

# **CITY OF HAYWARD**

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
[www.Hayward-CA.gov](http://www.Hayward-CA.gov)



## **Agenda**

**Thursday, January 9, 2020**

**3:00 PM**

**Hayward Shoreline Interpretive Center  
4901 Breakwater Avenue**

**Hayward Area Shoreline Planning Agency**

A Joint Powers Authority Comprised of the East Bay Regional Park District, the Hayward Area Recreation and Park District, and the City of Hayward.

**3:00 PM - CALL TO ORDER**

**3:02 PM - INTRODUCTIONS**

**3:03 PM - APPROVAL OF HASPA MINUTES OF OCTOBER 10, 2019**

1. [MIN 20-004](#) Approval of the HASPA Minutes of October 10, 2019

**Attachments:** [Attachment I Draft Minutes of October 10, 2019](#)

**3:05 PM - PUBLIC COMMENTS:**

*The Public Comment section provides an opportunity to address the Oversight Board on items not listed on the agenda. The Board welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the Board or are within the jurisdiction of the Board as the Board is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.*

**3:15 PM - REPORTS: Technical Advisory Committee (TAC)**

2. **Shoreline Master Plan Update**

- SCAPE Presentation and SMP Progress Update

3. **4150 Point Eden Way Update**

4. **2695 - 2893 W. Winton Update**

**4:30 PM - REPORTS: Board Members (Trustees)**

**4:45 PM - REPORTS: Setting of Agenda for Next Meeting (Trustees/TAC)**

**5:00 PM - ADJOURNMENT**

**NEXT MEETING**

**3:00 PM, THURSDAY, APRIL 9, 2020**

**HAYWARD SHORELINE INTERPRETIVE CENTER**

*Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours in advance of the meeting by contacting the City Manager at (510) 583-4300 or TDD (510) 247-3340.*



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**File #:** MIN 20-004

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**DATE:** January 9, 2020

**TO:** Hayward Area Shoreline Planning Agency

**FROM:** Technical Advisory Committee for HASPA

**SUBJECT**

Approval of the HASPA Minutes of October 10, 2019

**RECOMMENDATION**

That the HASPA Trustees approve the HASPA Minutes of October 10, 2019

**SUMMARY**

There was a HASPA meeting on October 10, 2019

**ATTACHMENTS**

Attachment I Draft Minutes of October 10, 2019



## HAYWARD AREA SHORELINE PLANNING AGENCY

City of Hayward  
East Bay Regional Park District  
Hayward Area Recreation and Park District

Meeting of Board of Trustees  
Hayward Shoreline Interpretive Center  
4901 Breakwater Avenue  
Hayward, CA 94545



**October 10, 2019**

### **DRAFT ACTION MINUTES**

#### **HASPA TRUSTEES PRESENT:**

Al Mendall, City of Hayward, HASPA Chair  
Dennis Waespi, East Bay Regional Park District  
Minane Jameson, Hayward Area Recreation and Park District

#### **HASTAC MEMBERS PRESENT:**

Adrienne De Ponte, Hayward Area Recreation and Park District  
Damon Golubics, City of Hayward  
Erik Pearson, City of Hayward  
Mark Taylor, East Bay Regional Park District  
Matthew Graul, East Bay Regional Park District  
Sandra Hamlat, East Bay Regional Park District

#### **STAFF:**

Debbie Hernandez, Hayward Area Recreation and Park District  
Jacqui Diaz, Hayward Area Recreation and Park District  
Paul Hodges, Hayward Area Recreation and Park District  
Robert Goldassio, City of Hayward

#### **VISITORS:**

Kelly Abreu, Mission Peak Conservancy  
Laurel King, Hayward Shoreline Advocates

## Call to Order

A regular meeting of the Hayward Area Shoreline Planning Agency (HASPA) was called to order at 3:05 P.M. by Chair Mendall.

## Introductions

Introductions of those present were made [listed on Page 1].

### 1. Approval of HASPA Minutes for July 11, 2019

Moved by Trustee Jameson and seconded by Trustee Waespi, without objection, to approve the minutes of the Hayward Area Shoreline Planning Agency meeting of July 11, 2019 with one minor correction.

## Public Comments

Kelly Abreu made a public comment that the North Coast Regional Quality Control Board took a recent action worth approximately \$4 million in fines towards a vineyard in Mendocino County for illegally bulldozing of wetlands and filling in a stream on their property, including the diversion water. The received penalty funds will be used towards other wildlife and stream restoration projects in the same County. Mr. Abreu stated that this is an example of state and local agencies working together as they should. Mr. Abreu then made a comment that Alameda County does not function like it should and therefore the group he co-founded, Mission Peak Conservancy, has filed a lawsuit in California Superior Court against the California State Water Resources Control Board in an attempt to require them to enforce the same California Environmental Quality Act (CEQA) laws violated by a local vineyard which allegedly has also illegally diverted water and built dams.

Mr. Abreu also passed out a web-article, "Governor Newsom Signs AB 825" regarding the renaming of San Mateo County Flood Control District to Flood and Sea Level Rise Resiliency District, the first county-level agency in California to have a primary focus on sea level rise. Mr. Abreu stated that the City of San Leandro is also interested in addressing their own sea level rise. Mr. Abreu expressed concern that the local agencies and jurisdictions are not collaborating together towards the same goals regarding sea level rise.

Trustee Mendall commented that HASPA and its three respective agencies (City of Hayward, HARD, and EBRPD) are in communication with the City of San Leandro, including the mayor, as well as Jacqueline Zipkin, General Manager of Easy Bay Dischargers Authority, regarding the Shoreline Master Plan and other joint efforts towards the fight against sea level rise.

## REPORTS

### Reports from Technical Advisory Committee (TAC)

#### 2. Shoreline Master Plan (SMP) Update

TAC Member Damon Golubics gave a brief summary on the recent SMP charrette and then introduced the Shoreline Master Plan (SMP) consultant, SCAPE, who telecommuted to provide a PowerPoint presentation on the Shoreline Master Plan progress update.

An introduction of telecommuting SCAPE staff was made (Nans Voron, Gena Wirth, Tim Clark, and Joseph Marrone).

SCAPE gave a presentation to HASPA [available at <https://hayward.legistar.com/Calendar.aspx>]

After approximately forty minutes of SCAPE's presentation, SCAPE opened up a section for Q&A.

Trustee Jameson asked if the groundwater is mixing with sea water and how exactly that works.

SCAPE responded that with lower level sea rise it is expected to only be fresh ground water. However, as the sea level rise increases there may be potential for saltwater to impact or mix with the fresh ground water levels. Scape added that they are currently researching and analyzing exactly where the line [sea level rise height] would be before saltwater impacts the groundwater.

Chair Mendall asked what the unaffected areas were as referenced on the area map.

SCAPE responded that the areas identified on the map as unaffected are landfills that are elevated high enough not to be affected by an increase in sea level rise.

Chair Mendall mentioned that in contrast to the unaffected area, there is a large area in San Lorenzo which is residential that is expected to be impacted by sea level rise and made the comment that Alameda County Flood Control may be interested in receiving the preliminary sea level rise maps for their review.

SCAPE responded that they have shared some maps and data with Alameda County Flood Control (ACFC) regarding groundwater and 100-year flood events. Scape stated that ACFC suggested to also plan for high tide combined with precipitation flood events, which could be particularly problematic.

TAC Member Debbie Hernandez, Hayward Area Recreation and Park District, asked if the U.S. Army Corps of Engineers (Corps) are involved or have been given an opportunity to provide feedback.

SCAPE responded that the Army Corp will be included in the policy matrix as an interested party and resource involved with sea level rise mitigation efforts, and they are also a part of the San Francisco Bay Restoration Regulatory Integration Team (BRRIT).

Chair Mendall asked if any progress has been made with outreach efforts to finding funding sources for mitigation projects, including if contact has been made with property owners in the Industrial district.

SCAPE responded that they have been working with the TAC to establish the most effective way of performing outreach. One of the challenges is that no one entity or community group represents the industrial district, or the residential neighborhoods potentially affected. Therefore, SCAPE and the HASPA TAC are reaching out to the Chamber of Commerce for assisting noticing any public meetings or charrettes related to the SMP and also encouraging interested parties and stakeholders to sign up on distribution lists.

Chair Mendall suggested that Paul Nguyen, Economic Development Manager, City of Hayward, may be able to assist. Chair Mendall also recommended that we use the maps, which show the exact parcels impacted, to send outreach to those property owners advising them of the potential future impacts of sea level rise and encourage participation in funding mitigation measures.

Trustee Dennis Waespi remarked that of the agencies involved in the HASPA joint-powers authority, two of them are parks districts. Waespi expressed concern that Park agencies can only do so much and other public agencies involvement is necessary to protect other critical interests such as power plants and railroads.

TAC Member Matt Graul concurred with Trustee Waespi's remarks and added that park districts can be part of the solution, but there must also be participation from other impacted agencies.

Chair Mendall asked if it is possible to create a map, or a few maps, to demonstrate how proposed projects will protect specific areas such as industrial, residential, recreational, etc.

SCAPE responded that this is a valid point and they have been considering the idea as a way to present to stakeholders who may be able to choose specific mitigation projects to invest in to protect their own interests but still benefit a broader area simultaneously.

Trustee Jameson mentioned Calpine, intended to be a bridge to the future, and now by the time 40 years of lease have expired, perhaps the company will simply leave when sea level rise will impact them, rather than take precautions and mitigation measures. Trustee Jameson contemplated if other companies are intending to do the same thing.

Chair Mendall commented that if we have that valuable information, then a better decision could be made on what segments of the Shoreline to invest in. Particularly, investing towards segments where stakeholders are willing to invest and collaborate positively.

TAC Member Matt Graul added that a 7-ft. sea level rise would inundate the Calpine property.

TAC Member Mark Taylor asked if Alameda County Flood Control (ACFC) is looking at a 7-ft. sea level rise, or just 2-ft. and 4-ft.

SCAPE responded that ACFC is currently only focusing on 2-ft. and 4-ft. because a 7-ft. rise would be more than the City and County could handle, making it a regional issue.

Chair Mendall asked if the SMP could include cost estimates for each project along with potential alternative projects that may be easier to get approved and start building forward momentum.

SCAPE responded that they intend to list order of magnitude by cost for individual projects. A true cost assessment is a much more in-depth process that exceeds the limit of the SMP, however at a minimum the SMP will still identify implementable short-term low and medium cost projects as priorities.

SCAPE shared upcoming next steps and community outreach efforts as part of the Shoreline Master Plan.

SCAPE described next steps as the following:

- |            |   |
|------------|---|
| Oct. 10    | Final Goals and Policies Memo due to HASPA        |
| Oct. 27-28 | Community Workshop #2/ Present Adaptation Options |
| Jan. 9     | January Presentation by SCAPE                     |

Jan. 24	Draft Adaptation Report due to HASPA
Feb. 14	HASPA Comments on Draft Adaptation Report due to SCAPE
Feb. 21	Final Adaptation Report due to HASPA

Trustee Waespi thanked SCAPE for their presentation and thorough responses to the Q&A.

**3. 4150 Point Eden Way Application Update**

TAC Member Damon Golubics stated that City of Hayward Senior Planner, Leigha Schmidt, who has taken over review of the site development project application, reports that no additional action has been taken regarding the application resubmittals or responses to comments by City staff.

Chair Mendall requested that the W. Winton property come back for an update on the January agenda.

Trustee Minane Jameson asked if the W. Winton project would require another public hearing approval even though it was already approved in a public hearing.

Chair Mendall explained that the project was approved, however, the proposed and potential tenants will require a Conditional Use Permit to operate in the building, which requires another Planning Commission public hearing approval.

TAC Member Mark Taylor commented that the building appears constructed but work is still being done on landscape and similar finishes.

**NON-AGENDA ITEM ANNOUNCEMENTS**

**New HASPA Climate Corps Fellow Recruitment in Progress**

TAC Member Damon Golubics announced that following past Fellow, Aimee Kerr’s, departure, a recruitment process had begun and is currently in progress to find a new HASPA Climate Corps Fellow.

**Charge Forward Forum**

TAC Member Adrienne De Ponte announced that she, Matt Graul, and Sybil from Convey, had attended the Charge Forward Forum on October 3<sup>rd</sup>. De Ponte mentioned that approximately 350 people were in attendance and the discussion revolved around how to make large scale regional plans rather than piece by piece. De Ponte added that it was a great success and she was very excited to have attended the event.

TAC Member Matt Graul added that resources and funds are available to the right organizations for the right projects. Graul also mentioned that there is a statewide plan to determine how legislation can assist on a regional level.

Trustee Minane Jameson asked if there are people who specialize in certain areas such as creeks that come into the bay and how they function.

TAC Member Matt Graul responded that there is “not a coordinated effort” of folks, groups and experts that specialize in knowledge about local creeks and how they function.

TAC Member Sandra Hamlat stated that Adapting to Rising Tides that was done by the San Francisco Bay Conservation and Development Commission (BCDC) recently did something with regards to sediment and sea level rise but she was unsure of what came out of that effort.

TAC Member Matt Graul commented about recent sea level rise efforts and impacts, which was done at high level in a report that he was familiar with. Changing laws/policies are being applied to field level work. The overall goal is to protect or enhance natural bay resources.

TAC Member Adrionne De Ponte asked who would get resources and materials first as it related to something like Measure AA.

### **EBRPD Weather Impact Updates**

TAC Member Mark Taylor announced that EBRPD has repair projects coming up in the future, including Levee repairs, graveling work, and bridge repairs. More updates to come.

## **REPORTS: ACTION ITEMS (Trustees/TAC)**

### **4. Discussion and Possible Adoption of a Meeting Schedule for the 2020 Calendar Year**

A discussion was held regarding the proposed dates for the 2020 calendar year quarterly meeting schedule.

**Motion to adopt the meeting dates was made by Trustee Waespi, seconded by Trustee Jameson, and passed unanimously.**

The 2020 meeting dates are as follows:

Thursday, January 9

Thursday, April 9

Thursday, July 9

Thursday, October 8

Meetings will continue to be held at the Hayward Shoreline Interpretive Center, located at 4901 Breakwater Avenue in Hayward.

### **5. Approval of Bay Area climate Adaptation Network (BayCAN) Membership**

TAC Member Damon Golubics gave a brief summary of BayCAN, what it is, and how it would benefit HASPA as a member. Golubics also spoke on the membership cost of \$2,500 and provided detail of the current available HASPA funds which could be allocated to pay this fee.

**Moved by Trustee Waespi and seconded by Chair Mendall, without objection, to approve the allocation of HASPA funds.**

## Reports from Board Members (Trustees)

There were no reports.

## Tentative Agenda for Next Meeting, Thursday, October 10, 2019, at 3:00 P.M.

### Standing TAC Report Items:

- 4150 Point Eden Way Update
- SCAPE Presentation – Work to date on the Shoreline Master Plan
- W. Winton Industrial Site Update.

### Planned Future Agenda Items:

- Streamlined Permitting Update
  - Community Outreach Plan
  - In-Depth Report on Outside Agencies
- Citizens' Climate Lobby (Potential Agenda Item from Trustee Jameson)
- Invite Vinnie Bacon to present and provide feedback to HASPA

## ADJOURNMENT

Chair Mendall adjourned the meeting at 4:39 PM.