



MEMORANDUM

DATE: March 21, 2023
TO: Paul Buddenhagen, City Manager
FROM: Charles S. Bryant, Community Development Director
Subject: **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Request Grant Funding For The Emeryville Crescent Climate Adaptation And Habitat Restoration Feasibility Study And Implementation Strategy And To Execute Funding Agreements As Necessary To Receive Any Funds Awarded**

RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled resolution authorizing the City Manager to submit applications for grants to fund the Emeryville Crescent Climate Adaptation and Habitat Restoration Feasibility Study and Implementation Strategy and to execute any agreements necessary to receive awarded grant funds.

BACKGROUND

The state Office of Planning and Research (OPR), Caltrans, and Coastal Conservancy each released Notices of Funding Availability (NOFAs) in late 2022 and early 2023 for coastal adaptation planning. In response, staff submitted preapplications to gauge these agencies' interest in funding a feasibility study and implementation plan to address the threat of sea level rise on the Emeryville Crescent, assessment of need for eel grass, oyster and otter habitat restoration, bird protections, possible trail access, increased interpretation and public art, and marsh preservation. The Emeryville Crescent includes approximately two miles of the San Francisco Bay shoreline south of Powell Street and north of the Bay Bridge toll plaza. This area is located within both the Cities of Emeryville and Oakland.

OPR has \$6.6 million available for grant awards through its Integrated Climate Adaptation and Resiliency Program (ICARP) and, in response to a preapplication processed on January 24, 2023, OPR requested that the City of Emeryville submit a full application with an authorizing resolution of the City Council.

The Coastal Conservancy has not, to-date, requested an application from Emeryville for this project. Several state agencies are in various phases of development of NOFAs for which the project may be eligible.

The ICARP program goals consist of the following:

- Prioritize integrated climate actions, those that both reduce greenhouse gas emissions and build resilience to climate impacts, as well as actions that provide multiple benefits.
- Prioritize actions that promote equity, foster community resilience, and protect the most vulnerable. Explicitly include communities that are disproportionately vulnerable to climate impacts.
- Prioritize natural and green infrastructure solutions to enhance and protect natural resources, as well as urban environments. Preserve and restore ecological systems (or engineered systems that use ecological processes) that enhance natural system functions, services, and quality and that reduce risk, including but not limited to actions that improve water and food security, habitat for fish and wildlife, coastal resources, human health, recreation and jobs.
- Avoid maladaptation by making decisions that do not worsen the situation or transfer the challenge from one area, sector, or social group to another. Identify and take all opportunities to prepare for climate change in all planning and investment decisions.
- Base all planning, policy, and investment decisions on the best-available science, including local and traditional knowledge, including consideration of future climate conditions out to 2050 and 2100, and beyond.
- Employ adaptive and flexible governance approaches by utilizing collaborative partnership across scales and between sectors to accelerate effective problem solving. Promote mitigation and adaptation actions at the regional and landscape scales.
- Take immediate actions to reduce present and near future (within 20 years) climate change risks for all Californians; do so while also considering the long term and responding to continual changes in climate, ecology, and economics using adaptive management that incorporates regular monitoring.

A full application to OPR is due by March 31, 2023. Those applications selected for a grant award will be required to enter into OPR's Standard Agreement within the timeline provided. Funds awarded are expected to be available in June 2023 and all work must be scheduled for completion by January 31, 2026.

DISCUSSION

The Emeryville Crescent includes lands held in fee title by California State Parks as the McLaughlin Eastshore State Park, which is operated by the East Bay Regional Park District. It forms the shoreline of the Cities of Emeryville and Oakland in the crescent shaped by Powell Street and the Emeryville Marina, I-80, and the Bay Bridge landing (the "Project Site"). The Project Site is also adjacent to key park lands and pathway facilities and is within the jurisdiction of the Bay Conservation and Development Commission and on the ancestral lands of the Ohlone people.

The Project Site is also characterized by the Temescal Creek outlet to San Francisco Bay. The creek is predominately culverted in Emeryville from Temescal Creek Park to the Project Site. Powell Street is subject to continual seasonal flooding.

Sea level rise endangers the significant restoration of marshlands and associated bird species and the Emeryville Crescent State Marine Reserve as well as I-80 and inland Emeryville. The Emeryville Crescent provides habitat for numerous species of birds including threatened species. These habitat characteristics have limited the development of pathways or art installations in the area and resulted in a circuitous inland route for the San Francisco Bay Trail in this area of Emeryville. The site is complex environmentally, technically and legally, and alternatives for sea level rise mitigation strategies developed for this location have great potential for applicability to many other shoreline locations with overlapping jurisdictional authorities and environmental considerations.

The need to adapt coastal marshlands to rising sea level is a problem locally, with statewide implications. Loss of species habitat and supported species including eel grass, oysters and sea otters is being explored regionally and statewide. Birds supported by the marshlands risk impacts from inundation with sea level rise, but various strategies for protecting the marshland may also impact the birds negatively. Mud flat art, once lining the Emeryville Crescent and inspiring and raising the curiosity of thousands of passers-by on I-80, was removed for restoration, but sorely missed. Temescal Creek is culverted and has only a few points of interaction and no interpretation. Access to this area is limited to views from I-80 or Powell Street, which are busy vehicular roadways that do not provide opportunity for direct public interaction, reflection nor contemplation on the shore. The Bay Trail takes a circuitous route into heavily traveled roadways and directs cyclists and pedestrians well inland to meet destinations to the south. The Ohlone people, once living on the shores of Temescal Creek, have historically been impacted by limitations on access to the area for habitat stewardship and the harvesting of oysters decimated by habitat destruction.

Moreover, over the next decade sea level rise is predicted to accelerate, culminating in a potential increase of more than five feet by 2100. Consequently, an immediate and extraordinary strategy for wetlands restoration and sediment management is required to buffer shoreline communities against rising seas.

The City is requesting \$300,000 in ICARP funding from OPR to complete the interagency coordination and technical studies for a Feasibility Study and Implementation Plan to address the threat of sea level rise on the Emeryville Crescent; to assess the need and feasibility for eel grass, oyster and otter habitat restoration, and bird protections; and to evaluate the possibility of trail access and associated interpretive signage and public art, and marsh preservation for the Project Site.

The work will include coordination with multiple agencies and stakeholders including, but not limited to: East Bay Regional Park District, California State Parks, Emeryville Crescent State Marine preserve, Bay Conservation and Development Commission, City of

Oakland, Caltrans, Citizens for Eastshore State Parks, United States Army Corps of Engineers, San Francisco Bay Regional Water Quality Control Board, Alameda County Flood Control District, Association of Bay Area Governments, San Francisco Bay Restoration Authority, and San Francisco Estuary Partnership.

Additional stakeholders and participants expected to be engaged with this effort include:

- Sogorea Te' Land Trust and other Ohlone representatives
- California Department of Fish and Wildlife
- Audubon Society
- Members of the former Friends of Temescal Creek
- Trust for Public Lands
- Wholly H2O
- Watershed Project
- Sierra Club
- Park and Recreation Committees of Emeryville and Oakland

The proposed solution requires interjurisdictional collaboration for a Feasibility Study and Implementation Plan for a living levee or other preferred alternative for the Emeryville Crescent. The City of Emeryville proposes to serve as the project lead, as the City is at risk of significant inundation from sea level rise in the absence of adaptation.

Adaptations that increase eel grass and oysters will be studied in alternatives as well as the possibility of reintroduction of sea otters. Risks to bird species from sea rise inundation and prospective re-introductions of additional species will be evaluated as well as risks and returns of incorporating human access. A community led planning process will engage not only landowners, operators, regulators, and adjacent jurisdictions but also stakeholders including those typically underrepresented, such as Ohlone tribal elders, Emery Unified School District students, and local artists. All stakeholders will be informed with technical studies to determine if a living levee or other options proposed to mitigate sea level rise are feasible while addressing other goals of the project including: restoration of ecosystem health (including reintroduction of otters, eel grass and oysters), maintaining the diversity and depth of bird species, introducing interpretation and art to increase stewardship of the Emeryville Crescent, considering public access, a creek side park, and/or a viewing platform. Community capacity-building for habitat restoration and interpretation with tribal representation at Sogorea Te' Land Trust and/or other stakeholders will be included in the work. Technical analysis and resource studies will be commissioned for a possible living levee, debris removal, sea level impacts on birds, oyster, eel grass and sea otter restoration, pathway impacts on bird species, and a bioswale design to address Powell Street flooding.

This will culminate in complete conceptual or preliminary planning for two or three alternatives, meeting three or more project objectives. The project would seek to include completion of environmental review and recommendations for an operational model for partners. A complete feasibility study of adaptation to sea level rise in the Emeryville

Crescent while maximizing ecosystem restoration, bird retention and increasing public access, including an implementation strategy for future collaborations to address the preferred alternative(s), is the final product of this work.

FISCAL IMPACT

Adoption of the authorizing resolution has no direct fiscal impact. In the event the City's applications for grants supporting the Feasibility Study and Implementation Strategy are awarded, the awarded amount will be available for the activities described above, and the funds would be incorporated into the City's operating budget and the Capital Improvement Program, as applicable, by a future action of the City Council.

STAFF COMMUNICATION WITH THE PUBLIC

None.

CONFLICT OF INTEREST

None.

CONCLUSION

Staff recommends that the City Council adopt the above-entitled resolution authorizing the City Manager to submit applications for and execute agreements as needed to secure grant funding for adaptation planning for the Emeryville Crescent.

PREPARED BY: Amber Evans, Economic & Community Development Coordinator II

REVIEWED BY: Chadrick Smalley, Deputy Director, Community Development

APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:



Paul Buddenhagen, City Manager

ATTACHMENTS

- Draft Resolution