

SAN FRANCISCO BAY RESTORATION AUTHORITY

Staff Recommendation
September 11, 2026

HAYWARD MARSH RESTORATION PROJECT: CONSTRUCTION PHASE 1

Project No. RA-022
Project Manager: Erica Johnson

RECOMMENDED ACTION: Authorization to disburse up to \$2,000,000 to the East Bay Regional Park District to implement the initial phase of construction of the Hayward Marsh Restoration Project, consisting of establishing a partial levee for construction operations, implementing environmental protection measures, and importing sediment to create wetland habitats at Hayward Marsh in Alameda County.

LOCATION: Hayward Marsh, City of Hayward, Alameda County; Measure AA Region: East Bay.

MEASURE AA PROGRAM CATEGORY: Safe, Clean Water and Pollution Prevention Program; Vital Fish, Bird and Wildlife Habitat Program; Shoreline Public Access Program.

EXHIBITS

Exhibit 1: [Project Location Maps](#)

Exhibit 2: [May 3, 2024, Staff Recommendation](#)

Exhibit 3: [Project Design](#)

Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS

Staff recommends that the San Francisco Bay Restoration Authority adopt the following resolution and findings:

Resolution:

The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed two million dollars (\$2,000,000) to East Bay Regional Park District to implement the initial phase of construction of the Hayward Marsh Restoration Project, consisting of establishing a partial levee for construction operations, implementing environmental protection measures, and importing sediment to create wetland habitats at Hayward Marsh in Alameda County. Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Authority the following:

HAYWARD MARSH RESTORATION PROJECT: CONSTRUCTION PHASE I

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be employed in carrying out the project.
3. A plan for acknowledgement of Authority funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. Evidence that the grantee has entered into a project labor agreement consistent with San Francisco Bay Restoration Authority Resolution 22.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the San Francisco Bay Restoration Authority hereby finds that:

1. The proposed authorization is consistent with The San Francisco Bay Restoration Authority Act, Gov. Code Sections 66700-66706.
2. The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).

STAFF RECOMMENDATION

PROJECT SUMMARY:

Staff recommends disbursement of up to \$2,000,000 to the East Bay Regional Park District (EBRPD) to implement the initial phase of construction of the Hayward Marsh Restoration Project, consisting of establishing a partial levee for construction operations, implementing environmental protection measures, and importing sediment to create wetland habitats at Hayward Marsh in Alameda County (Exhibit 1). The project initiates the transformation of Hayward Marsh from a managed brackish marsh into a climate resilient mosaic of more natural tidal wetland habitats, living shoreline features, and compatible public access.

Located within Hayward Regional Shoreline, the approximately 145-acre marsh complex consists of former salt ponds that were converted in 1985 into managed wetlands receiving secondary treated wastewater from Union Sanitary District (USD). Although these ponds were originally designed for wastewater management, they have evolved into an ecologically important managed marsh complex supporting federally listed species. Hayward Marsh faces a critical transition, as USD intends to cease discharging treated water into the ponds. Without restoration, habitat quality and long-term ecological function will continue to decline as the marsh transitions away from its former operational conditions. These changes present a unique opportunity to restore natural tidal wetland habitats that rely solely on San Francisco Bay (Bay) waters, improve ecological connectivity with adjacent marshes, enhance water quality, and create a more resilient coastal wetland ecosystem that can support wildlife well into the future.

At the Authority's December 4, 2020, meeting, the Board authorized an award of \$500,000 to EBRPD for the initial phase of the Hayward Marsh Restoration Project, Phase 1, which consisted of conducting environmental studies, seeking public feedback on conceptual alternatives, developing 35% engineering design, and requesting a concurrence letter from the California Department of Fish and Wildlife that the project qualifies for the statutory exemption for restoration projects under the California Environmental Quality Act (CEQA) (see more

HAYWARD MARSH RESTORATION PROJECT: CONSTRUCTION PHASE 1

information under “Compliance with CEQA” section below). The Authority’s Executive Officer approved a grant augmentation of \$75,000 of Authority funds to advance the 35% design to a 65% design and plan. Phase 1 was completed in December 2023. At the Authority’s May 3, 2024, meeting, the Board authorized an award of \$600,000 to EBRPD for Phase 2, which supported preparing 100% engineering design, obtaining the necessary permits and cost estimates to initiate construction, and preparing a monitoring and adaptive management plan. Design and permitting will be completed in September of 2026 and EBRPD has already gone out to bid for the initial phase of construction. The final design elements are described in the Project Summary of May 3, 2024 Staff Recommendation attached as Exhibit 2 and can be seen in the Project Design attached as Exhibit 3.

The proposed project will initiate the first phase of construction, which will establish a partial levee for construction operations, implement environmental protection measures, and import and place the sediment necessary to create wetland habitats in Ponds 1A, 2A, 2B, and 3A according to the Project Design attached as Exhibit 3. The project tasks are as follows:

- Site Access: Construct a portion of the levee that will be completed in future phases of the Hayward Marsh Restoration Project and become the future Bay Trail alignment. The partial levee will serve as the primary construction access point for the duration of the project, ensuring safe access routes that avoid impacts to the current Bay Trail alignment and Hayward Area Recreation and Park District (H.A.R.D.) Visitor Center programs. The partial levee build will provide access to the primary fill areas, which will establish seasonal wetland, least tern nesting islands and ponds, and upland transition zone habitats.
- Site Protection: Site protection measures will be implemented to protect water quality, fish, and wildlife, as required by regulatory permits and EBRPD’s wildlife management requirements. This includes, but is not limited to, onsite biological monitors, wildlife surveys, and the installation of temporary fencing that will protect wildlife from entering an active construction area. Water quality protection measures will also be implemented, such as installing temporary fiber rolls and silt fencing to prevent sediment erosion into waterways during active construction and setting up staging areas for heavy equipment.
- Habitat Improvements: Import, place fill, and remove levees between ponds according to the 100% engineering design.
 1. Import and place fill to create approximately six acres of seasonal pond and approximately 50 acres of managed pond with five least tern nesting islands (two new, three improved, and approximately 46 acres of upland transition zone habitat. The areas between several of the ponds (Ponds 1 and 2A and 2B) will be graded to establish seamless connectivity between the different habitat types for wildlife. Fill will be stockpiled to complete future phases of habitat restoration.
 2. Create approximately 30 acres of tidal wetland habitat by placing fill in pond 3B to raise the pond bottom, excavating channels, and creating a gradual ecotone that will support habitat migration for future sea level rise.
 3. Living shoreline improvements will be constructed along approximately 1,200 linear feet of shoreline in front of the bayfront levee. These elements include some fill to establish approximately 51,000 square feet of marsh habitat adjacent to the existing levee, and a rock toe slope overlain with a coarse beach

HAYWARD MARSH RESTORATION PROJECT: CONSTRUCTION PHASE I

(cobble/gravel) and rocky headlands, located offshore of, and approximately parallel to, the bayfront levee, totaling approximately 41,500 square feet. There will be approximately 15 breakwater rock piles offshore from the gravel beach to help break wave energy and will provide hard substrates for invertebrates and roosting habitat for birds.

Since 2020, EBRPD has advanced the project from concept to construction readiness through environmental studies, public engagement, consultation with the Bay Restoration Regulatory Integration Team, completion of 100% engineering designs, CEQA compliance, permit acquisition, and preparation of a long-term monitoring and adaptive management program. More information about EBRPD can be found under the “Project Summary” section in Exhibit 2.

Barriers and Risk: Although the project is fully permitted and ready to implement, the timeline of construction and completion is dependent upon availability of clean fill needed for the habitat improvements. Staff believe they have found a potential source that would allow them to complete the project. In addition, EBRPD is still raising funds for the project, indicated by the pending applications to grant programs listed in the “Project Financing” section below. EBRPD has planned construction to occur in discrete phases that could go out to bid separately and begin while they continue to fundraise for the subsequent construction phases.

Site Description: Hayward Marsh was previously 172 acres of marsh that was previously diked for salt production. The project area was then reduced to 145 acres, with a portion establishing the Salt Marsh Harvest Mouse Preserve adjacent to Hayward Marsh. The remaining acres were designed and completed in 1985 to receive treated wastewater from the Union Sanitary District’s (USD) Alvarado Wastewater Treatment Plant and to provide brackish habitat for wildlife. USD intends to cease treated wastewater discharge to the ponds and is coordinating closely with EBRPD, which has prepared habitat restoration designs for Hayward Marsh to rely exclusively on Bay waters. The entire project area is owned by EBRPD. More information about project area and project history can be found under the “Site Description” section in Exhibit 2.

PROJECT FINANCING

San Francisco Bay Restoration Authority	\$2,000,000
East Bay Regional Park District, Bond Measure WW	\$2,000,000
U.S. EPA, San Francisco Bay Water Quality Improvement Fund	\$5,000,000
California State Parks Division of Boating and Waterways, Shoreline Erosion Control Program (pending)	\$5,000,000
Wildlife Conservation Board (pending)	\$4,000,000
State Coastal Conservancy (pending)	\$3,000,000
U.S. Fish and Wildlife Service, National Coastal Wetland Conservation Grant (pending)	\$1,000,000
Project Total	\$22,000,000

The leveraged funds from EBRPD District Bond Measure WW will be used to support project costs associated with project management, site protection and habitat improvements. EBRPD has also submitted applications to multiple state agencies totaling approximately \$12,000,000 in funding, and federal agencies totaling \$6,000,000 in funding. Total funds secured are \$7,000,000 with \$13,000,000 pending, in addition to the \$2,000,000 recommended for Authority approval.

CONSISTENCY WITH AUTHORITY’S ENABLING LEGISLATION, THE SAN FRANCISCO BAY RESTORATION AUTHORITY ACT:

The proposed project is consistent with Government Code Section 66704.5 of the Authority’s enabling legislation and is therefore eligible for funding from the Authority.

Government Code Section 66704.5(a) provides that the Authority may award grants to public entities for eligible projects in the counties within the Authority’s jurisdiction. Consistent with this section, EBRPD is a public entity, and the project is in Alameda County, along the shoreline, in the Authority’s jurisdiction.

Government Code Section 66704.5(b)(1) provides that eligible projects must accomplish at least one of certain listed goals, including restoration, protection, or enhancement of tidal wetlands and natural habitats on the shoreline. Consistent with this section, the project will restore and protect the Hayward Marsh, changing the managed brackish marsh ponds into more natural variety of shoreline habitats which include tidal marsh, seasonal ponds, managed tidal ponds, high tide islands, and upland transition zone habitat that will support a diversity of wildlife.

Government Code Sections 66704.5(b)(2) and (3) provide that eligible projects must accomplish at least one of certain listed goals, including building and enhancing shoreline levees, and providing or improving public access as a part of wetland protection project. Consistent with these sections, the project will stabilize the bayfront levee and Bay Trail which runs atop the levee. The project will also partially construct a new levee east and at a higher elevation than the original levee that will serve as a future Bay Trail alignment when sea levels rise.

Funding this construction project is consistent with Section 66704.5(e), which allows the Authority to award grants for “all phases of planning, construction, monitoring, operation, and maintenance” of eligible projects.

CONSISTENCY WITH MEASURE AA PROGRAMS AND ACTIVITIES:

The project is consistent with the *Safe, Clean Water and Pollution Prevention Program’s* purpose, which is to remove pollution, trash and harmful toxins from the Bay by restoring wetland habitats that provide natural filters that will remove pollutants from the Bay’s water.

The project is consistent with the *Vital Fish, Bird and Wildlife Habitat Program’s* purpose of protecting wetlands and other Bay shoreline habitats to benefit wildlife by restoring and enhancing a variety of shoreline habitats (tidal marsh, seasonal ponds, managed tidal ponds, high tide islands, upland transition zone). These habitats will benefit the California least tern, Western snowy plover, Ridgway’s rail, black rail, black skimmer, and the salt marsh harvest mouse. The marsh supports one of the few breeding colonies of the California least tern in the region.

The project is consistent with the *Shoreline Public Access Program*'s purpose of enhancing quality of life for Bay residents and improving public access by preparing for sea level rise and constructing a new levee for future Bay Trail alignment when sea level rises.

CONSISTENCY WITH MEASURE AA PRIORITIZATION CRITERIA:

1. **Greatest positive impact.** The proposed project will implement the first phase of a multi-phased restoration effort, which will lay the groundwork for major positive impacts on wildlife. The habitat improvements will support the current or greater populations of least terns and snowy plovers that nest in the area, habitat connectivity and complexity for the salt marsh harvest mouse in the upland transition zone areas, and habitat connectivity for fish and improved tidal circulation in the tidal marsh areas. Other co-benefits include improved flood protection and public access via the enhancements to the bayfront levee and building out a new levee alignment at an elevation designed for 5 feet of projected seas level rise. The public will be able to view the habitat and wildlife using the Bay Trail, which will run atop the levees, and that access will continue to be available in the future when sea levels rise.
 - **California Wildlife Action Plan (2025 update):** This project will help advance multiple goals of the plan by restoring hydrological connections to the Bay and neighboring marshes, strengthening wildlife corridors and genetic flow essential for ecosystem connectivity (Goal 2.1). By enhancing tidal exchange, and adding diverse habitat features such as nesting islands, upland transition zones, seasonal ponds, and managed tidal ponds, the project improves habitat complexity and structure for wildlife (Goal 2.2). Enhanced tidal flushing—supported by removal of water control structures—improves water quality (Goal 2.3) and restore natural hydrological regimes vital to ecosystem function (Goal 3.3).
 - **San Francisco Estuary Blueprint (2022 update):** The proposed project directly supports the Blueprint Goals 1 and 2 by restoring and enhancing tidal marsh habitat (Action 10) and restoring estuarine-upland transition zones and adjacent upland ecosystems (Action 11).
 - **Hayward Regional Shoreline Adaptation Master Plan (2021):** The proposed project directly advances the goals of the Hayward Shoreline Master Plan by restoring and enhancing coastal wetland habitats, improving wildlife resilience to flooding, high tides, and storm surges. The project aligns with the Plan's vision to create a more connected, ecologically functional shoreline through actions that improve habitat quality for marsh-dependent wildlife.
 - **Baylands Ecosystem Habitat Goals Report (2015 update):** The Goals Report presents goals and recommendations to restore vital habitat in the Bay area. The project will support the Central Bay region goal "to protect and restore tidal marsh, seasonal wetlands, beaches, dunes, and islands," particularly its emphasis on protecting and restoring tidal salt marsh in urban areas such as Hayward. The project will also support actions needed for sea level rise and climate change resilience by restoring complete tidal wetland systems that include tidal marshes, active revegetation, and high-tide-refuge via the least tern islands and upland transition zone habitat.
2. **Greatest long-term impact.** The proposed project will provide long-term conservation of coastal wetlands, with restored habitats expected to deliver ecological and public recreation

benefits through 2080 (50 years) with projected sea level rise. Although the formal engineering design life ends in 2080, the ecological and public access benefits of the restoration are intended to last significantly longer. The new partial levee that will be built as a part of the project will be completed in future phases and serve as a new Bay Trail alignment once the bay-side levee is overtopped by bay water. Wetland habitats are also designed to transition into different wetland habitat types that will continue to support wildlife in the long term as well.

3. **Leveraging resources and partnerships.** Hayward Regional Shoreline is jointly managed by EBRPD, H.A.R.D, and the City of Hayward. H.A.R.D. recently transferred management of the H.A.R.D. marshlands to EBRPD, marshlands that will be connected to the Hayward Marsh once restoration is completed. H.A.R.D. also manages the Hayward Shoreline Interpretive Center, located on the San Francisco Bay trail that leads to Hayward Marsh (and other marshlands). Both agencies provide unified management authority across the restoration area. With access rights and control of the shoreline levee and adjacent marsh, EBRPD can more effectively implement habitat restoration, trail protection, and shoreline enhancement planned in the project's upcoming phases. EBRPD is also leveraging its own funds to help advance the project and staff have submitted multiple funding applications to federal and state fund sources (see "Project Financing" section above).
4. **Monitoring, maintenance, and stewardship.** The project occurs entirely on land owned by EBRPD and is incorporated into its regional park system. Long-term conservation will be sustained through EBRPD's operations, maintenance, and monitoring programs. The project will also be supported by a Monitoring and Adaptive Management Plan, informed by permit requirements and stakeholder coordination, that enables EBRPD to monitor habitat performance, evaluate outcomes, and adjust management actions over time to sustain wetland functions. Stewardship and education will be supported through EBRPD's partnership with H.A.R.D, described above in "Leveraging resources and partnership".
5. **Coastal Conservancy's San Francisco Bay Area Conservancy Program.** The proposed project is consistent with the Selection Criteria of the San Francisco Bay Area Conservancy Program (Section 31163(c) of the Public Resources Code) because it is supported by local and regional plans (see "Greatest positive impact" above); the project site is located within the Hayward Regional Shoreline, which draws visitors from the larger Alameda County area; the project has been permitted and gone out to bid for construction contractors, thus can be implemented immediately; the project is timely and should be implemented quickly because USD will cease to discharge treated wastewater to the project site, which sustains the current wildlife populations; the project leverages matching funds (see the "Project Financing" section above). The project also advances the Conservancy's strategic plan Goal 1 (Enhance and Protect Coastal and Marine Resources) by restoring degraded tidal wetlands, improving hydrologic function, and enhancing habitat for coastal-dependent wildlife.
6. **San Francisco Bay Conservation and Development Commission's Coastal Management Program.** The project is consistent with multiple priorities of the San Francisco Bay Plan, including Tidal Marshes and Mudflats Policy 5, Water Quality Policy 1, Fish, Other Aquatic Organisms and Wildlife Policy 1, and Public Access Policy 4. For more information see Exhibit 2 under Consistency with Measure AA Prioritization Criteria, 6.

- 7. San Francisco Bay Joint Venture's Implementation Strategy.** The project is referenced in the November 2025 Priority Projects List as the "Hayward Shoreline Habitat Restoration" project. Consistent with the Implementation Strategy, the project will restore and enhance tidal wetland habitats.

CONSISTENCY WITH AUTHORITY'S TRIBAL CONSULTATION POLICY:

In 2022 EBRPD staff contacted tribes listed on the Native American Heritage Commission (NAHC) list that indicated interest in the area, and two responded and met with EBRPD staff. More information can be found in Exhibit 2 under "Consistency with Authority's Interim Tribal Consultation Policy". Restoration Authority staff also reached out to tribes listed on the Native American Heritage Commission list via consultation letters on March 27, 2026. One tribe responded and met with Authority staff.

COMPLIANCE WITH CEQA: The proposed project is statutorily exempt from review under CEQA pursuant to Public Resources Code 21080.56, which exempts projects that conserve, restore, protect, or enhance native wildlife and its habitat. Such projects must result in long term benefits to climate resilience and biodiversity, include procedures for ongoing management, and the Director of the California Department of Fish and Wildlife (CDFW) must concur with the lead agency's exemption determination.

Consistent with this section, this project will restore habitat used by native fish and wildlife species, will result in long-term benefits to climate resilience by improving levees which protect against extreme weather effects associated with climate change, and includes procedures for ongoing management under EBRPD's operations, maintenance, and monitoring programs, as well as the project's own Monitoring and Adaptive Management Plan. The Director of CDFW concurred with EBRPD's CEQA exemption determination (Exhibit 2). Upon approval of the project, staff will file a Notice of Exemption.