

CALIFORNIA COASTAL COMMISSION

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY
455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
VOICE (415) 904-5260



F8a

9-19-0386-A1

(Morro Bay Oyster Company, LLC)

May 10, 2024

Correspondence

From: [Melodie Grubbs](#)
To: Energy@Coastal
Cc: [Ann Kitajima](#)
Subject: RE: Permit Amendment Application No. 9-19-0386-A1 Morro Bay Oyster Company
Date: Monday, April 29, 2024 7:19:20 PM
Attachments: [MBOC_ProposedCultureArea_EGextent_2023_v2.pdf](#)

Hello,

Apologies, but please disregard the previous map attachment, that was the draft version that we had previously created for Morro Bay Oyster Company. The attached map is the final 2023 eelgrass extent data.

Please let me know if you have any questions.

Best,

Melodie

From: Melodie Grubbs
Sent: Monday, April 29, 2024 7:01 PM
To: 'EORFC@coastal.ca.gov' <EORFC@coastal.ca.gov>
Cc: Ann Kitajima <AnnK@mbnep.org>
Subject: Permit Amendment Application No. 9-19-0386-A1 Morro Bay Oyster Company

Hello,

I wanted to reach out to provide potential useful information regarding this agenda item. The Morro Bay National Estuary Program eelgrass extent maps are used heavily in the associated exhibits, and because of this we want to ensure that our most current data is being utilized. Our 2023 baywide eelgrass mapping effort was ongoing during the development of this permit amendment. Preliminary results, similar to the map attached, were shared with Morro Bay Oyster Company. This baywide eelgrass mapping effort has been finalized and reflects data collected in 2023. I have attached a map of the 2023 eelgrass extent and proposed expansion areas.

Understandably, eelgrass extent is dynamic, with long-term trends over time, and short-term shifts throughout the bay or in response to environmental conditions. The 2023 eelgrass map noticeably shows patchy eelgrass within several parcels, particularly in two of the southwest parcels. Given how MBNEP's eelgrass data is used in the permit exhibits, this updated data seems particularly relevant.

If you would like to discuss further, please reach out.

Sincerely,

Melodie Grubbs (she/her)
Executive Director

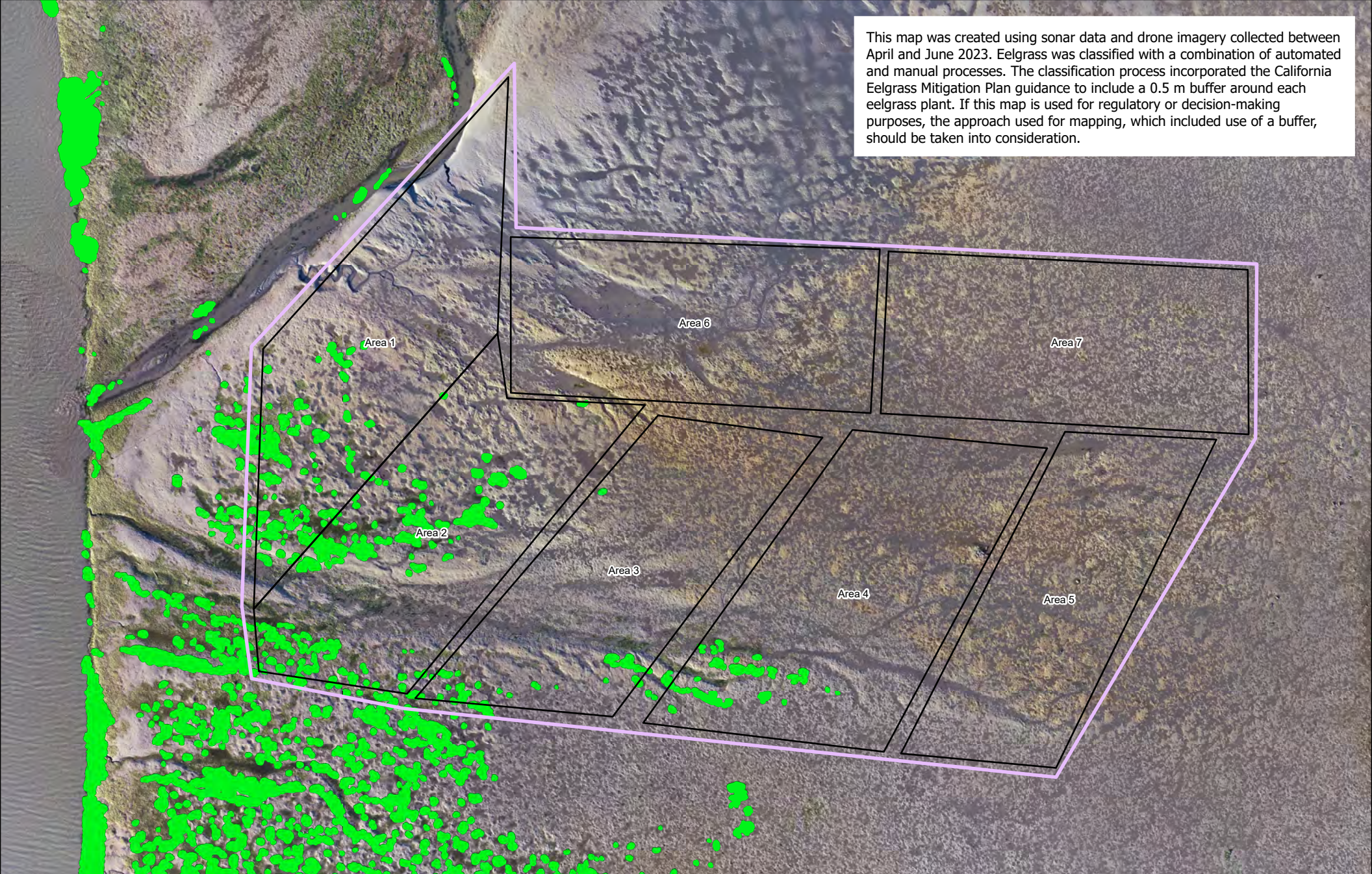


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MBNEP.org

This map was created using sonar data and drone imagery collected between April and June 2023. Eelgrass was classified with a combination of automated and manual processes. The classification process incorporated the California Eelgrass Mitigation Plan guidance to include a 0.5 m buffer around each eelgrass plant. If this map is used for regulatory or decision-making purposes, the approach used for mapping, which included use of a buffer, should be taken into consideration.



From: [Stevens, Theresa CIV USARMY CESPL \(USA\)](#)
To: Energy@Coastal
Cc: [Stevens, Theresa CIV USARMY CESPL \(USA\)](#)
Subject: MorroBayOysterCompany_CDPapplication.No. 9-19-0386-A1_CorpsFileNo_SPL-2019-00102-EBR
Date: Thursday, April 25, 2024 11:42:08 AM

To Whom it may Concern:

This is in response to the announcement below.

“Dear Interested Parties,

Please find attached the hearing notice for the California Coastal Commission’s May 10, 2024 Public Meeting, when the Commission will hear the Morro Bay Oyster Company’s application (No. 9-19-0386-A1) to amend its Coastal Development Permit to allow for oyster cultivation on an additional 8.29 acres and to allow for installation and use of a new floating work platform.

If you have any questions, concerns, or comments, please send them to:

EORFC@coastal.ca.gov.

Thank you for your attention to this matter.”

The U.S. Army Corps of Engineers Corps (Corps) has jurisdiction in Morro Bay below the high tide line elevation under section 404 of the Clean Water Act (CWA) and below mean high water under section 10 of the Rivers and Harbors Act (RHA). The Corps previously authorized Morro Bay Oyster Company (MBOC) after the fact, to continue its shellfish aquaculture operations on 2.25 acres of state tidelands and complete a 4.6 acre expansion (of structures and fills) on its existing State Water Bottom lease (lease no. M-614-01 parcel 2) (Corps permit No. SPL-2019-00102-EBR). A provisional permit was issued under the Corps’ CWA and RHA authorities and authorized a total of 6.85 acres of impact for the purpose of shellfish aquaculture.

MBOCs proposed expansion of shellfish growing area will require additional authorization from the Corps. The proposed expansion will also require section 401 water quality certification (WQC) or amendment from the Central Coast Regional Water Quality Control Board. It is also recommended the MBOC file a permit application with the Corps Los Angeles District Regulatory Division. Once an application is received, the Corps will determine the type of permit process and additional information that may be required. It is likely the Corps will be required to consult with the National Marine Fisheries Service and U.S. Fish and Wildlife Service, complete tribal coordination and possibly complete consultation with the State Historic Preservation Office.

Please let me know if you have any questions about these comments or recommendation.

Thank you-

Theresa Stevens, Ph.D.

U.S. Army Corps of Engineers

Los Angeles District

Regulatory Division

60 South California Street, Suite 201

Ventura, CA 93001-2598

PHONE: 805-585-2146

From: Gandolfsneed <gandolfsneed@aol.com>

Sent: Thursday, May 2, 2024 9:51 AM

To: ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>

Subject: Friday, May 3, Agenda item #8, Permit request Application No. 9-19-0386-A1, Energy, Ocean Resources & Federal Consistency - vote no

I am opposed to agenda item 8, the expansion requested by the Morro Bay Oyster Company in their application No.: 9-19-0386-A1.

Our marine life is undergoing tremendous strain due to climate change and the proposed project expansion will have adverse impacts to marine life from the placement of gear in the intertidal areas of Morro Bay.

I'm pleased to read that the eelgrass has recovered. Let's allow it to thrive without deleteriously impacting it by more human structures.

Please vote NO on this agenda item.

Sincerely,
Peggy Koteen
San Luis Obispo, CA