, therefore, reflect the national concern for both protection and utilization of important resources. Public interest factors which may be relevant to the decision process include conservation. aesthetics, economics. general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

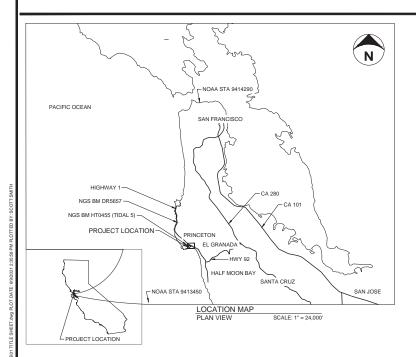
7. **CONSIDERATION OF COMMENTS**: The Corps is soliciting comments from the public; federal, state and local agencies and officials; Native American Nations or other tribal governments; and other interested parties in order to consider and evaluate the impacts of the project. All comments received by the

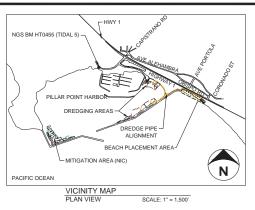
Corps will be considered in the decision on whether to issue, modify, condition, or deny a Department of the Army Permit for the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, and other environmental or public interest factors addressed in a final environmental assessment or environmental impact statement. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the project.

8. SUBMITTING COMMENTS: During the specified comment period, interested parties may submit written comments to Debra O'Leary San Francisco District, Operations and Readiness Division, 450 Golden Gate Avenue, 4th Floor, Room 1111. San Francisco, California 94102-3404; comment letters should cite the project name, applicant name, and public notice number to facilitate review by the Permit Manager. Comments may include a request for a public hearing on the project prior to a determination on the Department of the Army permit application; such requests shall state, with particularity, the reasons for holding a public hearing. All substantive comments will be forwarded to the applicant for resolution or rebuttal. Additional project information or details on any subsequent project modifications of a minor nature may be obtained from the applicant and/or agent, or by contacting the Permit Manager by telephone or e-mail cited in the public notice letterhead. An electronic version of this public notice may be viewed under the Current Public Notices tab on the US Army Corps of Engineers. San Francisco District website: http://www.spn.usace.army.mil/Missions/Regulatory.

# SURFERS BEACH PILOT PROJECT

PRELIMINARY DESIGN JUNE 9, 2021





# NGS BENCHMARK HT0455 (TIDAL 5) NGVD 29

SHEET NO.	Sheet Description	Sheet Title
01	C-01	TITLE SHEET
02	C-02	SITE ACCESS & KEY PLAN AND GENERAL NOTES
03	C-03	EXISTING CONDITIONS - PLACEMENT AREA
04	C-04	EXISTING CONDITIONS - DREDGING AREA
05	C-05	DREDGING PLAN
06	C-06	DREDGING SECTIONS
07	C-07	PLACEMENT PLAN
08	C-08	BEACH PLACEMENT DETAIL PLAN

PLACEMENT SECTIONS

09

C-09

INDEX OF SHEETS

**DEFINITIONS** PROJECT OWNER

PROJECT ENGINEER:

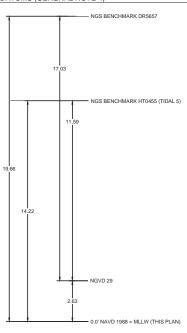
SAN MATEO COUNTY HARBOR DISTRICT 504 AVENUE ALEHAMBRA, STE 200 P.O. BOX 1449, EL GRANADA, CA 94018

CONTACT: JOHN MOREN PH: (650) 741-9163

ENVIRONMENTAL SCIENCE ASSOCIATES 550 KEARNY STREET, SUITE 800 SAN FRANCISCO, CA, 94116

CONTACT: LOUIS WHITE, PE PH: (415) 896-5900

DATUMS (GENERAL NOTE 4)



**PRELIMINARY** NOT FOR CONSTRUCTION

550 KEARNY STREET, SUITE 800 SAN FRANCISCO, CA 94108 OFFICE - 415.896.5900 WWW.ESASSOC.COM

PRELIMINARY

NOT FOR CONSTRUCTION



SURFER'S BEACH RESTORATION PROJECT PILOT

REVISIONS
# DATE DESCRIPTION

DESIGNED DRAWN S. SMITH CHECKED L. WHITE IN CHARGE L. WHITE

PROJECT NUMBER 180631.00

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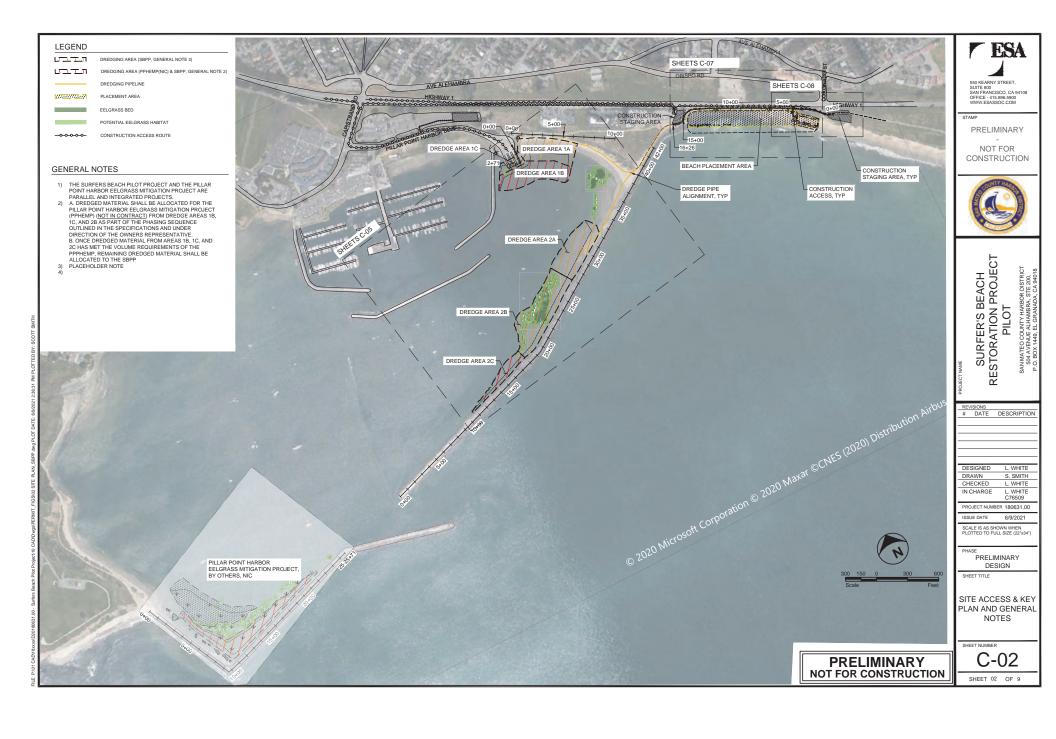
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C-01







NOTES

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CONSTRUCTION ACCESS ROUTE
CONSTRUCTION STAGING AREA







B SURFERS BEACH - LOOKING NORTH WEST PHOTO



SURFERS BEACH - LOOKING SOUTH

ESA

550 KEARNY STREET, SUITE 800 SAN FRANCISCO, CA 94108 OFFICE - 415.896.5900 WWW.ESASSOC.COM

TAMP

PRELIMINARY

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SURFER'S BEACH RESTORATION PROJECT PILOT

REVISIONS # DATE DESCRIPTION

DESIGNED L. WHITE
DRAWN S. SMITH
CHECKED L. WHITE
IN CHARGE L. WHITE
C76509
PROJECT NUMBER 180631.00

ISSUE DATE 6/9/2021

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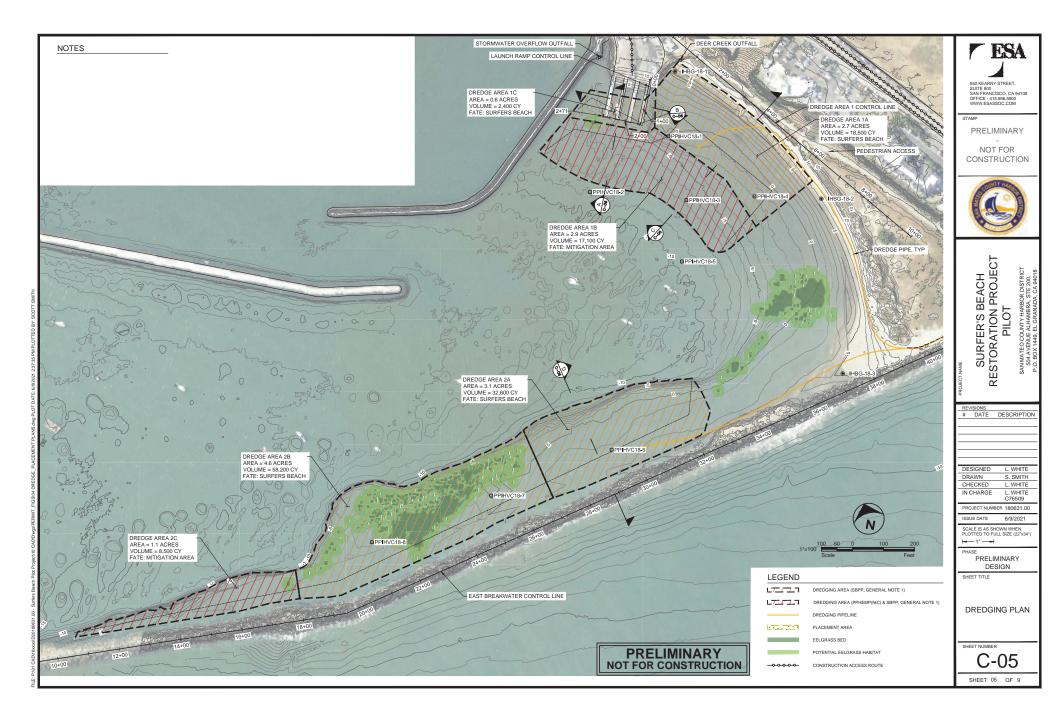
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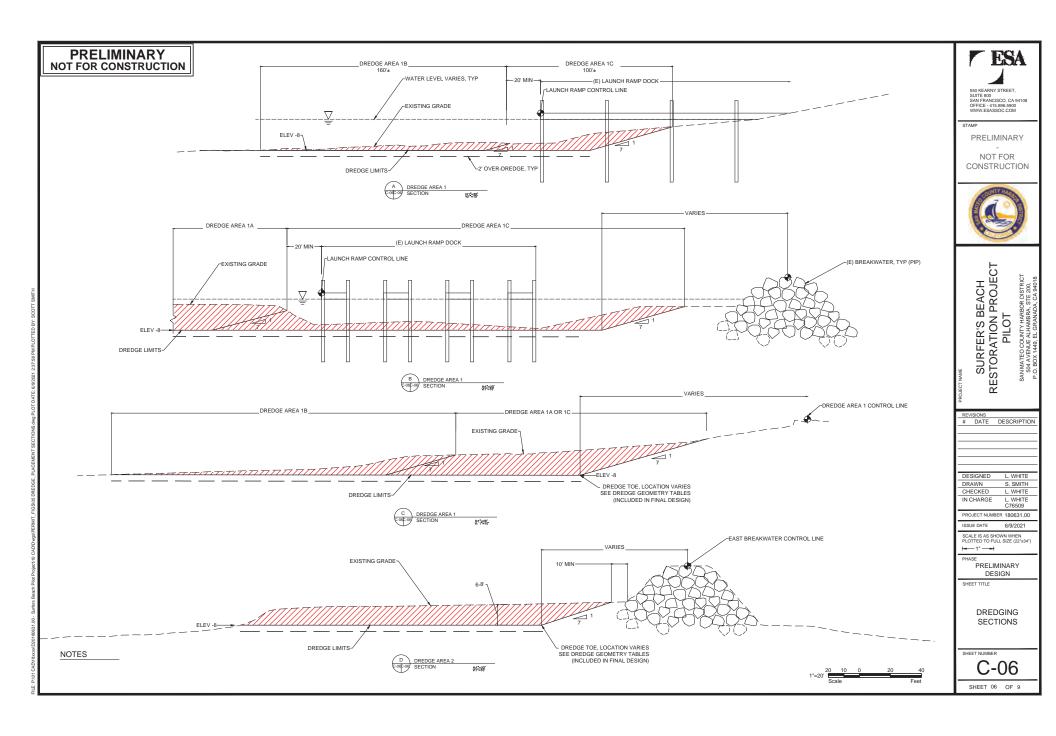
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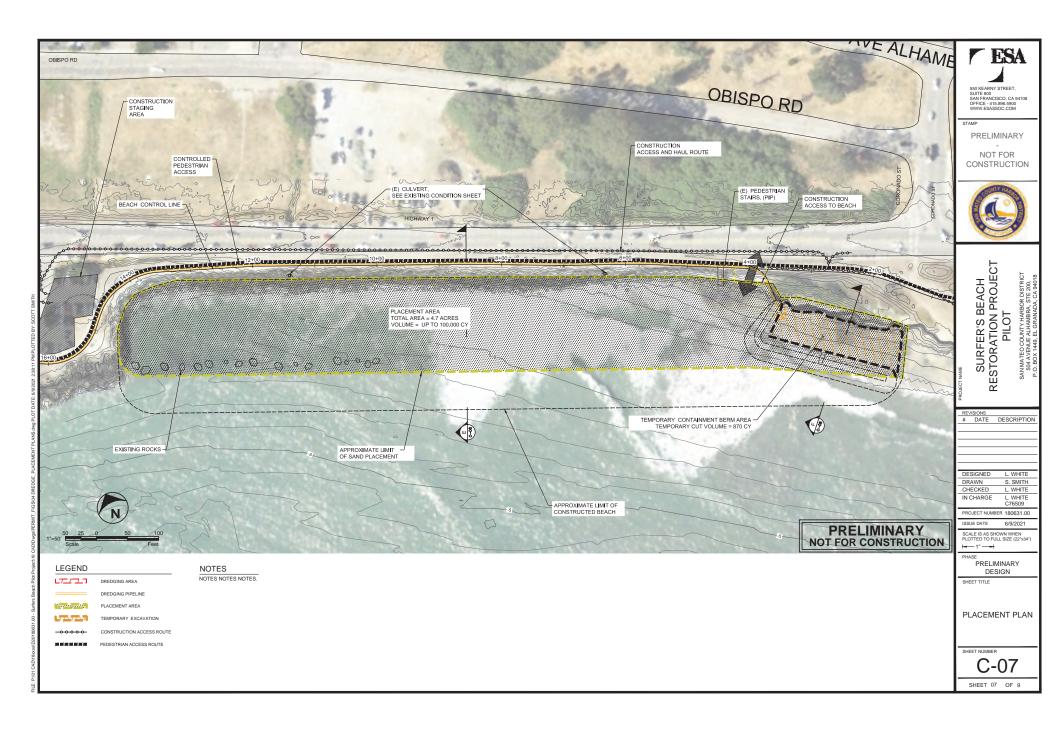
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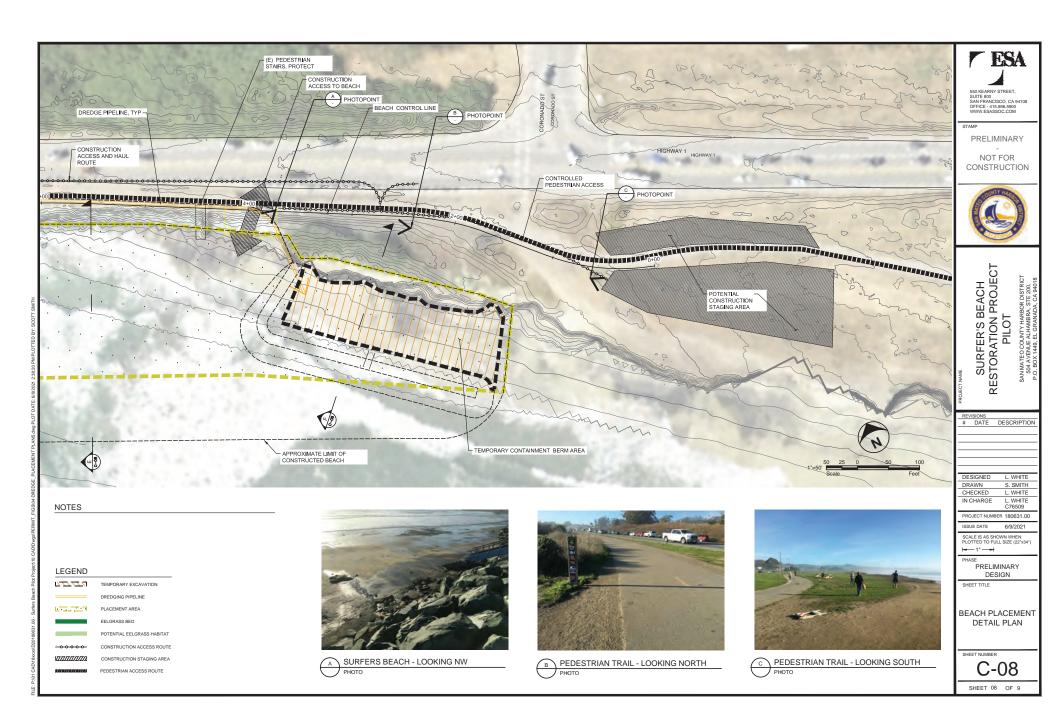
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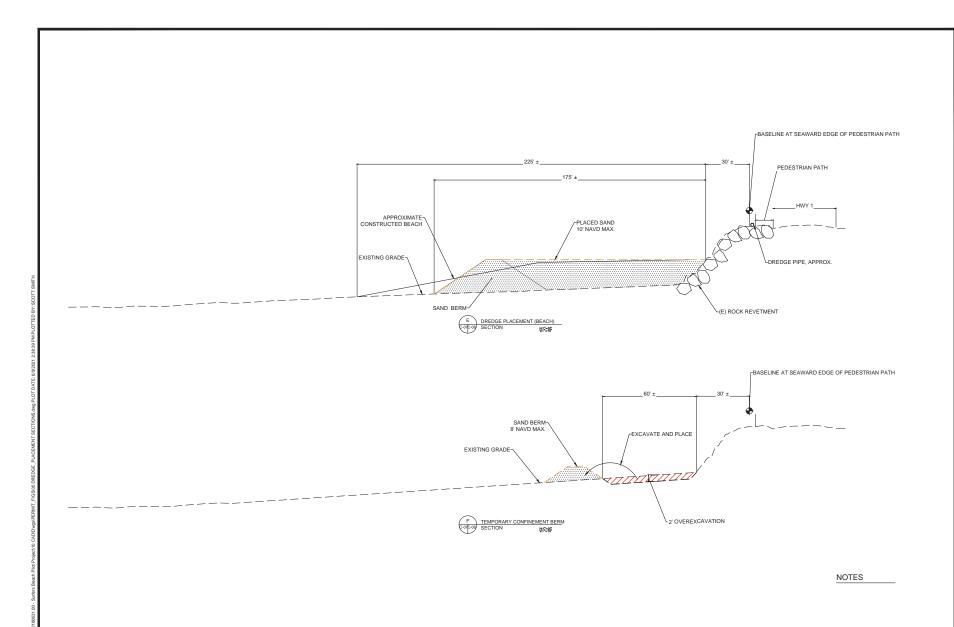
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SURFER'S BEACH RESTORATION PROJECT PILOT

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REVISIONS
# DATE DESCRIPTION

DESIGNED L. WHITE
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PROJECT NUMBER 180631.00 ISSUE DATE 6/9/2021

SCALE IS AS SHOWN WHEN PLOTTED TO FULL SIZE (22"x34")

PRELIMINARY DESIGN

SHEET TITLE

PLACEMENT SECTIONS

SHEET NUMBER

C-09

SHEET 09 OF 9