



## Legislation Text

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**File #:** 21-213, **Version:** 1

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Staff Report for a Resolution of the Planning Commission Finding that a Drainage Easement over a Portion of the Dredge Material Disposal Site is in Conformance with the City of San Leandro General Plan.

### **SUMMARY AND RECOMMENDATION**

The City of San Leandro desires to grant an easement over a portion of the Dredge Material Disposal Site (DMDS), APN 080G 0910 001 09, located adjacent to the Estudillo Canal, to the Alameda County Flood Control District for drainage purposes.

Staff recommends that the Planning Commission find that the proposed action is consistent with the City's General Plan.

### **BACKGROUND**

Flood Insurance Rate Maps adopted by the Federal Emergency Management Agency in 2018 indicate that when a significant rain event coincides with a very high tide, there is a risk that water in the Estudillo Canal will not flow to the bay and will instead flow over the northern bank of the canal and enter the neighborhood to the north. The Alameda County Flood Control District (District) owns and operates the Estudillo Canal and has engineered a solution to reduce the risk of flooding from Estudillo Canal during a rain event. The District plans to store excess water that would otherwise spill out of the canal in the City's Dredge Material Disposal Site (DMDS) until the tide recedes. The City, via Resolution 2020-036, approved an agreement with the District for this plan.

The DMDS is a 100 acre site located between the Heron Bay Marshland and the Estudillo Canal that is protected from high tide by an existing levee. The site was formerly used to store material dredged from the San Leandro Marina while it dried. Dredging and the storage and removal of dredged material has been discontinued due to insufficient funds.

### **DETAILS OF THE PROPOSAL**

The District requests an easement for construction of interlocking pavers to protect against erosion, for maintenance of the same, and for rights to divert storm water into the DMDS. The area of the requested easement is 275 feet by 20 feet and located along the northern edge of the property where it abuts the Estudillo Canal.

### **STAFF ANALYSIS**

Storage of storm water in the DMDS will reduce the risk of flooding from the Estudillo Canal. Storage of water in the DMDS will be reoccurring and temporary and will not impact the current use of the property.

## GENERAL PLAN CONFORMANCE

Under Government Code Section 65402, the Planning Commission must find that the proposed disposition of property, in this instance an easement, is in conformance with the City's General Plan. The easement and subsequent use of this property for temporary storage of storm water is consistent with the following General Plan policy:

Policy EH-1.7 Reducing Flood Hazards.

Work collaboratively with County, State, and federal agencies to develop short and long term programs that reduce flood hazards in the City.

The subject property is designated for "Resource Conservation" in the 2035 General Plan. The Resource Conservation land use designation "denotes land which is to remain undeveloped due to high environmental sensitivity, or land to be used primarily for passive recreation (such as walking trails). It also includes land within and immediately along the banks of San Leandro Creek. Development is generally not permitted in Resource Conservation areas so there is no building intensity standard; the land is to be managed to enhance and restore its natural features."

## ENVIRONMENTAL REVIEW

The District has determined that the improvements to the Estudillo Canal are categorically exempt from CEQA. A finding of General Plan conformity is not subject to CEQA.

## PUBLIC OUTREACH

This item was noticed by posting of the Planning Commission meeting agenda.

## RECOMMENDATION

Staff recommends that the Planning Commission find that the proposed action is consistent with the City's General Plan.

## ATTACHMENTS

- Planning Commission Resolution 2021-003 (File ID #21-215)
- Attachment A- Aerial Photograph
- Attachment B- General Plan Land Use Map
- Attachment C- Estudillo Canal Watershed Map

## PREPARED BY:

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