




**EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA STAFF REPORT**

DATE	June 4, 2024
TITLE	Authorization to Enter into a Funding Agreement with San Francisco Estuary Partnership to Accept Funds for the Hayward Area Shoreline Planning Agency (HASPA) Shoreline Master Plan Implementation Project in the Amount of \$550,000
DIVISION	Finance and Management Services
FROM	Katy Hornbeck, Grants Manager Deborah Spaulding, Assistant General Manager/Finance and Management Services/CFO
APPROVED	Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends that the Board of Directors of the East Bay Regional Park District enter into a funding agreement with San Francisco Estuary Partnership to accept funds for the Hayward Area Shoreline Planning Agency Shoreline Master Plan Implementation Project in the amount of \$550,000.

BACKGROUND

In 2023, the San Francisco Estuary Partnership (SFEP) submitted a grant application to the Environmental Protection Agency's (EPA) San Francisco Bay Water Quality Improvement Fund (SFBWQIF) program. SFEP's application, *Pivot Points: Moving Nature-Based Solutions for Water Quality Improvement and Shoreline Adaptation from Planning to Action*, included the development of an implementation strategy for the Hayward Area Shoreline Planning Agency's (HASPA) Shoreline Adaptation Master Plan ('Master Plan') and strengthening HASPA's capacity for governance of the nature-based solutions (NBS) projects in the Master Plan in the long-term.

The Master Plan was adopted by the HASPA Board of Trustees in 2021, after two years of community engagement. The Master Plan details a series of nature-based adaptation strategies to protect the Hayward Shoreline's endangered species habitat, recreational resources and upland industrial, utility and transportation infrastructure from climate change and projected sea-level rise. The Master Plan offers a vision for a resilient future shoreline, through 25 capital projects that provide NBS. If these projects are all implemented, they will result in 830 acres of tidal marsh restored, 120 acres of muted tidal marsh habitat restored, 6,400 linear feet of ecotone levee built for transitional habitat creation and flood protection, 8,400 linear feet of horizontal levee built (includes a wastewater treatment element, along with transitional habitat creation and flood protection), up to 3 million cubic feet of stormwater retained per storm, 12.6 million gallons per day of wastewater effluent polished through an engineered treatment marsh, and 35,000 linear feet of new, renovated, and/or adapted Bay Trail.

The Master Plan includes an Implementation chapter and a phasing strategy for these 25 capital projects in the short, medium and long terms. Despite this chapter, there was no prioritization of individual projects, in terms of feasibility, cost, effectiveness and environmental benefit, and HASPA seeks to hire a consultant to lead an effort to prioritize the projects in the Master Plan.

In addition, HASPA as a Joint Powers Authority public agency, is growing its membership in both the Board of Trustees and its technical advisory committee. The goal of HASPA is to implement the projects in the Plan, and new governance strategies are needed to continue the growth of the HASPA Board and to encourage participation by local agencies not already represented. Scope of work for the HASPA Shoreline Master Implementation project includes administration of HASPA, selection of a consultant team, community and stakeholder engagement, identification and design of demonstration projects, strategies for funding, permitting, and CEQA.

Since 2022, the East Bay Regional Park District (Park District) has been the administrative lead for HASPA, and Park District staff agreed to have the implementation strategy for HASPA be included in SFEP's grant proposal with the understanding the Park District would be a sub-awardee to SFEP if their application was selected for grant funding.

ANALYSIS

While HASPA, created as a Joint Powers Authority of the East Bay Regional Park District, the City of Hayward and the Hayward Area Park and Recreation District in 1970 to “coordinate agency planning activities and adopt and carry out policies for the improvement of the Hayward Shoreline for future generations,” stands as a model for collaborative governance, the challenges presented by climate change require HASPA's Board of Trustees and its agency stakeholders to work even more closely together and to balance difficult tradeoffs in decision-making, particularly in initiating a given NBS project. However, HASPA needs administrative support to continue its current operations and to pursue its future expansion to include other Shoreline agencies.

The Park District, one of the HASPA Trustees, and the current managing agency, will utilize the pass-through EPA funding to lead the development of the HASPA Implementation Strategy, which will answer critical questions about the order in which NBS projects within the Master Plan will be advanced, which agency will champion each one, how the risks and responsibilities associated with each project can be shared among HASPA members, and which funding opportunities should be pursued. The Implementation Strategy will evaluate all the projects in the Master Plan, using efficient and expedient pathways to allow for permitting, funding, and governance.

One of the goals of HASPA is to implement the projects in the Master Plan, and new governance strategies are needed to continue the growth of the HASPA Board of Trustees and to encourage participation by local Shoreline agencies not already represented on the Board or in the Technical Advisory Committee. With the EPA pass-through funding, the Park District will lead an assessment of the HASPA JPA to elucidate how best to support long-term governance and maintenance of the Master Plan projects and identify what planning or strategic support is needed to initiate, build and maintain the NBS projects in the Master Plan. The new HASPA Joint Powers Authority Agreement aims to add new agency Trustees to the Board, making it timely for HASPA to consider how to potentially expand with additional agency stakeholders, to implement the future vision in the Master Plan.

The updated HASPA JPA agreement will support their collective interest in preserving the Hayward Shoreline from the effects of climate change and provide flexibility for the direction HASPA takes in

the future. Whether HASPA, its Trustee agencies, or some other entity will pursue the NBS projects in the Master Plan is a question to be answered in this assessment, which will have implications for how other SF Bay OLUs and other similar sub-regional scale efforts consider governance when working collaboratively to implement sea-level rise adaptation projects.

FISCAL IMPACT

This action proposes entering into a funding agreement with SFEP in order to accept pass-through funds from the EPA in the amount of \$550,000. The total project cost for the scope of work is \$550,000. As a sub-awardee, the Park District's staff time will be tracked and used as in-kind match for SFEP's grant. No additional match or cost to the Park District is required.

ATTACHMENTS

None.



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2024 – 06
JUNE 4, 2024**

AUTHORIZATION TO ENTER INTO A FUNDING AGREEMENT WITH SAN FRANCISCO ESTUARY PARTNERSHIP TO ACCEPT FUNDS FOR THE HAYWARD AREA SHORELINE PLANNING AGENCY (HASPA) SHORELINE MASTER PLAN IMPLEMENTATION PROJECT IN THE AMOUNT OF \$550,000

WHEREAS, the San Francisco Estuary Partnership (SFEP) submitted a proposal to the Environmental Protection Agency's San Francisco Bay Water Quality Improvement Fund that included the development of an implementation strategy for the Hayward Area Shoreline Planning Agency's (HASPA) Shoreline Adaptation Master Plan ('Master Plan') and strengthening HASPA's capacity for governance of the nature-based solutions (NBS) projects in the Master Plan in the long-term; and

WHEREAS, HASPA was created as a Joint Powers Authority of the East Bay Regional Park District (Park District), the City of Hayward and the Hayward Area Park and Recreation District in 1970 to coordinate agency planning activities and adopt and carry out policies for the improvement of the Hayward Shoreline for future generations; and

WHEREAS, since 2022, the Park District has been the administrative lead for HASPA, and Park District staff agreed to have the implementation strategy for HASPA be included in SFEP's grant proposal with the understanding the Park District would be a sub-awardee to SFEP if their application was selected for grant funding; and

WHEREAS, SFEP's application was selected for grant funding and the Park District needs to enter into a funding agreement with SFEP to accept funds for the HASPA Shoreline Master Implementation project scope; and

WHEREAS, this item was presented and approved by the Board of Director's Executive Committee on April 3, 2024; and

WHEREAS, the funding agreement will specify terms and conditions under which the project will be completed, scope of work, deliverables, and other grant obligations; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby:

1. Authorizes the Park District to enter into a Funding Agreement with the San Francisco Estuary Partnership to accept grant funding for the HASPA Shoreline Master Implementation project as a sub-awardee; and
2. Appoints the General Manager or Assistant General Manager of Finance and Management Services/CFO as agent of the East Bay Regional Park District to conduct all negotiations,

execute and submit all documents, including, but not limited to applications, agreements, amendment, payment requests and perform such acts, which may be necessary for the completion of the aforementioned project; and

3. Authorizes the Assistant General Manager of Finance and Management Services/CFO or Budget Manager to amend the current year's budget, without further Board action, upon receipt of the executed grant contract from the Grants Manager. The budget amendment will include an increase in budgeted revenue and a corresponding increase in appropriation for the amount stipulated in the grant contract.

Moved by Director _____, and seconded by Director _____, and adopted June 4, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: