

**San Lorenzo Creek Task Force  
MEETING NOTES**

**HARD Building  
1099 E Street  
Hayward, 94541  
August 21, 2008  
7:00– 9:00pm**

**Welcome**

- Review Agenda
- Review of Meeting Notes – No meeting notes submitted
- Announcements

Request to review work plan at the end of meeting.

Start time for the next meeting will have to be delayed until 7:15 because of scheduling conflict.

Howard Beckham has Home & Garden tour information on Sunday September 21<sup>st</sup> if anyone is interested.

Barbara witnessed someone dumping dirt with PVC pipe mixed in it into a swale for fill. She reported it and the next day there were people there pulling the pvc out.

Copies of materials from last meeting on table for anyone interested.

*Follow-up or Action Items: Next meeting starts 7:15*

**Update on Staff Progress on Interim Measures**

None

*Follow-up or Action Items: None*

**7:15 Presentation by Shawn Chartrand, Balance Hydrologics, Inc. re: Creek Setbacks**

Shawn Chartrand and balanced Hydrologics, Inc. worked with the Berkeley Creeks Taskforce to help determine appropriate setbacks for creeks in the Berkeley area.

Process:

1. Contact Lance Owen
2. Develop sampling program (rapid sampling: <1/2 hour per site)

Approximately 1000 invitations were sent to creekside property owners, 371 of those replied yes to the invitation to have their property sampled (320 were in open channel reaches), of those 320 responses 75 were actually sampled. In the flatlands, 95% of those who accepted the invitation were sampled.

Field sampling parameters - Measure distance of structures to creek centerline, count roof drains/sump pumps, make drawings, and examine history of flooding.

Rapid habitat analysis of flora and fauna was also done alongside the field sampling. All sampling at each site was done in about 30 minutes.

Measuring structures for setback distance - Two measurements were taken for each structure to determine the actual setback, one from the creek centerline to the building (clb) and the other from the creek centerline to the buildings foundation (clf). The setback was then determined by adding the two measurements and dividing the total by 2.  $(clb + clf) \div 2 = \text{setback}$ . More than 65% of the structures sampled did not conform to the existing setback.

Primary roofed structures setbacks based on highlands and lowlands – of the structures sampled in the highlands 59% did not conform to the current setback, in the lowlands 80% did not conform.

Question: Of these structures, how many of them had been grandfathered in?

Answer: Not sure, cannot remember.

Question: Does the City of Berkeley have regulations on lot coverage?

Answer: Answer to that will come later in the presentation.

Impressions made by the field study included Flumed areas (banks protected by riprap), roof leaders (not many), recent building activity, adjacent non-sampled parcels, and lots without much space.

The presence of riprap and vegetation was also evaluated to see if there was a correlation between riprap and conformation to ordinance and no relationship was found. Now riprap is not allowed at all.

In the city of Berkeley 20-30% of each lot must be open space. Most of the lots evaluated had 0-20% open space. Also 35% of the lots had 40-100% of their area within the setback.

Question: Is the area within the setback considered impervious space in the calculation to determine what percent of the total lot area is impervious?

Answer: It could but no one thought of this.

Question: Do you have any more information to help us determine what the setback should be?

Answer: Prof. Matt Kandolf, UC Berkeley, has a good method based on regions and topography. It is best to visit as many sites as possible. Berkeley spent 2 weeks visiting sites and made their determination based on soil types.

Question: What percent of Berkeley's creeks have year round flows?

Answer: Almost all

Question: Is a 30 foot setback really necessary to protect the creek

Answer: For Berkeley 30 ft. may be too much for simple creek protection, but they also wanted to consider habitat. You could make the argument that for strictly protecting the creek 30 ft. would be more than enough in the majority of cases. Strawberry creek has the nicest reach of any creek because they decided 30 years ago to not encroach on the creek.

Question: Compared to Berkeley, are we properly equipped with knowledge and expertise to make these decisions?

Answer: Berkeley's taskforce was similarly equipped but they also had an attorney and two experts.

Once their ordinance was drafted the Planning Director reviewed it to ensure it complies with the current ordinance. It was kicked back once by the City Council before being approved. To help landowners deal with the new regulations they hired a Watershed Coordinator to consult with, they also developed a creek care guide to distribute to creek side property owners.

Question: Anything else we should know?

Answer: The cost of a good data set. You should be able to get all the information you need for about \$100,000.

Question: Could we get this done without additional data?

Answer: Maybe if you could find a grad student who would want to do this for their thesis project.

Question: The County probably doesn't have detailed land use maps, what do we do in that case?

Answer: With experienced personnel you can get what you need very quickly. 10 sites/day... ½ hour /site.

*Follow-up or Action Items: None*

#### 8:00 **Creek Setback discussion**

Summary – Round Table discussion

Varying setbacks may be the way to go, with classification of creeks based on topography.

Structures within setback do not seem to be having negative impact.

Liz will check with Manny DaCosta to see what data the County already has.

Does the County have maps with creek side properties isolated?

Does the County have an inventory of storm drains?

Can we get a map with creek side properties, measure D properties, storm drains and the creeks all marked?

How much data do we really need?

Can we use Google maps or Google Earth, or does the County have its own aerial maps?

We need to determine our rationale for setting a setback.

What method shall we use to determine the setback? Chris suggests looking at the city of Orinda's ordinance.

With respect to the maps, can we also map out parcels that are developed and undeveloped, and also show those that are within the urban growth boundary (measure D)?

Perhaps the current setback of 20 feet is enough if it could be enforced?

The city of Berkeley hired a biologist to visit and evaluate each property when plans were submitted to determine lot type and appropriate setback.

We should determine policy objectives.

We should also consider land use and creek function.

We need data, map of creek, and land use configuration before we can write policy.

*Follow-up or Action Items:*

**8:50 Public Comment**

- Hear from interested members of the public

**8:55 Meeting Evaluation**

- Share ideas, concerns, suggestions on how to improve future meetings

Thanks to Liz for quick agenda distribution.

Meeting notes still not available

Agenda – can we review the work plan at next meeting? Could a discussion about the working product be included on the next agenda? Some decision about setbacks should be made at the next meeting and then move on.

How will we come up with \$100,000? FEMA? Grant? This will have to be discussed with the Board of Supervisors once we know what we have and what we need.

*Follow-up or Action Items:*

**9:00 Adjourn**

**San Lorenzo Creek Watershed Taskforce  
Attendance 8/21/08**

<b>Name</b>	<b>Supervisor District</b>
Roxann Lewis	District 4
Ken Peek	District 4
Greg Rau	District 4
Chris Higgins	District 4
Larry Lepore	District 2
Linda Ramsay	District 2
Rex Warren	District 2
Robin McCoy	District 4
Bruce King	District 4
Linda Bennett	District 2
Seth Kaplan	Alameda County BOS
Liz McElligott	County Planning Dept