



HAYWARD AREA SHORELINE PLANNING AGENCY

Memorandum

DATE: October 8, 2020

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

FROM: Edgar Maravilla, Technical Advisory Committee Chair

SUBJECT: Implementation of Shoreline Adaptation Master Plan

Background

In July of 2018, the Hayward City Council, on behalf of HASPA, authorized the receipt of SB 1 Climate Adaptation Planning grant funds from Caltrans to prepare the Hayward Regional Shoreline Adaptation Master Plan. Work began in early 2019 and is on track to be completed by February 2021.

Recommendation

The Technical Advisory Committee (TAC) recommends that the HASPA Board discuss and provide direction on the future of HASPA and the implementation of the Hayward Regional Shoreline Adaptation Master Plan. Particular attention is requested on the issues of governance, environmental review and project funding

Discussion

The Draft Hayward Regional Shoreline Adaptation Master Plan is now available on the project webpage (<https://www.hayward-ca.gov/shoreline-master-plan>). The draft Plan includes a Phasing Plan (beginning on page 177) that identifies short term, medium term and long term projects. The short term projects, targeted for implementation in the next 10 years, are listed on page 186 of the Plan and are also included as Attachment II to this memo. The table in Attachment II identifies the lead agencies that would play a significant role in the implementation of the fourteen projects.

Governance

The draft Plan includes a page about “Governance Considerations” (page 238), which includes the following points:

- Implementation of the proposed projects will rely on actions of multiple stakeholders.

- Some projects “will require leadership from other agencies, including the Alameda County Flood Control and Water Conservation District (ACFCWCD), East Bay Dischargers Authority (EBDA), CalTrans, and others”.
- To achieve the long-term vision of the Plan, additional forms on ongoing governance should be explored. Potential options, which are not mutually exclusive, include:
 - Dedicated staff at HASPA member agencies
 - Regional Coordination, which could include an expansion of HASPA.

The TAC is seeking the Board’s thoughts on the above points. The Plan also suggests that regional coordination could be the formation of a special district as was the case in San Mateo County where “San Mateo Flood and Sea Level Rise Resilience District” was formed, however, staff has not discussed this option with the ACFCWCD.

Determining a governance structure and lead roles for project implementation will help to inform the approach for completing an Environmental Impact Report (EIR) or another form of compliance with the California Environmental Quality Act (CEQA). Additionally, it will help to determine a mechanism for pursuing grants and other funding sources

Environmental Review

Before the development of the Plan began, the Board expressed a desire to have a plan and a CEQA document in place to better position HASPA to pursue grant funding to implement projects. When the scope of work and timeline for the current project were developed, staff included the preparation of an Environmental Impact Report that would extend beyond the completion of the grant-funded work in February 2021.

The HASPA TAC has met internally several times to discuss the most appropriate approach for conducting environmental review of the Plan since the grant does not allocate funds or require a process for environmental review. Given there will be several agencies involved with project implementation, as indicated on Attachment II, staff is reconsidering the idea of preparing an EIR for the overall Plan.

It is possible that CEQA analysis may be prepared for individual projects as they are designed and scheduled. For example, the East Bay Regional Park District (EBRPD) is currently preparing a plan for the Hayward Marsh Restoration (project 1d) and an EIR will be prepared as part of the project. Another example is EBDA’s request for proposals¹ for Nature-Based Solutions Study and Design Services. This project will entail two studies: 1) the design and permitting of a full-scale (“First Mile”) horizontal levee south of the Oro Loma Wastewater Treatment Plant at the Oro Loma Marsh; and 2) developing a feasibility study for natural treatment at the Hayward Water Pollution Control Facility. It is likely that CEQA analysis will be prepared independently following the completion of these studies.

Funding

There are a wide variety of potential funding sources identified in the “Funding & Financing Recommendations” section of the Plan (Page 224-229). Different options are identified for each phase of the Plan’s implementation including federal, state and regional grants, possible stimulus funding in

¹ <https://ebda.org/wp-content/uploads/2020/09/Nature-Based-Solutions-Study-and-Design-Services-RFP.pdf>

response to COVID-19, public-private partnerships, and a possible coastal Geologic Hazard Abatement District (GHAD). Additionally, this section emphasizes these points:

- The level of detail in the Shoreline Master Plan offers a strong basis for applying for larger regional and federal grants (~\$10-\$30 million) for the next level of design development and implementation.
- Projects that are already funded or highly likely to move forward can help meet local funding “match” or cost-share requirements that can be up to 50% of the total award for some larger federal funding applications.

The TAC is seeking the Board’s thoughts on these points and asks the Board to consider these points when providing guidance on implementation of this Plan.

Next Steps

Upon direction from the Trustees, staff will further explore options for HASPA’s implementation and CEQA compliance for the Hayward Regional Shoreline Adaptation Master Plan.