



## 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

**April 11, 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  
Jay Lee, City of Hayward  
Mark Taylor, East Bay Regional Park District  
Sandra Hamlat, East Bay Regional Park District

#### **STAFF:**

Aimee Kerr, Climate Corps Fellow  
Debbie Hernandez, Hayward Area Recreation and Park District  
Jack Steinmann, Climate Corps Fellow  
Matthew Graul, East Bay Regional Park District  
Kristina Kelchner, East Bay Regional Park District  
Robert Goldassio, City of Hayward

#### **VISITORS:**

Erika Castillo, Alameda County Mosquito Abatement District  
Kam Barn, U-Haul  
Kelly Abreu, Mission Peak Conservancy  
Laurel King, Hayward Shoreline Advocates  
Levi Coulter, U-Haul

1. **Call to Order**

A regular meeting of the Hayward Area Shoreline Planning Agency (HASPA) was called to order at 3:02 P.M. by Chair Mendall.

2. **Introductions**

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

3. **Approval of HASPA Minutes for January 10, 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 January 10, 2019.

4. **Public Comments**

None

**REPORTS**

1. **Reports from Technical Advisory Committee (TAC)**

**Industrial Regulations Update**

TAC Member Jay Lee advised that the Industrial Regulations Update will be heard at an upcoming Planning Commission meeting on April 25 and also at a City Council public hearing on May 14, 2019. TAC Member Lee stated that staff have been able to incorporate a lot of feedback from HASPA. He summarized that the Industrial Regulations Update is to take the one industrial zoning district, that currently covers all industrial properties, and dividing it into subdistricts. This would allow for more variety within industrial districts, such as the lighter industrial zoned area intended for office and campus-like atmosphere, and the heavier industrial zones for manufacturing and other related uses. The update should provide more opportunity for high-technology and employee-intensive uses.

**Shoreline Master Plan Update**

TAC Member Lee stated that the mission for HASPA has changed from preserving lands to protecting them against Sea Level Rise (SLR), especially since there has already been significant effort towards protecting and preserving the shoreline. HASPA acquired a grant for over \$500,000 from Caltrans, and has since hired SCAPE, a landscape architecture consulting firm from New York, to begin as of Fall 2018 to assist with the creation of a Shoreline Master Plan.

TAC Member Lee gave a status update on the Shoreline Master Plan (SMP), currently in the community outreach phase. A survey was released to the public in mid-March 2019 and has already received upwards of 900 responses. These responses will help validate community concerns and also help shape future surveys to gather more specific feedback towards SMP components.

Climate Corps Fellow Aimee Kerr announced that three community workshops are being planned to provide additional public outreach to receive meaningful feedback from the community and to partner with more stakeholders. The first community workshop will take place on May 16 from 6-8pm at the Hayward Shoreline Interpretive Center, and consist mostly of expert stakeholders, not necessarily the general public. Future workshops, however, will be primarily focused on the community.

**SMP Project and Study Boundaries**

Climate Corps Fellow Aimee Kerr clarified the difference between the SMP Project and Study boundaries. The Study Area is to research what type of assets and naturally built infrastructure exist that may help provide more understanding of possible future projects. The Project Area is the area where HASPA has jurisdiction and could theoretically implement projects.

Chair Mendall asked for clarification of the Study Area boundaries. TAC Members Sandra Hamlat and Mark Taylor gave explanations as to the jurisdiction boundaries based on a number of changes since HASPA's inception in the 1970s. TAC Member Adrienne De Ponte also clarified that the Hayward Shoreline extending south of Highway 92 is not owned by any of the HASPA member agencies and is therefore not included in the Study Area. Those shorelines are mostly owned by CA Dept. of Fish and Wildlife and some areas by Alameda County Flood Control District.

Trustee Waespi asked what the staff recommendation is. TAC Member Hamlat responded that staff's recommendation is to keep both the Project Area, so HASPA can have some control over what the adaptation strategies will be focused on in that area, and the Study Area as the broader area to possibly implement future project coordination and policy guidelines.

TAC Member Hamlat noted that groundwater is likely to influence the areas that are susceptible to flooding, so a larger project area may be more desirable.

Climate Corps Fellow Aimee Kerr described the process for hiring the San Francisco Estuary Institute (SFEI) as a subconsultant on the project team at an estimated cost of \$13,000. SCAPE proposed to use \$3,000 of their contract funds to partially cover the cost of SFEI's involvement, whereas HASPA would cover the additional \$10,000. TAC Member Lee noted that HASPA has reserve funds of \$11,000 remaining from unused past Climate Corps and Civic Spark Fellow budgets which can be used towards the SFEI expense. Multiple TAC members commented on the benefits of having SFEI expertise on the Hayward Shoreline and encouraged their participation to review major project deliverables and add an extra layer of oversight. Chair Mendall and Trustees Waespi and Jameson expressed support and requested that staff return with the \$10,000 budget request for SFEI funds as an action item so a formal decision can be made at a subsequent meeting.

**SMP CEQA Component**

TAC Member Lee stated that staff encourage completing a California Environmental Quality Act (CEQA) analysis, specifically a Programmatic Environmental Impact Report (EIR), for the SMP. A programmatic EIR is the highest level of CEQA analysis, typically used for major projects such as the SMP, so that future implementable SMP projects could tier off of the existing analysis. While the cost is higher upfront, the long-term benefit would significantly reduce the cost of CEQA analysis needed for individual implementable projects. Additionally, future grant applications for projects would be more competitive with an EIR already conducted; which Lee adds has been an issue in acquiring certain grants in the past as a result of not having completed a CEQA analysis.

TAC Member Lee summarized the breakdown of a projected \$240,000 CEQA EIR cost as being split between each of the three HASPA member agencies at \$80k, paid at \$40,000 per fiscal year for two years, per agency. HARD and EBRPD staff made comments of support for the programmatic EIR, particularly noting that it could turn strategic and conceptual plans to actionable and implementable projects.

A concern is that according to the SMP timeline, potential projects will not be identified until late 2019, and descriptions of those projects will not be complete until February 2020, but financial

commitments for the EIR would have to be made beforehand. TAC Member Hamlat suggested that if HASPA does a full RFP process, the HASPA agencies would need a commitment by October 2019 at the latest and she would assist with EBRPD Board approval. TAC Member Hamlat recommends that staff return at next meeting with a draft budget to address the SFEI consultant funding, EIR funding, and the upcoming yearly \$12,000 fellowship contributions per HASPA agency (?) to the HASPA fund. TAC Member Lee expressed interest in attaining HASPA Trustees approval at the next meeting to begin the RFP process. TAC Member De Ponte added that despite differences in agency fiscal year cycles, as long as their respective approving bodies approve the fund amounts then each can still be responsible for their contributions in the same amount. Debbie Hernandez, HARD, expressed concern to approve spending prior to having read project descriptions. TAC Member Hamlat also added that an EIR could potentially qualify future projects for additional funds through Measure AA. Matthew Graul, EBRPD, commented that having a Shoreline Master Plan without an EIR is only a feasibility study.

Chair Mendall asserted his position that the SMP should not be done without a CEQA study and that both should be done concurrently so that the SMP can be an actionable plan. He urged that the three agencies work together to provide the funding for CEQA and reiterated that more funds would become available through grants after completion versus without an EIR, which would mean that all projects presented in the SMP may need individual CEQA analysis costing much more and reducing the possibility of acquiring grant funds.

Trustee Waespi shared the same thoughts and added that in previous years grants have been awarded to other areas of the SF Bay Area and he would like HASPA to make a real effort in providing a product that could win grants for the Hayward and East Bay side of the SF Bay Area.

#### **4150 Point Eden Way Application Status and Presentation**

TAC Member Jay Lee presented a brief PowerPoint presentation on the site location, history, and the proposed U-Haul development. [Presentation available at <https://hayward.legistar.com/Calendar.aspx>] Representatives from U-haul, the applicant, were present to add additional project details and answer questions.

Staff encouraged the applicant to take notes on comments and to reevaluate the proposed project, including consulting with a professional architect. Significant comments were made regarding structure height, solar panels, pedestrian/bike trail access surrounding property, landscaping and trees, site use, parking, and aesthetics (possibly including murals) since the structure is the first visual for commuters/travelers entering Hayward from the eastbound 92 San Mateo Bridge.

TAC Member Lee mentioned that if the applicant intends to demolish the existing historic structure, then CEQA analysis would be required, specifically within an EIR document for the project.

U-Haul thanked staff for feedback and mentioned they will revisit their proposal and incorporate as many changes as possible to ensure approval by the City and community blessing of the development.

TAC Member Jay Lee announced that he will no longer be involved with HASPA as he is leaving the City of Hayward and that Damon Golubics, City of Hayward, will return as Chair of the Technical Advisory Committee for HASPA.

Trustees Mendall, Waespi, and Jameson, along with the other meeting attendees, all gave thanks to Mr. Lee for his efforts during his time with HASPA, as well as welcomed back Mr. Golubics to HASPA.

**2. Reports from Board Members (Trustees)**

Trustee Jameson reported on the Bay Trail Board Meeting to be held at Treasure Island on Friday, April 19, 2019 from 12–4 pm at the Mersea Restaurant. Jameson stated that she has been to multiple meetings and encourages other HASPA members to attend. The agenda includes Big Plans for Treasure Island, BCDC Bay Plan Environmental Justice Policy Amendment Discussion, MTC Planning Program & Bay Trail Nonprofit Funding Overview, Bay Trail Strategic Plan Update, and the Bay Bridge West Span Pathway Update. Jameson requested that an email of the meeting information be sent to HASPA interested parties.

Trustee Waespi reported that he recently visited the Hayward Shoreline observing some of the challenges of the levee repairs that need to be completed and some of the changes of the use with the Hayward marsh by the Union Sanitary District.

Trustee Waespi encouraged everyone to attend the Sunol Wildflower Festival on Sunday, April 14, 2019 in Sunol Park. Waespi added that the Park District just announced free Fridays in the park for all attendees in celebration of EBRPD’s 85<sup>th</sup> anniversary.

**3. Action Items (Trustees/TAC)**

No actions were taken on items at this meeting.

**4. Tentative Agenda for Next Meeting, Thursday, April 11, 2019, at 3:00 P.M.**

Standing TAC Report Items:

- Industrial District Regulations Update
- 4150 Point Eden Way Update
- Action Item: official approval to use ~\$10,000 in HASPA funds for SFEI payment not covered by SCAPE’s portion of grant money
- SCAPE Presentation (July)

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 4:20 PM.