

DATE: September 14, 2010

TO: Mayor and City Council

FROM: Development Services Director

SUBJECT: Resolution of Support for the Cooperative Study of the Impact of Sea Level Rise on the Infrastructure of the Hayward/San Leandro Shoreline

RECOMMENDATION

That Council reviews this report and adopts the attached resolution (Attachment I) of Support for the Cooperative Study of the Impact of Sea Level Rise on the Infrastructure of the Hayward/San Leandro Shoreline.

BACKGROUND

A report titled, *Preliminary Study on the Effects of Sea Level Rise on the Resources of the Hayward Shoreline* (the Study) was presented to Council during a work session on March 16, 2010¹. Commissioned by the Hayward Area Shoreline Planning Agency (HASPA), the study was prepared by hydrology consultant Phillip Williams and Associates (PWA) to assist HASPA with planning for anticipated rises in sea level. As noted in the report, the State of California has directed its agencies to plan for a rise in sea level of fifty-five inches by 2100. The various resources along the Hayward shoreline that are at risk from sea level rise, such as utility lines, landfills, storm drainage facilities, trails, wastewater treatment facilities, a railroad line, marshes, and mudflats are described in the report. Alternatives for protecting shoreline resources from the impacts of sea level rise include building larger levees and seawalls, building new levees farther from the Bay, creating new marsh areas, and combinations of these strategies.

Section 8 of the Study recommends that a more detailed vulnerability assessment be prepared to evaluate and plan for specific infrastructure improvements. The Study has been presented to staff of the Bay Conservation Development Commission on March 22, at the Hayward Shoreline Interpretive Center on March 24, the East Bay Dischargers Authority (EBDA) on July 15, the Bay Conservation and Development Commission on August 5, and the Alameda Creek Watershed Council on August 26 of this year.

¹ The report is available at <http://www.hayward-ca.gov/citygov/meetings/cca/2010/cca031610.htm> .

DISCUSSION

The Study addresses the shoreline between State Highway 92 and San Lorenzo Creek (see Attachment II). If the Council adopts the attached resolution and the City of San Leandro formally agrees to participate, the vulnerability assessment recommended by the Study will also include the area from San Leandro Creek north to Davis Street in San Leandro. North of Davis Street, the Port of Oakland is addressing sea level rise at the Oakland Airport and surrounding area. South of Highway 92, sea level rise is being handled by the South Bay Salt Pond Restoration Project. A map showing the area of the proposed Study is included as Attachment II. At the EBDA meeting on July 15, 2010, the Mayor of San Leandro expressed interest in participating in the vulnerability assessment.

Staff of HASPA, which includes the City of Hayward, the Hayward Area Recreation and Park District (HARD), and the East Bay Regional Park District (EBRPD), will continue to meet with the staff and boards of other agencies that have an interest in protecting the Hayward/San Leandro Shoreline. Once the attached resolution is adopted by the three HASPA member agencies and other various agencies, then staff will work to establish a financing strategy and possibly a new joint powers authority to manage the preparation of the vulnerability assessment and later, develop a master plan for addressing these vulnerabilities in a prioritized manner. The Boards of HARD, EBRPD, and the Bay Trail will be considering adoption of this same resolution this fall.

ENVIRONMENTAL REVIEW

Adoption of the attached resolution is not subject to environmental review per the requirements of the California Environmental Quality Act (CEQA). Studies such as the completed preliminary study and the recommended vulnerability analysis are statutorily exempt from environmental review per Section 15262 (*Feasibility and Planning Studies*) of the CEQA Guidelines.

ECONOMIC IMPACT

Adoption of the attached resolution will have no economic impact on the community. Depending on the course of action selected by the agencies responsible for the shoreline, there may be negative impacts associated with flooding or other damage to infrastructure. If significant repairs or proactive improvements are made to the shoreline, positive impacts would include the creation of construction and engineering jobs as well as the maintenance of the shoreline as a valuable recreational and ecological amenity.

FISCAL IMPACT

The estimated cost for the vulnerability assessment is not expected to exceed \$45,000, would be funded by contributions from affected agencies, and may also be eligible for grant awards. Given the potential effects of sea level rise on the City's wastewater treatment facility, Hayward's share of the cost of the

additional study may come from the wastewater treatment enterprise fund. Staff will seek Council authorization once the next steps in this process are identified along with the City's share of the cost.

Funding for the master shoreline management plan could come from federal appropriations funding. In November 2009, staff submitted an application through Congressman Pete Stark's office for funding through the Water Resources Development Act of 2010. The application requested \$24.8 million, including \$18 million for levee and infrastructure repair, \$5 million for a demonstration project, and \$1.8 million for a Shoreline Realignment Master Plan. Following the initial application, additional information has been submitted to Representative Pete Stark, Senator Barbara Boxer, and the Army Corps of Engineers. Congress is not expected to approve WRDA funding requests until sometime in 2011.

Staff also plans to pursue funding through other organizations such as the California Coastal Conservancy and the San Francisco Estuary Partnership.

PUBLIC CONTACT

The issue of sea level rise related to the Hayward shoreline was discussed at Council meetings on October 21, 2008 and March 16, 2010, and at HASPA meetings on December 17, 2009, April 8, 2010, and June 24, 2010.

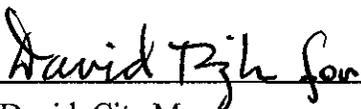
SCHEDULE & NEXT STEPS

Staff will continue to solicit resolutions of support from other agencies through early 2011. After resolutions are collected, a plan for cost sharing and governance structure for the management of additional studies will be developed and presented to the City Council.

Prepared by: Erik J. Pearson, AICP, Senior Planner

Recommended by: David Rizk, AICP, Development Services Director

Approved by:



Fran David, City Manager

Attachments:

Attachment I	Resolution
Attachment II	Map of Proposed Hayward-San Leandro Shoreline Study

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-

Introduced by Council Member _____

RESOLUTION OF SUPPORT FOR THE COOPERATIVE
STUDY OF THE IMPACT OF SEA LEVEL RISE ON THE
INFRASTRUCTURE OF THE HAYWARD/SAN LEANDRO
SHORELINE

WHEREAS, the Hayward Area Shoreline Planning Agency (HASPA), a joint powers agency, composed of the City of Hayward, the Hayward Area Recreation and Park District and the East Bay Regional Park District, commissioned a "Preliminary Study on the Affect of Sea Level Rise on the Resources of the Hayward Shoreline" (the Study), prepared by hydrology consultant Phillip Williams and Associates; and

WHEREAS, the Study sets forth several alternatives for mitigating the impact of projected sea level rise on the infrastructure of the Hayward shoreline between Highway 92 and the San Leandro/Hayward border; and

WHEREAS, addressing this issue will require a cooperative effort between the various public agencies and private interests with improvements along this reach of the shoreline, as well as areas of shoreline in San Leandro to the north of the Hayward/San Leandro border; and

WHEREAS, further study is needed to determine the relative vulnerability of the various systems of infrastructure and to develop a master plan that prioritizes and coordinates the improvements that need to be made to protect these resources; and

WHEREAS, the estimated cost for the additional study is expected not to exceed \$45,000 and would be funded by contributions from affected agencies and may also be eligible for grant awards;

WHEREAS, the completed preliminary study and the recommended vulnerability analysis are statutorily exempt from environmental review per Section 15262 of the California Environmental Quality Act (CEQA) Guidelines (Feasibility and Planning Studies).

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward supports the effort to conduct a cooperative study of the impact of sea level rise on the infrastructure of the Hayward/San Leandro Shoreline; and

BE IT FURTHER RESOLVED, that a vulnerability analysis studying the effects

of sea level rise on the Hayward/San Leandro shoreline is statutorily exempt from environmental review per Section 15262 of the California Environmental Quality Act (CEQA) Guidelines (Feasibility and Planning Studies).

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed, on behalf of the City Council and in its name, to execute and deliver such documents and do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward