



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



July 11, 2019

OFFICIAL 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 Gaul, 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
Robert Goldassio, City of Hayward
Will Shephard, Hayward Area Recreation and Park District

VISITORS:

Erika Castillo, Alameda County Mosquito Abatement District
Evelyn Cormier, Ohlone Audubon Society
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 3:00 P.M. by Chair Mendall.

Introductions

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

1. Approval of HASPA Minutes for April 11, 2019

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

Public Comments

Kelly Abreu made a public comment about articles by the Los Angeles Times as part of a segment of "California Against the Sea" and ScienceAdvances. One handout with three articles was passed out. Mr. Abreu raised concerns that recent studies show that California and Pacific shoreline marshlands are expected to disappear in less than a century due to a number of reasons as described in the articles. He proposed that managed retreat might be the best option.

REPORTS

Reports from Technical Advisory Committee (TAC)

2. Industrial Regulations Update

TAC Member Damon Golubics announced that the City of Hayward has adopted the new Industrial Zoning District Regulations. TAC Member Golubics thanked City of Hayward staff member Leigha Schmidt for a job well done on the project and allowing for a better interface between the industrial district and the Hayward Shoreline, including design guidelines. TAC Member Golubics was advised that certain East Bay Regional Park District (EBRPD) properties in the Northwest corner of the Hayward jurisdiction need to be rezoned, which is anticipated to go before Council for approval sometime after August 2019.

Chair Al Mendall commented that several suggestions were made by HASPA during the Industrial District Zoning Regulations Update presentation by Leigha Schmidt, City of Hayward, on October 11, 2018. He appreciated the follow-up by City Staff to incorporate those suggestions in the final draft to City Council and for the collaboration with EBRPD to have the rezoning changes made.

Trustee Minane Jameson asked for clarification about having a Geological Hazard Abatement District (GHAD) incorporated in the Industrial District Update.

TAC Member Golubics responded that if projects on the Shoreline were formally reviewed, then we can request that a GHAD be formed at that time or that the project join an existing GHAD. The City is currently looking at different options to better incorporate GHADs either on a case-by-case basis or on a grander level, as well as who would oversee the GHADs, be it the City Council or individual committees. TAC Member Golubics mentioned that an attempt was made to form a GHAD with the previous W. Winton project to no avail.

Chair Mendall commented that his recollection was that the W. Winton project would have agreed to join a GHAD if one was already formed. Chair Mendall added that he is hopeful that once the Shoreline Master Plan identifies projects which can be paid for by a GHAD then there will be a better chance to require formation to implement use of funds towards those identified projects.

Trustee Jameson asked if, during a new development application process, City staff discuss and/or educate on future potential issues such as Sea Level Rise (SLR) or other natural occurrences which may affect a project site.

TAC Member Golubics responded that City staff provide comprehensive education about rules, regulations, and potential future issues (as appropriate) with developers; this includes Industrial and Shoreline relationships and HASPA's role.

TAC Member Sandra Hamlat commented that she is impressed with the City of Hayward website and how the public can access important information as it pertains to the Shoreline and Sea Level Rise.

TAC Member Mark Taylor asked if there is now a height restriction on industrial building structures at the Shoreline.

TAC Member Golubics responded that the height limits are now included in the Industrial Regulations and also a height and maximum floor area ratio.

3. 4150 Point Eden Way Application Update

TAC Member Damon Golubics stated that City of Hayward Senior Planner, Leigha Schmidt, is taking over the project development application review and has already met with the applicant, U-Haul, who intends to move forward with their application. U-Haul has inquired about demolition of what they call "the shack," which is a historic structure located on the site (former Oliver Salt Ponds) and the possibility of removing it prior to completing the entitlement process. TAC Member Golubics stated that U-Haul will need to provide a historic evaluation that identifies if the structure is deemed as having historic integrity and needs to be preserved or if it does not and can be demolished. If the structure can be demolished, then the applicant will need a public hearing with the Planning Commission for approval as required in the City's ordinance.

Chair Mendall encouraged a discussion about the building's historic integrity and any feedback from HASPA meeting attendees to share with staff.

TAC Member Mark Taylor advised that the building has been completely purged of all items within and only the walls that make the structure, and some added graffiti, remain.

TAC Member Erik Pearson commented that a Historic Integrity Evaluation was prepared for the site approximately ten years ago.

TAC Member Damon Golubics stated that U-Haul intends to have a new evaluation conducted which will determine if the old evaluation is still applicable to the building as it now stands and in its current condition.

TAC Member Mark Taylor added that U-Haul, the property owner, is responsible for securing the site, however, homeless persons and squatters frequently occupy the building. The site is a safety hazard, including fires and damage to the Shoreline trail fences.

TAC Member Dennis Waespi commented that if U-Haul were to demolish the building, then they should be strongly encouraged to place something in the immediate vicinity, perhaps along the bay trail, that pays tribute to the historic significance of what used to reside there, in this case the Oliver Salt Ponds.

Chair Mendall commented that the HASPA meeting attendees are in general favor of demolishing the building due to its dilapidated condition. Chair Mendall encourages the conversation to continue outside of the meeting so that an appropriate decision can be made about what to do with the site and how to pay a proper homage to its history.

TAC Member Golubics added that the U-Haul project is subject to the newly adopted Industrial Zoning District Regulations, which include design guidelines, maximum square-foot restrictions, no vehicle repair allowed, and other measures that this project will need to comply with.

4. Shoreline Master Plan Update

TAC Member Damon Golubics 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 SCAPE staff and HASPA meeting attendees was made.

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 how far the fault line is from the shoreline.

SCAPE responded that there is more than one fault line, and they run along the hills roughly parallel to the shoreline and coast. SCAPE did not have an exact calculation of distance of the fault lines to the Shoreline but added that the fault lines do run along the coast within a relatively close proximity to the shoreline (geographically).

Chair Mendall commented that there is a need for long-term sediment/dirt and asked if the need is likely to become addressed through (CEQA?) mitigation measures, and if so where might the sediment/dirt come from.

SCAPE responded that they are looking at specific areas such as bike paths and larger areas where artificial supplementation with sediment may be needed. SCAPE also mentioned that there are current studies underway to identify places like low level marshes that would have additional sediment added with specific techniques.

Chair Mendall commented that he would encourage and support natural disbursements of sediment rather than dump trucks unloading at the shoreline.

SCAPE responded that they would look into that as part of any implementation measures crafted for the Shoreline Master Plan.

Trustee Dennis Waespi commented that biosolids were a proven and acceptable method of sediment formation and asked if that is something that can be looked into as pliable option.

SCAPE responded that through their inquiries with environmental agencies and appropriate governing bodies for use of biosolids as sediments, that none would allow it. SCAPE added that they would not expect for biosolids use as sediment to be accepted within the next decade or more.

Kelly Abreu, Mission Peak Conservancy, commented that Alameda County Board of Supervisors has been working for about 1-1 ½ years towards a Soil or Field Importing Ordinance regarding “clean-fill” that HASPA and SCAPE may want to look into for their benefit.

TAC Member Damon Golubics requested that SCAPE share upcoming next steps and community outreach efforts as part of the Shoreline Master Plan.

SCAPE described next steps as the following:

Aug. 29-30	SCAPE in Hayward for a site visit
Sept. 9-13	Meetings with SCAPE, stakeholders this week
Sept. 26	Draft Goals and Policies Memo due to HASPA
Sept. 30-Oct 1	In-person HASPA Charette
Oct. 3	HASPA Comments on Draft Goals and Policies Memo due to SCAPE
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

Evelyn Cormier, Ohlone Audubon Society, asked about the potential for California Environmental Quality Act (CEQA) Environmental Impact Report (EIR).

Chair Mendall responded that the intent is to conduct an environmental study during the later stage of the Shoreline Master Plan, after projects have been identified and funding has been solidified. One major, potentially programmatic, EIR to cover all or most of identified implementable projects so CEQA analysis and funding would not need to be conducted later per individual project.

TAC Member Matt Graul reiterated that currently there are only a few projects conceptualized. Therefore, once specific projects are identified and a plan laid out, then a scope of work can accurately be applied for any CEQA study(s) and what a cost would be for funding.

TAC Member Adrienne De Ponte commented that the HARD Board is pending a final vote on the funds towards the SMP CEQA component and once approved will be prepared to contribute \$80,000, their share of the proposed \$240k to be split among all three HASPA agencies.

Chair Mendall thanked HARD for being proactive and requested that City staff prepare their request for funds to go before City Council so it will also be ready when needed.

TAC Member Golubics stated that he has had productive conversations with potential CEQA consultants and financing and expects to provide more information to report by next meeting.

Chair Mendall commented tentatively that East Bay Discharges Authority may be willing to contribute financially to some projects.

TAC Member Golubics responded that he believes they may be willing to provide some funds to help offset some other EBRPD and HARD projects towards the same effort.

TAC Member Matt Graul commented that two of the proposed projects are outside of the plan area, one site being near the Hayward Treatment Plant and another potential site in the San Lorenzo area with Oro Loma. More discussions are forthcoming.

NON-AGENDA ITEM ANNOUNCEMENTS

Aimee Kerr, HASPA Climate Corps Fellow, Departure from HASPA

TAC Member Damon Golubics announced that HASPA Climate Corps Fellow, Aimee Kerr, has received a new opportunity to expand her career, but unfortunately, will also mean her departure from HASPA.

Aimee Kerr, Climate Corps Fellow, expressed her appreciation to all staff for their support and thanked everyone for the opportunity she held with HASPA. Ms. Kerr announced that she will be taking a position with the Marine Mammal Center in Sausalito.

TAC Member Golubics thanked Ms. Kerr for a job well done and wished her all the best in her new position.

Jacqui Diaz, HARD Executive Assistant, New Hire to HARD

TAC Member Adrienne De Ponte announced that the new Executive Assistant to HARD General Manager, Jacqui Diaz will be attending future HASPA meetings.

Chair Mendall thanked TAC Member De Ponte for the good news and looks forward to meeting Ms. Diaz.

10k on the Bay

TAC Member Adrienne De Ponte announced that the annual 10k on the Bay event is scheduled for August 25, 2019 and invited all present to participate and to spread the word about the event. TAC Member De Ponte also thanked EBRPD for their continued support with making the event happen.

REPORTS: ACTION ITEMS (Trustees/TAC)

5. **Approve allocation of \$10,000 in HASPA funds towards 3rd party SMP consultant, SFEL, not covered by SCAPE's portion of grant money.**

TAC Member Damon Golubics clarified that this agenda item was discussed at the previous meeting held on April 11, 2019 and all were in favor of the approval of funds. However, since the

item was not brought on the agenda as an approval item then it had to come back to the next meeting [this meeting] for final approval.

Chair Mendall agreed with TAC Member Golubics and commented that the minutes of the April 11 meeting covered the discussion very well.

Moved by Trustee Waespi and seconded by Trustee Jameson, 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

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 4:31 PM.