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**CITY OF PORT LAVACA**

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**PORT COMMISSION MEETING:** DECEMBER 19, 2023

**DATE:** 12.15.2023

**TO:** PORT COMMISSION BOARD MEMBERS    **CC:** JIM RUDELLAT, HARBOR MASTER

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT:** CDBG-MIT Coastal Resiliency Project

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After some informal meetings with TPWL, it appears we can realistically consider placing the breakwater as originally proposed, but there will be a requirement for reef relocation (which can be performed by Mott McDonald's subcontractor Triton and can be done immediately before construction). There will be a requirement for mitigation; M/M doesn't anticipate having to construct any additional features. However, we will be required to prepare a mitigation plan and there will be monitoring required for some period of time. These items may extend schedule of permitting, but (hopefully) not extensively. Note that these conclusions are based on feedback from only one agency, but the one who is likely to have the largest concern with impacts to the oysters. There will be other concerns from other agencies. For example, there is a pending listing of the Green Sea Turtle as Endangered, and NMFS and USACE are very cautious around the topic and are requiring consultation with NMFS on the topic for many projects where we would never have seen that in the past. That will require preparation of an Environmental and Biological Assessment, which is more than we would typically anticipate for this project in this location. That will all get clarity as we move into JEM meeting and permitting, coming early next year.

NOTE: If we take the path to place the breakwater in the originally proposed breakwater location to better protect Fisher Harbor, we will need to relocate the reef which will require a mitigation and monitoring plan, and will require a commitment to monitor oysters in the project area for a minimum of 5 years after construction. This is outside the current grant budget estimate. Mott McDonald is getting me a cost estimate to be prepared for the anticipated monitoring and reporting efforts. This monitoring and other items associated with the mitigation are outside the scope of the original grant and will require additional funding.

Our primary objective is to satisfy GLO's goals and objectives which led them to award the grant for this project in the first place. I've asked Joshua to discuss this with Joshua Oyer of GLO. If the additional protection of Fisher Harbor is something that is important enough to GLO to advocate for the relocation of the oysters, then I would think they would provide some additional funding. If this is not a key objective for them and the City would need to pay the additional cost, then we need to carefully take that into consideration. Once we have a bit more information about this, we can set up a meeting with M/M's sub Triton for more details.

Next step is finalizing our permit plans and permit documents (underway now), and presenting at a JEM meeting. Then, if JEM does not raise unexpected issues, submitting the permit application, likely in late January.