



HAYWARD AREA SHORELINE PLANNING AGENCY

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

Thursday, April 14, 2022

-3:00 PM -

Remote Participation Only

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

SPECIAL NOTICE REGARDING PUBLIC PARTICIPATION:

The purpose of conducting the meeting as described in this notice is to provide the safest environment for staff and the public while allowing for public participation. Pursuant to the Brown Act, as amended by AB 361, the Board of Trustees and staff may participate in the Board meetings via phone/video conferencing and/or through a hybrid of in-person and remote attendance.

The Hayward Area Planning Agency intends to hold meetings through an entirely virtual platform through the East Bay Regional Park District's Virtual Platform, Zoom. If the Board of Trustees decides to hold a hybrid in-person meeting, attendance by members of the public will be subject to compliance with current health and safety protocols.

Public comments may be submitted in the following ways:

1. Send an email to jholder@ebparks.org by 12:00 p.m. the day of the meeting. Please identify the Agenda Item Number in the subject line of your email. Emails will be compiled into one file, distributed to the HASPA Board of Trustees and Technical Advisory Committee (TAC) staff, and published on the District's Public Meeting Page (<https://www.ebparks.org/calendar/public-meetings>). Written comments received after 12:00 p.m. that address an item on the agenda will still be included as part of the record.
2. Live via zoom. If you would like to make a live public comment during the meeting this option is available through the virtual meeting platform: **Note:* this virtual meeting platform link will let you into the <https://ebparks.zoom.us/j/89723189612> virtual meeting for the purpose of providing a public comment. Comments received during the meeting and up until the public comment period on the relevant agenda item is closed, will be provided in writing to the HASPA Board of Trustees. All comments received by the close of the public comment period will be available after the meeting as supplemental materials and will become part of the official meeting record. If you have any questions please contact John Holder, Senior Planner, at jholder@ebparks.org or (510) 544-2323.

How to view the meeting and provide live Public Comment during the meeting:

Time: 4/14/2022 3:00:00 PM (UTC-08:00) Pacific Time (US & Canada)

Topic: HASPA Board of Trustees Meeting

Join Zoom Meeting

<https://ebparks.zoom.us/j/89723189612>

Meeting ID: 897 2318 9612

One tap mobile

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Dial by your location

- +1 669 900 6833 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 312 626 6799 US (Chicago)
- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)

Meeting ID: 897 2318 9612

Find your local number: <https://ebparks.zoom.us/j/89723189612>

CALL TO ORDER

ROLL CALL

1. Approval of Minutes from the HASPA Meeting held on January 13, 2022 (Trustee Chair)
Attachment I: Draft Action Minutes of January 13, 2022

Public Comments

The Public Comment section provides an opportunity to address the 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.

REPORTS: Technical Advisory Committee (TAC) Updates

2. Planning Project Updates (Taylor Richard, City of Hayward)
 - 2.1. U-Haul Development at 4150 Point Eden Way
 - 2.2. Industrial Shell Building at 3636 Enterprise
 - 2.3. City of Hayward Sea Level Rise Guidance Memorandums
Attachment II: Sea Level Rise Memorandums

ACTION ITEMS:

3. TAC Update on JPA Expansion and Recommendation for JPA Extension (EBRPD)
Attachment III: Memorandum on HASPA Expansion and Recommendation for Extension
4. Setting of Dates for Additional Meetings for 2022
Attachment IV: Memorandum and Recommended Dates for 2022

REPORTS: Board Members (Trustees)

REPORTS: Setting of Agenda for Next Meeting (Trustees/TAC)

ADJOURNMENT

NEXT MEETING: TBD

District facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed for you to participate, please contact the Clerk of the Board at 510-544-2020 as soon as possible, but preferably at least three working days prior to the meeting.

Item 1 - Attachment I: Draft Action Minutes



HAYWARD AREA SHORELINE PLANNING AGENCY

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

Meeting of Board of Trustees
Special Virtual Meeting Held Remotely via
Zoom Webinar

January 13, 2022

DRAFT ACTION MINUTES

HASPA TRUSTEES PRESENT:

Dennis Waespi, East Bay Regional Park District
Elisa Márquez, City of Hayward, HASPA Chair
Rick Hatcher, Hayward Area Recreation and Park District (HARD)

HASTAC MEMBERS PRESENT:

John Holder, East Bay Regional Park District
Devan Reiff, East Bay Regional Park District
Matthew Graul, East Bay Regional Park District
Taylor Richard, City of Hayward
Jason Warner, Ora Loma Sanitary District
Erik Pearson, City of Hayward
Erika Castillo, Alameda County Mosquito Abatement District
Jackie Lipkin, EBDA

STAFF:

Gayle Still, East Bay Regional Park District
Brian Holt, East Bay Regional Park District
Lisa Baldinger, East Bay Regional Park District
Matt James, East Bay Regional Park District
Flora Csontos, East Bay Regional Park District
Meghan Tiernan, Hayward Area Recreation and Park District
Brian Laczko, Hayward Area Recreation and Park District

VISITORS:

Kelly Abreu, Mission Peak Conservancy
Robert Lacy

Travis Kozik- PrimeGov
Eric Hentschke, Alameda County Mosquito Abatement

CALL TO ORDER

A regular meeting of the Hayward Area Shoreline Planning Agency (HASPA) was called to order at 3:04 P.M. and role was taken by Trustee Elisa Márquez.

Public Comments

None

ACTIONS:**1. Approval of HASPA Minutes for October 14, 2021**

Trustee Waespi motioned to approve, and Trustee Hatcher seconded, without objection to approve the October 14 2021 meeting minutes of the Hayward Area Shoreline Planning Agency meeting.

2. Discussion and approval of new Board Trustee Chair

Elisa Marquez announced that East Bay Regional Park District (EBRPD) is taking over administratively and motioned to nominate Trustee Waespi as Chair. Trustee Hatcher seconded and the motion was passed unanimously. Trustee Waespi asked EBRPD support and technical staff to introduce themselves: Planner John Holder will be facilitating these meetings moving forward, Chief of Stewardship Matt Graul serves on the Technical Advisory Committee (TAC), Senior Administrative Specialist Gayle Still. Additional participating staff is Chief of Planning, Trails and GIS Brian Holt and Principal Planner Devan Reiff. Additional staff introductions: Assistant Planner Taylor Richard and Environmental Services Manager Erik Pearson with the City of Hayward. Brian Laczko, Assistant Director of Planning and Development for the Hayward Area Recreation and Development introduced himself.

Public Comments

Kelly Abreu made a public comment regarding housing development and mitigation, using Union City and Newark as an example. Newark plans to dig out landfill and move it to a nearby landfill for the residential Sanctuary West development.

Trustee Hatcher from HARD announced he will be stepping down as Trustee, looks forward to hearing what happens going forward and will always be available for insight from the past. Trustee Hodges will be stepping in as the Trustee for HARD.

REPORTS**Reports from Technical Advisory Committee (TAC)****3. Planning Project Updates**

Updates were provided on the below Hayward Planning projects. Please contact the City of Hayward for details, discussion, and visuals presented.

1. Amazon Last Mile Delivery Station at 2701 West Winton Ave
2. U-Haul Development at 4150 Point Eden Way
3. LogistiCenter at 25450 Clawiter Road (Former Berkeley Farms Site)
4. Duke Realty Building at 24493 Clawiter Road
5. Industrial Shell Building at 3636 Enterprise Ave

Trustee Waespi stated that he is noticing that a lot of development is going in on the Shoreline by companies such as Amazon and suggested that at some point we should ask for help in trails and enhancements. Trustee Hatcher suggested the City hold these companies accountable for improvements and to the highest standards. Staff Taylor Richard commented that she would take it back to her staff. Trustee Marquez thanked Taylor and as a representative of the City of Hayward, advised they are having a retreat on the last Saturday of this month and she will be bringing up the concerns of this body

4. San Lorenzo-Bockman Levee Project Update. (Previously called the Oro Loma Interim Levee)

Jason Warner, General Manager of the Oro Loma Sanitary District, shared they are partnering with HASPA to submit a FEMA grant for a Shoreline Adaptation Master Plan (SAMP). The identified Project that will be funded by the grant is a Oro Loma Interim Levy (project 1A in the SAMP). Jason Warner summarized the Project and stated that HASPA coordinated a feasibility report and cost benefit analysis and during that process, it was realized that a Local Hazard Mitigation Plan (LHMP) was required (this has been prepared and sent to FEMA). A Notice of Intent to Submit Application (for FEMA grant) and will be submitted soon. A separate contract was signed for the FEMA application and that is on track for a March 2022 submission. Jason stated that the odds for success could be 80 percent for a \$20 million grant that may come to the Hayward Shoreline. He also mentioned that SAMP projects should be listed in regional LHMPs. Trustee Marquez asked what happens if it doesn't get funded and when will we find out. Jason said if it doesn't happen, we'll take a lesson on why and prepare for the next round. The timeline is usually six months. Jason stated that this is a perfect time in history with Federal infrastructure funds available. Trustee Marquez asked if there is a plan for public outreach if it goes through. Jason stated there will be public outreach after the project goes through. Trustee Hatcher asked about the LHMP and coordination of effort. TAC member Erik Pearson answered that it's a five -year plan and that next time will be an opportunity for collaboration. Trustee Hatcher asked about permitting and Jason said there is approximately 2 million budgeted for permitting. Trustee Hatcher remembers talking to Mark Taylor about bundling permits and this could be a consideration.

5. JPA Extension Update HASPA Expansion Update

TAC Chair Taylor Richard reported that since the last meeting in October, the HASPA TAC has met with staff from the Alameda County Mosquito Abatement District, Caltrans, East Bay Dischargers Authority, Ora Loma Sanitary District, and The Bay Trail to discuss next steps in the expansion of HASPA and gather input on the future of the JPA agreement. As a result of those discussions, the HASPA TAC is now seeking guidance on the expansion of HASPA, specifically related to the governance structure, membership dues and potential member agencies. She provided background on the governance structure: HASPA currently has one member servicing on their Board of Trustees, staff serving on the TAC and rotate the role of facilitation and management of HASPA every five years with member agencies. All the perspective agencies expressed interest in having staff serve on the TAC, however, some agencies have expressed concern over appointing a Trustee. Appointing a Trustee is challenging for certain agencies that do not have elected officials they report to or have current HASPA member agencies already represented on their Boards. For this reason, staff is considering a two-tier membership structure with certain agencies being solely represented on the TAC and other agencies being represented on both the TAC and the Board of Trustees. Another concern of some of the perspective member agencies is the role of facilitation and management of HASPA due to the staffing and time requirements needed. For this reason, staff is considering having that role be rotated among a subset of member agencies that have staffing and resources. Staff is also considering having a professional part-time coordinator be responsible for this role, however, the practicality of that depends on the number of member agencies and the operating budget of HASPA in the future.

TAC staff John Holder provided an update on membership dues and summarized current structure. He stated the annual operating budget is \$36,000 with each member contributing \$12,000 to HASPA. Staff is considering changes to this requirement to ensure budgetary needs are met but no agency is burdened by the costs. Furthermore, staff is considering different contributions for different membership types if a two-tiered membership structure is implemented. Lastly, additional prospective member agencies suggested Alameda County Flood Control District and Capital Corridor be included in HASPA. Staff is still coordinating with the Alameda County Board of Supervisor regarding joining HASPA. However, there has been no direct response yet. Staff reached out to Capital Corridor regarding joining HASPA. They expressed interest in getting involved with the HASPA TAC but noted they have very limited capacity. Staff will continue to include them in communications and keep them involved in the conversation.

Trustee Marquez stated that she is open to the two-tiered approach. Alameda County Mosquito Abatement District has identified a trustee to join, so that is positive. Maybe through their experience we can build upon that momentum and eventually get others to come on board and noted the 5-year rotation timeline as being a long time. She stated the goal is to expand the partnerships, collaboration and leverage our collective resources and expertise to actually compete for funding and get these projects into construction.

Trustee Hatcher agreed that the two tiers makes sense. Any agency that does have an elected Board would be a natural fit as a member and as HASPA moves forward, we need to look at the grant

opportunities, as well as consultants, so that would have to be a concern. Trustee Marquez mentioned a five-year term. Is that being proposed as a membership term or hosting term? Should the membership term be annually? TAC Chair Taylor Richard said we haven't had that discussion yet and historically HASPA has had five-year agreements. Trustee Hatcher looked at the list of agencies coming on board. One agency he sees as having to have an interest is the Alameda County Flood Control District and that he would like the elected leads to reach out on them.

TAC Chair Taylor said Caltrans has expressed no interest in being on the Board of Trustees, because it would be difficult to pick someone but is interested in the TAC. Trustee Waespi thinks it will be difficult but important to continue the process of asking other agencies to get involved and maybe even Cal State East Bay and Chabot College with interns. He is open to changing the five year commitment and maybe having bigger agencies have more time than others. Trustee Hatcher wanted to acknowledge San Jose State Students that were a part of the SAMP outreach, and that outreach always needs to be part of the conversation as we go for funding and mentioned that Hayward Youth Commission would be another good part of discussion. Trustee Waespi said HASPA has been a three-agency body for a long time and is very happy to see the Alameda County Mosquito Abatement come onboard and asked Eric Hentschke what he finds the value of joining HASPA is. Eric stated that mosquitos live where you're working and it's nice to help out with that in any way possible in the decision-making process. He said it was an honor to join HASPA.

6. Bay Adapt Letter of Support from HASPA

TAC staff John Holder summarized Bay Adapt Join Platform and the requested Letter of Support for the Bay Adapt Joint Platform and presented the draft Letter of Support.

Trustee Hatcher made a motion to approve and send the letter, and Trustee Marquez seconded. The motion passed unanimously.

REPORTS: Board Members (Trustees)

Trustee Waespi said the King Tides were last week and on January 2nd he got a chance to walk on the Hayward Shoreline. It was a great example of what is going to happen as the trail disappeared. It would be great for everyone to meet out there sometime.

REPORTS: Setting of Agenda for Next Meeting (Trustees/TAC)

Trustee Marquez would appreciate an update on outreach efforts. Trustee Hatcher asked is there is a timeline on recruitment, membership dues and getting the by-laws revised. Taylor Richard said our current JPA extension runs through June, 2022, so by then we should have a new agreement. Trustee Waespi suggested using interns to tell our story and a Save the Hayward Shoreline group for organizing clean ups and merchandising with T-shirts and hats to publicize the Hayward Shoreline.

No public comments

Tentative Agenda for Next Meeting, Thursday, January 13, 2022, at 3:00 P.M.

- Standing Item as HASPA Expansion Efforts
- Standing TAC and Board updates

ADJOURNMENT

Trustee Waespi adjourned the meeting at 4:08 PM.

Item 2.3 - Attachment II: Sea Level Rise Memorandums



HAYWARD AREA SHORELINE PLANNING AGENCY

City of Hayward Sea Level Rise Memorandums:
(1)

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SEA LEVEL RISE & LAND DEVELOPMENT IN HAYWARD
 Planning Division • (510) 583-4216 • planning.division@hayward-ca.gov

WHAT IS SEA LEVEL RISE?

Climate change is causing the seas to rise in Hayward, California and worldwide. Sea level rise is caused by two main factors:

1. *The Melting of Ice:* As global temperatures rise, glaciers and ice sheets melt adding freshwater to our oceans which lead to rising sea levels.
2. *Thermal Expansion:* As global temperatures rise, water temperatures also rise. When water is heated, the volume of water expands causing sea levels to rise.

Local, state, and global actions are necessary to curb climate change, and the City of Hayward already has several initiatives in place to address its effects. To learn more about these initiatives, please visit <https://www.hayward-ca.gov/your-environment>

However even if the inputs to climate change are drastically curbed, sea levels will continue to rise across the globe. As a community adjacent to the San Francisco Bay, Hayward is particularly vulnerable to this threat.

WHAT ARE THE IMPACTS OF SEA LEVEL RISE?

If unaddressed, sea level rise will have impacts on Hayward’s shoreline and low-lying areas including:

- Increased and prolonged flooding
- Damage and/or loss of buildings, roads, and critical infrastructure
- Loss of marshes, shoreline habitat and recreational opportunities

To plan and address future impacts from sea level rise, the City of Hayward, and the Hayward Area Shoreline Planning Agency (HASPA) developed the Hayward Area Shoreline Adaptation Master Plan.

WHAT IS THE HAYWARD AREA SHORELINE ADAPTATION MASTER PLAN?

In 2021, the City of Hayward and HASPA adopted the Hayward Area Shoreline Adaptation Master Plan to address sea level rise through the end of this century. The Shoreline Adaptation Master Plan aimed at reducing risk to critical assets from daily flooding and future 100-year flood events in a up to 4’ of sea level rise scenario. Based on a medium-risk aversion, it is estimated that the state will see approximately 4’ of sea level rise in 50-60 years (California Coastal Commission recommendations, 2018).

Due to complexities associated with estimating sea level rise and the evolving science, this estimate is subject to change. For planning purposes, the Shoreline Adaptation Master Plan used a target elevation of 14.3 feet North American Vertical Datum 1988 (NAVD88) to evaluate and assess adaptation strategies. Some adaptation strategies identified in the Master Plan include marsh restoration, flood infrastructure, and erosion controls (Figure 1).




Figure 1: Preferred Alternative

Updated March 2022

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The Shoreline Adaptation Master Plan also includes the construction of a perimeter levee by the year 2035 to protect the shoreline, existing low-lying areas, and any development behind the levee from future coastal flooding. Any low-lying development, whether existing or new, would remain at risk of flooding from groundwater emergence and stormwater runoff after the construction of a perimeter levee (See Figure 2). Due to the timing of the levee construction and other flooding risks, impacted parties should consider sea level rise when altering a site. For more information about the Hayward Shoreline Adaptation Master Plan, please visit <https://www.hayward-ca.gov/shoreline-master-plan>

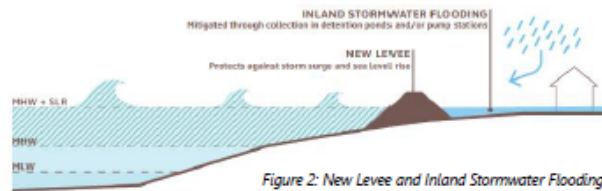


Figure 2: New Levee and Inland Stormwater Flooding

WHERE WILL FLOODING FROM SEA LEVEL RISE OCCUR?

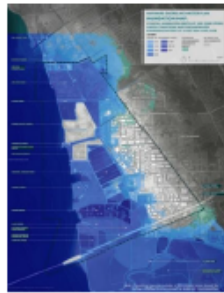


Figure 3: Sea Level Rise Flood Map

As part of the Shoreline Adaptation Master Plan, the City of Hayward and HASPA conducted a thorough analysis of future sea level rise scenarios based on guidance from the state and previous studies. The sea level rise scenarios of 2, 4, and 7 feet were used to prepare the maps. The maps include flooding from sea level rise, the 100-year flood event and groundwater emergence at each identified scenario. Figure 3 shows anticipated flooding from 4 feet of sea level rise at the 100-year flood event. The target elevation of 14.3 feet NAVD88 was developed to protect against this. Property owners, developers and other interested parties should review these maps to determine how their property may be impacted. All the maps can be found here: [Sea Level Rise Mapping Report Story Map](#).

WHAT ARE SOME CONSIDERATIONS FOR DEVELOPMENT NEAR THE SHORELINE?

While the Shoreline Adaptation Master Plan recommends that the City increase flood protection standards for new construction and renovations, it does not identify or require a specific amount of sea level rise or minimum design elevations. However, impacted parties should consider the following when altering a site:

- Is the site within a Federal Emergency Management Agency (FEMA) flood plain? Visit our [GIS web map](#) to determine if the site is within a FEMA flood plain. If it is, does the development comply with the City's [Flood Plain Management Ordinance](#)?
- What is the site elevation in NAVD88? If below 14.3 feet NAVD88, consider site raising of the buildings, parking or other critical assets above 14.3 feet to protect the investment from flooding.
- Is the site zoned Industrial? Visit our [GIS web map](#) to determine how the site is zoned. If it is zoned industrial, does the development align with the City's [Industrial Design Guidelines](#)?

For more technical information on this subject, please review the City's Technical Memo for Land Development in Areas subject to Sea Level Rise.

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City of Hayward Sea Level Rise Memorandums:
(2)



TECHNICAL MEMO FOR LAND DEVELOPMENT IN AREAS SUBJECT TO SEA LEVEL RISE

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HAYWARD AREA SHORELINE ADAPTATION MASTER PLAN

In 2021, the City of Hayward and the Hayward Area Shoreline Planning Agency (HASPA) has completed the development of a Shoreline Adaptation Master Plan to address anticipated sea level rise through the end of this century. The primary focus of the Shoreline Adaptation Master Plan is to mitigate the impacts of sea level rise through the construction of a perimeter levee intended to protect the shoreline and existing low-lying development from future inundation. A new levee would also protect any new development within these flood plain areas from coastal flooding. Any low-lying development, whether existing or new, would remain at risk of flooding from groundwater emergence and stormwater runoff after the construction of a perimeter levee.

The Shoreline Adaptation Master Plan aimed at reducing risk to critical assets from daily tidal inundation and future 100-year flood events in a up to 4' of sea level rise scenario. Based on a medium-risk aversion, it is estimated that the state will see approximately 4' of sea level rise in 50-60 years (California Coastal Commission recommendations, 2018). Due to complexities associated with estimating sea level rise and the evolving science, this estimate is subject to change. For planning purposes, the Shoreline Adaptation Master Plan used a target elevation of 14.3' North American Vertical Datum 1988 (NAVD88) to evaluate and assess adaptation strategies.

The Shoreline Adaptation Master Plan recommends that the City increase flood protection standards for new construction and renovations but does not identify or require a specific amount of sea level rise or minimum design elevations within the Master Plan. For more information about the Hayward Shoreline Adaptation Master Plan, please visit <https://www.hayward-ca.gov/shoreline-master-plan>

SEA LEVEL RISE MAPS

As part of the Shoreline Adaptation Master Plan, the City of Hayward and the Hayward Area Shoreline Planning Agency conducted a thorough analysis of future sea level rise scenarios based on guidance from the state and previous studies. Sea level rise scenarios of 2, 4, and 7 feet were used to prepare maps showing inundation from sea level rise, the 100-year flood event and groundwater emergence. These maps can be found here: [Sea Level Rise Mapping Report Story Map](#).

FLOOD PROTECTION AND SEA LEVEL RISE

The City of Hayward participates in the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA) and has adopted a [Flood Plain Management Ordinance](#). The intent of the ordinance is to protect development from existing flood hazards including coastal flooding and the threshold of protection is set at the 100-year event (1% chance of exceedance in any year). The primary purpose of the NFIP is to provide insurance protection for improved structures and does so by ensuring that structures are either located outside of the flood plain or elevated and protected where they may be located within a flood plain. As an example, the finish floor elevation of an industrial building near the shoreline may be elevated above and protected from the 100-year flood event while the surrounding grades including parking areas may be inundated during this same event.

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Critically, FEMA flood plain maps do not account for sea level rise at this time. As sea levels rise in the coming century, the frequency of coastal flooding will increase as well. It is not known if, when, or how FEMA will incorporate sea level rise into the NFIP. Currently, the City has no ordinances or other regulatory requirements for new development projects to account for future sea level rise; however, there are steps that applicants can take to mitigate these impacts on a project by project basis, as detailed below.

ELEVATIONS AND DATUMS

Tide charts are for sailors and fisherman, typically based on elevations relative to the average daily low tide within a 30-year epoch and not tied directly to any fixed elevations on land. For example, the current high tide is about 7 feet. After 3 feet of sea level rise, the high tide will still be 7 feet. Historically, elevation datums were also local, with cities often having varying datums or reference zero elevations; the zero elevation in San Francisco was different than the zero elevation in Hayward. The advent of Global Positioning Systems (GPS) in the 1980s led to the establishment of the North American Vertical Datum, 1988 (NAVD88) which provides a consistent datum or zero elevation across the entire country. NAVD 88 is the datum used by most project surveyors when preparing a topographic site survey and by FEMA when preparing all flood maps. Therefore, when trying to understand tidal impacts to the shoreline, all elevations should be converted to the North American Vertical Datum 1988 (NAVD88).

CURRENT TIDAL EVENTS (ALL ELEVATIONS PER NAVD88)

The National Oceanic and Atmospheric Administration (NOAA) maintains several tide stations within San Francisco Bay including along the Hayward shoreline, however the closest tide station with an elevation tie to the NAVD88 datum is at San Leandro Marina. Using information from this tide station:

- Mean Higher High Water (average daily high tide) ~ 7.0 feet
- King Tide (annual highest tide or 1-year event) ~ 8.5 feet
- 100-Year Flood (tidal event and storm surge) ~ 10.3 feet (11 feet per FEMA maps)

A key takeaway is that the 100-year (1% change of exceedance) event is about 2 feet above the annual king tide event – an elevation difference that should remain consistent even with future sea level rise.

CONSIDERATIONS FOR NEW INDUSTRIAL PROJECTS NEAR THE SHORELINE

Much of the current development occurring near the Hayward shoreline is industrial with a tilt up concrete structure(s) surrounded by parking and/or truck loading docks. Due to the nature of loading docks, the surrounding parking areas and other site amenities are often a couple feet below the finish floor elevation of the structure.

Since the City's flood plain ordinance and FEMA already require that finish floor elevations be raised above the 100-year flood (1% chance of exceedance) elevation, much of the new development, including both structure and contents within those structures, are generally protected. Parking lots, loading docks, and other sitework are typically less expensive and usually able to withstand an occasional period of inundation. Therefore, protecting parking and site improvements by elevating above the annual king tide event may be deemed prudent and may result in potentially significant cost savings for a new development.

Buildings and site improvements constructed above the 100-year and king tide elevations, respectively, can be assumed to have some protection against sea level rise.

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Item 3 - Attachment III: Memorandum on HASPA Expansion and Recommendation



HAYWARD AREA SHORELINE PLANNING AGENCY

Memorandum

DATE: April 14, 2022

TO: Hayward Area Shoreline Planning Agency (HASPA) Board of Trustees

FROM: Technical Advisory Committee

SUBJECT: Technical Advisory Update on HASPA Expansion and Recommendation for Joint Powers Agreement Extension

Recommendation

The Technical Advisory Committee (TAC) recommends that the HASPA Board discuss this memorandum and provide guidance on the expansion of the Hayward Area Shoreline Planning Agency Joint Power Authority (HASPA JPA). Additionally, the TAC requests the HASPA Board renew the current HASPA JPA agreement for one year, to June 2023.

Background

HASPA was originally formed on December 7, 1970, with a Joint Powers Agreement (JPA) for the purpose of protecting and planning for the Hayward Shoreline. Over time, HASPA has taken on the new mission of sea level rise since coordinating the original shoreline planning activities and carrying out previously adopted policies for the shoreline area have already been fulfilled. The HASPA JPA agreement has historically been extended every five (5) years. Significant recent dates in renewals and expiration of the HASPA JPA agreement are:

- **January 1, 2021:** This action extended the JPA one year to complete the Shoreline Adaptation Master Plan (SAMP) with the City of Hayward as the lead agency.
- **January 1, 2022:** This action extended the JPA for six months to allow the East Bay Regional Park District (EBRPD) take over coordinating authority for HASPA

- and continue efforts to expand the current JPA membership to allow for expanded collaboration in implementation of the SAMP.
- The most recently executed JPA expires on June 30, 2022.

Discussion

Over the past year, the HASPA Board of Trustees expressed support for the expansion of the HASPA JPA and directed the TAC to invite new members. At the meeting on January 13, 2022, the Board received an update from the TAC Chair and additional TAC staff on the current structure, expansion efforts, and status of parties interested in joining. As a reminder, the following agencies have been invited to join or participate in HASPA:

- Alameda County Mosquito Abatement District
- SF Bay Trail
- CalTrans
- East Bay Dischargers Authority
- Oro Loma Sanitary District
- Alameda County Flood Control District
- Union Pacific Railroad
- Castro Valley Sanitary District
- South Bay Salt Ponds
- Calpine
- SF Bay Restoration Authority
- Capitol Corridor

In July 2021, agency engagement was initiated, and invitation letters were sent by TAC staff. As a result of TAC efforts, the following agencies have expressed interest in participating in HASPA, either as a TAC member or a Trustee member:

- Alameda County Mosquito Abatement District (Trustee)
- Oro Loma Sanitary District (Trustee)
- SF Bay Trail (TAC)
- Caltrans (TAC)
- Capitol Corridor (TAC)
- East Bay Dischargers Authority (TAC)
- Alameda County Flood Control District (TAC)

Governance structure, membership dues, and additional member agencies were key components of the discussion in reaching out to the agencies. The most recently executed JPA agreements have not changed significantly from the JPA agreements in past years. However, allowing the proposed Trustee agencies into HASPA will require a new or updated JPA agreement to be developed and approved by the HASPA Trustees. A new or

updated JPA agreement also creates an opportunity to improve the JPA from an operational and project implementation perspective.

Governance Structure Changes

Since the January 2022 HASPA Trustee meeting, TAC has continued efforts during monthly meetings to expand HASPA and has continued discussions on restructuring HASPA governance and updating the JPA agreement to allow for expanded membership on the Board. As a first step in this process, the TAC began developing a Term Sheet to align agency priorities and inform changes to the HASPA JPA. Additionally, the TAC also established a JPA Update Subcommittee consisting of EBRPD, the City of Hayward, the Mosquito Abatement District, and the East Bay Dischargers Authority to focus on how to update the JPA agreement, research recent JPA update efforts in the region, and strategize on updating the existing JPA agreement or forming a new JPA entirely.

While the Term Sheet discussions are still in process between the TAC members, the TAC plans to present a draft version for adoption by the HASPA Board at the next scheduled HASPA Board meeting. So far, the discussions in the development of the Term Sheet have been collaborative and focused primarily on making the existing JPA more efficient, allowing for flexibility moving forward, and the addition of new members to the Board. The TAC does not expect the actual JPA agreement update to be complicated, but as it is a legally binding document, it is important to ensure each agency review the Term Sheet in detail before moving forward with development of a new or updated JPA agreement.

Extension of the Current JPA

To allow the TAC to continue the JPA agreement update process, including the finalization of the Term Sheet, the TAC is recommending that the HASPA Board of Trustees approve a one-year extension of the HASPA JPA through June of 2023. As reminder, the current JPA has been extended numerous times in the past, both due to the required 5-year term and for additional one-year extensions to allow for project or program implementation. The most recent extension to the JPA agreement allowed the TAC to continue the HASPA JPA expansion process. As such, this proposed one year extension will allow the TAC and participating HASPA Trustee agencies to complete this process.

As stated above, the Term Sheet process is not yet finalized and once a Term Sheet is complete, the TAC will separately need to evaluate options on the drafting the JPA agreement. As the JPA is a legally binding document, the development of the new or revised JPA may require the engagement of outside counsel, review by each member agency counsel, and merit further discussion prior to finalizing the JPA agreement. As part of this update process, the TAC will establish target dates based on the proposed HASPA

Board of Trustees meeting schedule. The work is expected in time to have all member agencies approve the agreement prior to June, 2023.

Next Steps

Upon a recommendation from the HASPA Trustees, including a formal motion, staff will seek authorization from the three current HASPA member Boards and Council to extend the current HASPA JPA for one (1) year with EBRPD continuing as the coordinating authority, and a new expiration date of June 30, 2023.

Additionally, the TAC, along with staff from the new prospective agencies, will continue efforts to finalize the Term Sheet. This Term Sheet will be presented for review and adoption to the Board of Trustees at the next scheduled HASPA meeting.

Item 4 – Attachment IV: Memorandum on Proposed 2022 Dates



HAYWARD AREA SHORELINE PLANNING AGENCY

Memorandum

DATE: April 14, 2022

TO: Hayward Area Shoreline Planning Agency (HASPA) Board of Trustees

FROM: Technical Advisory Committee

SUBJECT: Proposed Dates for 2022

Recommendation

The Technical Advisory Committee (TAC) recommends that the HASPA Board of Trustees continue to meet quarterly on the second Thursdays in 2022, as required by the current HASPA Joint Powers Authority Agreement.

Proposed Dates

- July 14, 2022
- October 13, 2022