

ACQUISITION EVALUATION

Hayward Regional Shoreline
Breakwater Avenue, Hayward
77 ± acres and an Appurtenant Easement
APN: 438 -0080-008-02 (Alameda County)

Site Description

The subject property is currently owned by the Hayward Area Recreation and Park District (HARD) and encompasses the 'HARD Marsh,' a tidal marsh along the southern boundary of Hayward Regional Shoreline. The San Francisco Bay Trail (SF Bay Trail) crosses the property, and the East Bay Regional Park District (Park District) already manages the public access on the Bay Trail under a 25-year operating agreement.

The 81.6-acre parcel, identified as Alameda County Tax Assessor's Parcel # 438-0080-008-02, has an irregular shape, which can be described as two triangles, facing away from each other. The 'little triangle,' approximately 5 acres in size, abuts Highway 92 and features the Hayward Shoreline Interpretive Center, which is also owned and operated by HARD. HARD will retain ownership of the 'little triangle' and interpretive facility. The Park District would acquire a roughly 900-foot-long appurtenant trail and EVMA easement over the existing SF Bay Trail that crosses the 'little triangle.' The 'big triangle' to the northwest features the Hard Marsh and a segment of the SF Bay Trail. The Park District will acquire this roughly 77± acre portion of the property (the property), which would require a property split.

A portion of the subject property is within the footprint of the large-scale Restore Hayward Marsh project. The Project will restore Hayward Marsh to a more naturalized condition, improve habitat quality provided by Hayward Marsh, protect and enhance the Bay Trail and prepare the area for anticipated sea level rise. To help achieve these goals, specific project activities include levee improvements and breaches, creation of new bird nesting islands, improvements to the channels within the Mouse Preserve to promote tidal flushing in the area, and the creation of new upland transition zones that will offer additional habitat for tidal marsh-dependent species as sea levels rise. In order

to implement the Restore Hayward Marsh project, the Park District is seeking to acquire additional land and property rights within and appurtenant to the project area.

Property access is primarily provided from the south via Breakwater Avenue, where staff and the public would use the appurtenant easement to get to the property. The property can also be accessed from the north via the SF Bay Trail from Hayward Regional Shoreline. The West Winton Staging area is the closest access point from the north and requires an approximately 1.75-mile hike to reach the property.

The property is undeveloped open space that has been operated as such since at least 1982, when the Park District entered into a lease agreement with HARD to manage the SF Bay Trail on the property. The property has no buildings or other structures. Several fences and gates are located within the property, which block public access from reaching service roads on top of levees. Additionally, no known hazmat risks exist on the property.

The property is zoned FP: Flood Plain and has the general plan designation of BL: Baylands by the City of Hayward. The property is located within the airport influence area of Hayward Executive Airport.

According to FEMA's Flood Rate Insurance Maps, the property is classified as Zone VE – Special Flood Hazard Area. Mandatory flood insurance purchase requirements and floodplain management standards apply.

The property is not within an Alquist-Priolo Seismic Study Zone. The nearest Special Study Zone is about 5 miles to the west, which includes the Hayward fault zone. The Hayward fault zone is part of the larger San Andreas fault system. According to the U.S Geological Survey, the most recent earthquake has not been precisely dated, but up to two surface rupturing earthquakes have occurred in the last 250 years. The property is located within a seismic liquefaction zone.

Natural and Cultural Resources

Natural Resources: The portion of HARD Marsh north of the Hayward Shoreline Interpretive Center has good native cover. Viewed from the trail, native pickleweed and alkali heath lined the channels and upland portion of the marsh with marsh gumplant scattered along the upland perimeters. There is low weed pressure along the trail, mainly from nonnative annual grasses and a few skeletons of stinkwort. Patches of native and hybrid spartina could also be seen in the channel as well as the upland marsh zone.

This part of the marsh has historically been treated for invasive and hybrid spartina through the Invasive Spartina Project (ISP), a collaboration of the California State Coastal Conservancy, California Invasive Plant Council, and US Fish and Wildlife Service, which partners with landowners and agencies throughout the San Francisco Bay Area for the eradication of invasive spartina. Due to ISP being able to fully treat the source population of invasive spartina in the adjacent Cogswell Marsh, the invasive pressure is expected to decrease with continued monitoring and treatment for hybrid plants. Current treatments in HARD Marsh are carried out by ISP's in-house crew. No additional funds are requested for invasive spartina treatment in this portion of the marsh at this time.

Cultural Resources: This property is located within the territory of the Chochenyo-Ohlone speaking people of the East Bay. As ancestral land, this area continues to be important to the East Bay Ohlone, in part for salt harvesting, and also for the culturally important vegetation and habitat it contains. The HARD Marsh property is also associated with non-Indigenous, historic-period salt production as well, specifically the American Salt Works. Cultural and historic resource surveys will be conducted prior to any site development on the property.

Planning Issues

Master Plan: This acquisition will be an addition to existing parkland and is therefore consistent with the Master Plan.

Land Use Planning: The property is currently open to the public and will remain so after acquisition by the Park District.

CEQA Compliance

This acquisition is exempt from CEQA under both Sections 15316 and 15325 of the State CEQA Guidelines because it consists of ownership transfer to preserve open space.

Public Safety

Police: This property acquisition, as with all acquisitions, will cumulatively increase the demand for police services. The HARD Marsh Property, spanning 77± acres, will add approximately 1 mile of multi-use trail to the Police Department's service area. While this property is already maintained by Park District Operations Staff (trash service and minor upkeep), it is currently within the Hayward Police Department's Jurisdiction.

The addition of the multi-use trail will likely increase calls for service, including:

- Personal injuries
- Medical emergencies
- Trail conflicts (e.g., dog, equestrian, mountain bike interactions)
- Fish and Game violations

Police Recommendations:

- The property should be posted with Ordinance 38 general rules and other signage where appropriate and enforceable.
- The existing gate at Breakwater Avenue has District locks and is a serviceable emergency vehicle access point, no lock changes are necessary.

Fire: The property is in an area classified as Local Responsibility Area (LRA) for fire protection and is within the Hayward Fire Department Direct Protection Area. Mutual aid initial attack fire suppression resources would likely arrive first from Hayward Fire Department. Cal Fire crews, dozers and air resources would likely not be dispatched. The Park District would respond with one or two engines, water tender and overhead personnel from the closest staffed stations, either Station 1 (Tilden), Station 10 (Lake Chabot), or both. During the day, response time would be between 30 and 60 minutes, depending on from which station they were dispatched. The Park District helicopter would arrive within 15 minutes from the Livermore Airport.

There are no known Hazardous Materials on the property. Hazardous materials responses will be the responsibility of Park District. Park District records document that over a recent three-year period, Hayward Shoreline had one (1) hazardous materials incident. This average of more than one per year is a low occurrence, compared with

other Park District parklands. One could expect a similar level of occurrence in this new addition.

In a recent three-year period, the Park District fire department personnel responded to four medical incidents in Hayward Shoreline. This is a low level of occurrence when compared with other parks in the District and could characterize medical response activity in the new parcel as well.

Fire Recommendations

- Evaluation of bridge structural integrity for slough crossings. Signage to be posted for load limits and width.

Acquisition Criteria

- The property implements the adopted Park District 2013 Master Plan.
- The property presents an acquisition opportunity.
- The property completes park boundaries.
- The property maintains an equitable parkland distribution of facilities and programs throughout the Park District.

Recommendation for Landbank Status: Yes ___ No X

The property is currently managed by the Park District and open to the public. After acquisition, it would remain open.

Site Cost Estimate

Acquisition Estimate:	\$1
Safety and Security Estimate (signs, paint):	\$1,000
Annual Maintenance and Operational Estimate: ¹	\$9,561
Total Five-Year Projection:	\$47,806

¹Estimate is based upon the annual Land Base Operating Cost Methodology.

11/23/2024
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