

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
Thirty Van Ness Avenue, San Francisco, CA 94102 557-3686

January 30, 1987

TO: All Commissioners, Alternates, and Interested Parties
FROM: Alan R. Pendleton, Executive Director
SUBJECT: BAY PLAN POLICY AND MAP AMENDMENT NO. 3-86
CONCERNING WATER-RELATED INDUSTRY
(For Commission information only)

The above referenced amendment of the San Francisco Bay Plan was adopted by the Commission on January 15, 1987 and involves changes to the findings and policies of the Bay Plan section on Water-Related Industry (pages 16 and 17) as indicated below and to Bay Plan Map Nos. 2, 3, 12, 13, 14, 15, 16, 17, 19 and 20 as indicated on the attached maps. These pages may be inserted in the Bay Plan prior to its reprinting.

Water-Related Industry

1. Findings. The underlined language is added and the ~~STRIKED OUT~~ language deleted from the existing water-related industry findings (page 16):

- a. Certain industries ~~use water for~~ transportation; require a waterfront location on navigable, deep water to receive raw materials and distribute finished products by ship, thereby gaining a significant economic benefit by exploiting an navigable water transportation cost advantage. These industries are defined as "water-related industries."
- b. Water-related industry is basic to the economy of the Bay Area and of the Western United States. Therefore the needs of water-related industry must be given high priority in the Bay Plan. The navigable, deep water sites around the Bay are a unique and limited resource and should be protected for uses requiring deep-draft ship terminals, such as water-related industries and ports.
- c. Vacant or underutilized industrial waterfrontage, particularly with access to deep water, is scarce in the Bay Area. There is current and anticipated future demand for use of these remaining sites by water-related industries. Substantial regional public benefits can result from reservation of these sites for use by water-related industry, and from efficient and planned use of these sites

by such water-related industries. There is little foreseeable future demand for new water-related industrial sites around the Bay. Expansion of water-related industry can be accommodated at existing water-related industries. Because waterfrontage with access to navigable, deep water is scarce in the Bay Area, existing and future water-related industrial sites must be efficiently planned and managed.

- d. Many other industries compete with water-related industries for waterfront sites: (1) industries that use large volumes of water for cooling or processing purposes and therefore often seek sites near the shoreline, these are defined as "water using industries"; (2) industries that benefit from or support the operation of water-related industries and therefore seek locations near them, these are defined as "linked industries"; (3) other industries that simply seek locations close to freeways and railroads, or that seek a waterfront site because of favorable land costs.

2. Change to Policies. The underlined language is added and the ~~struck over~~ language deleted from the existing water-related industry policies (pages 16-17):

1. ~~Those sites designated as for both~~ Sites designated as for both ~~water-related industrial priority and port~~ water-related industrial priority and port ~~uses areas in this plan should be reserved~~ uses areas in this plan should be reserved ~~exclusively for those industries and port~~ exclusively for those industries and port ~~uses that require navigable, deep water for~~ uses that require navigable, deep water for ~~receiving materials or shipping products by~~ receiving materials or shipping products by ~~water in order to gain a significant~~ water in order to gain a significant ~~transportation cost advantage which meet the~~ transportation cost advantage which meet the ~~following criteria: (a) the specific~~ following criteria: (a) the specific ~~industrial project is determined by the~~ industrial project is determined by the ~~Commission to be water-related using the~~ Commission to be water-related using the ~~definition found in finding a1 above, as well~~ definition found in finding a1 above, as well ~~as any elaboration on this definition as~~ as any elaboration on this definition as ~~found in Commission regulations, and (b) the~~ found in Commission regulations, and (b) the ~~project is determined to meet all other~~ project is determined to meet all other ~~applicable policies of the Bay Plan and the~~ applicable policies of the Bay Plan and the ~~McKee-Peters Act.~~ McKee-Peters Act.
2. Linked industries, water-using industries, and industries which gain only limited economic benefits by fronting on navigable water, should be located in adjacent upland areas. However, pipeline corridors serving such facilities may be permitted within water-related industrial priority use areas, provided pipeline

construction and use does not conflict with present or future water-transportation use of the site.

3. Land reserved for both water-related industry and port uses will be developed over a period of years. Other uses may be allowed in the interim/ ~~as defined in Commission regulations~~ that, by their cost and duration, would not preempt future use of the site for water-related industry or port use.
4. Water-related industry and port sites should be planned and managed so as to avoid wasteful use of the limited supply of waterfront land. The following principles should be followed to the maximum extent feasible in planning for water-related industry and port use.
 - a. Extensive use of the shoreline for storage of raw materials, fuel, products, or waste should not be permitted on a long-term basis. If required, such storage areas should generally either be at right angles to the main direction of the shoreline or be as far inland as feasible, so other use of the shoreline may be made possible.
 - b. Where large acreages are available ~~for industry~~, site planning should strive to provide access to the shoreline for all future plants and port facilities that might locate in the same area (as a general rule, therefore, the longest dimension of plant sites should be at right angles to the shoreline). Developed facilities at Marine terminals ~~waterfront industry~~ should also be shared as much as possible among industries and/ also/ if appropriate/ with public port uses agencies.
 - c. Waste treatment ponds for water-related industry and port uses should occupy as little land as possible, be above the highest recorded level of tidal action, and be as far removed from the shoreline as possible.
 - d. Any new highways, railroads, or rapid transit lines in existing or future

water-related industrial and port areas should be located sufficiently far away from the waterfront so as not to interfere with industrial use of the waterfront.

New access roads to waterfront industrial and port areas should be approximately at right angles to the shoreline, topography permitting.

5. Water-related industry and port uses should be planned so as to make the ~~INDUSTRIAL~~ sites attractive (as well as economically important) uses of the shoreline. The following criteria should be employed to the maximum extent possible.
 - a. Air and water pollution should be minimized through strict compliance with all relevant laws, policies and standards. Mitigation, consistent with the Commission's policy concerning mitigation California Environmental Quality Act, should be provided for all unavoidable adverse environmental impacts.
 - b. When Bayfront hills are used for water-related industries, terracing should generally be required and leveling of the hills should not be permitted.
 - c. Important Bay overlook points, and historic areas and structures that may be located in water-related industrial and port areas, should be preserved and incorporated into that site design, if at all feasible. In addition, shoreline not actually used for shipping facilities should be used for some type of public access or recreation, to the maximum extent feasible. Public areas need not be directly accessible by private automobiles with attendant parking lots and driveways; access may be provided by hiking paths or by forms of public transit such as elephant trains or aerial tramways.
 - d. Regulations, tax arrangements, or other devices should be drawn in a manner that encourages industries and port uses to meet the foregoing objectives. ~~In addition if a suitable area is to be obtained for public use in an existing industrial site, a public agency should be authorized, but not obligated, to assist the industry in obtaining suitable adjacent land to replace areas given over to public use.~~

6. BCDC together with the relevant local government(s), should cooperatively plan for use of vacant and underutilized water-related industrial priority use areas. Such planning should include regional, state, and federal interests where appropriate, as well as public and special interest groups. Resulting plans should include (a) a program for joint use of waterfront facilities where this is beneficial and feasible; (b) a regulatory or management program for reserving the entire waterfront site or parcel for water-related industrial and port use; and (c) a program for minimizing the environmental impacts of future industrial and port development. Such plans, if approved by relevant local governments and by BCDC, could be amended into the Bay Plan as Special Area Plans.
7. The Bay Plan water-related industrial findings, policies, and priority use areas, together with any detailed plans described above in 6., should be included as the waterfront element of any Bay regional industrial siting plan or implementation program.

Bay Plan Maps 2, 3, 12, 13, 14, 15, 16, 17, 19, and 20 are amended as indicated on the attached figures.



--- Priority Use Area Boundary

FIGURE 1

Richmond (CC-1) / Point San Pablo (CC-2)

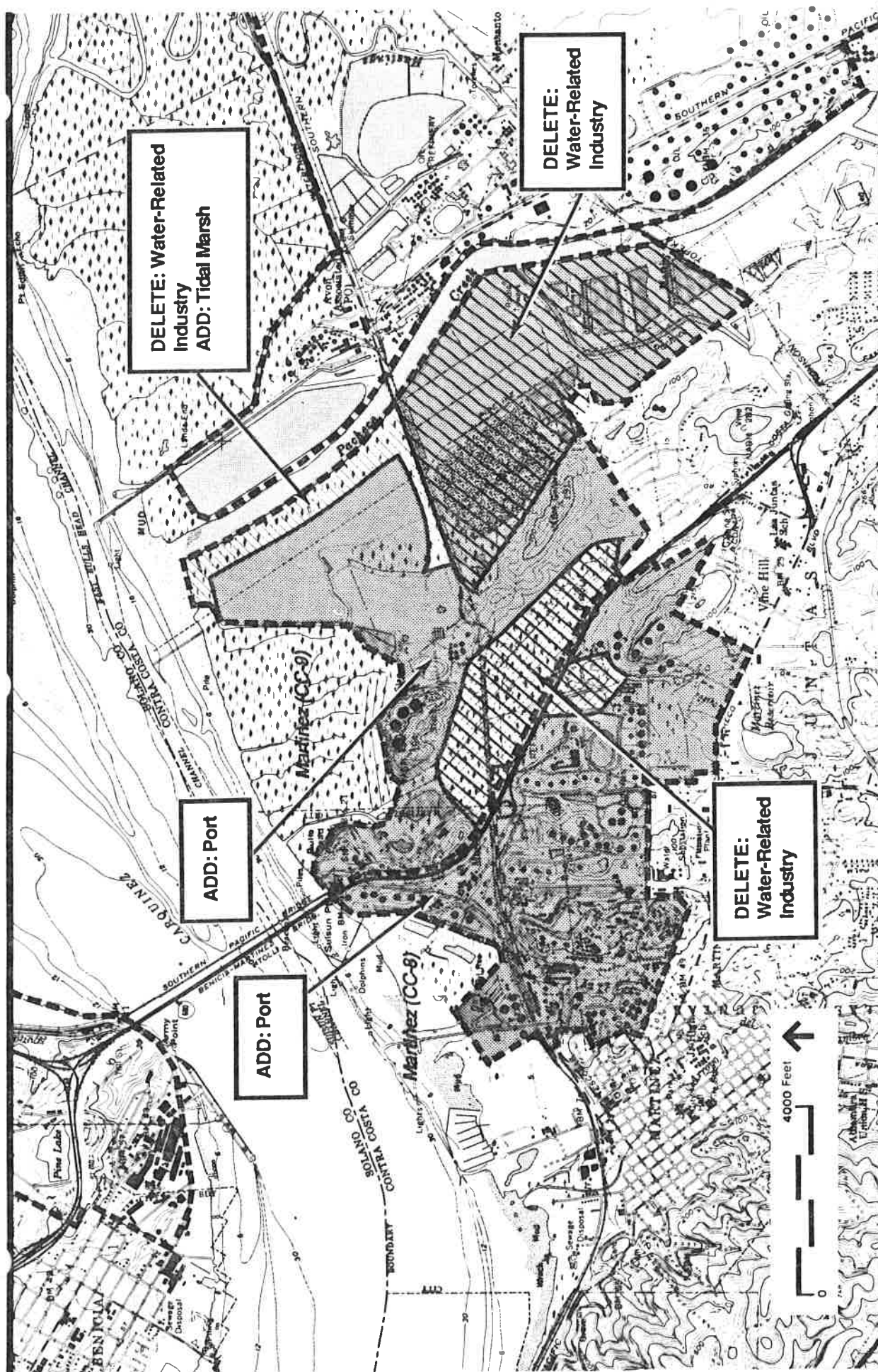
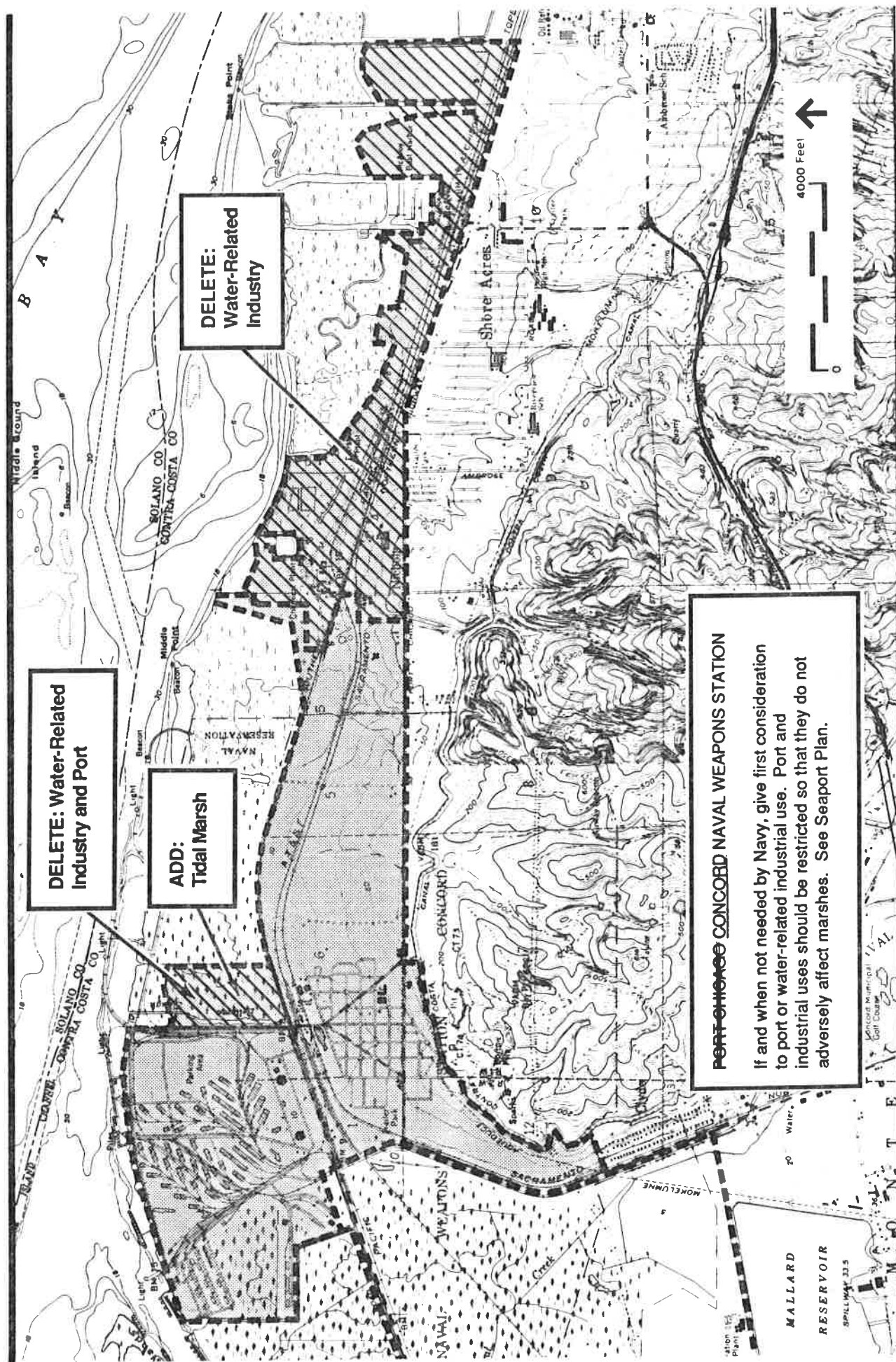


FIGURE 3

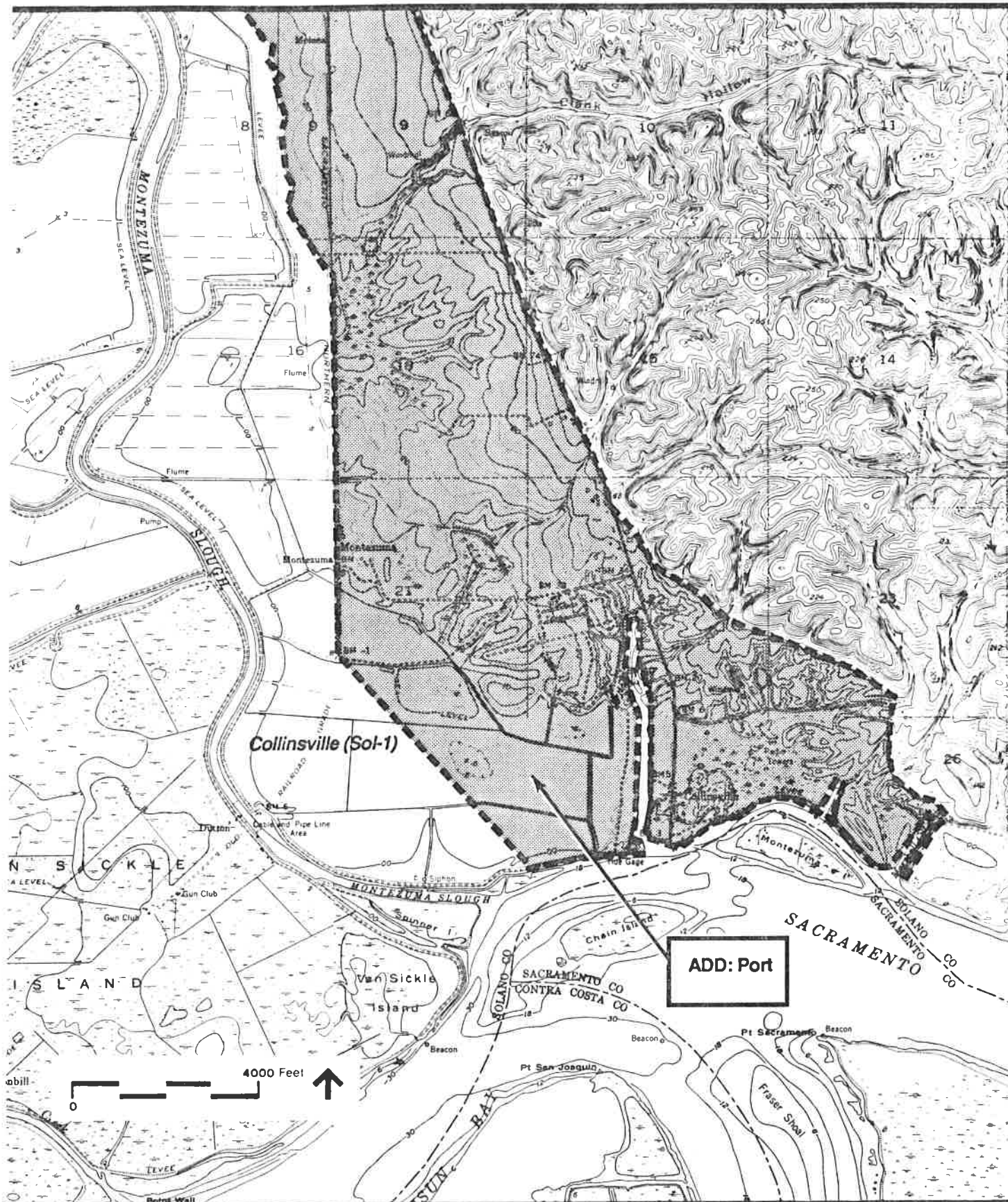
Martinez (CC-8) / Martinez (CC-9)



Priority Use Area Boundary

FIGURE 5

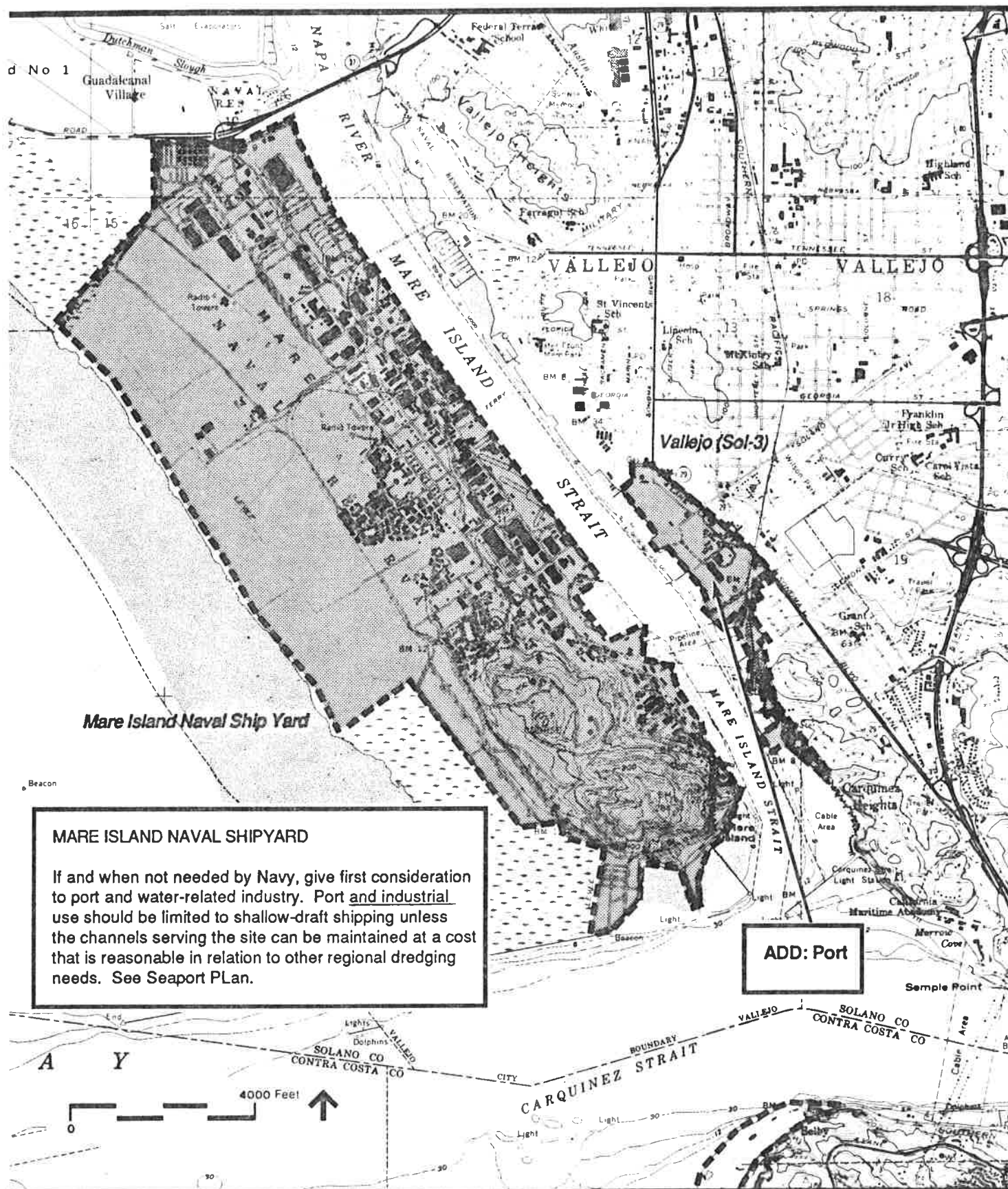
Concord Naval Reservation / Pittsburg (CC-13)



--- Priority Use Area Boundary

FIGURE 6

Collinsville (Sol-1)



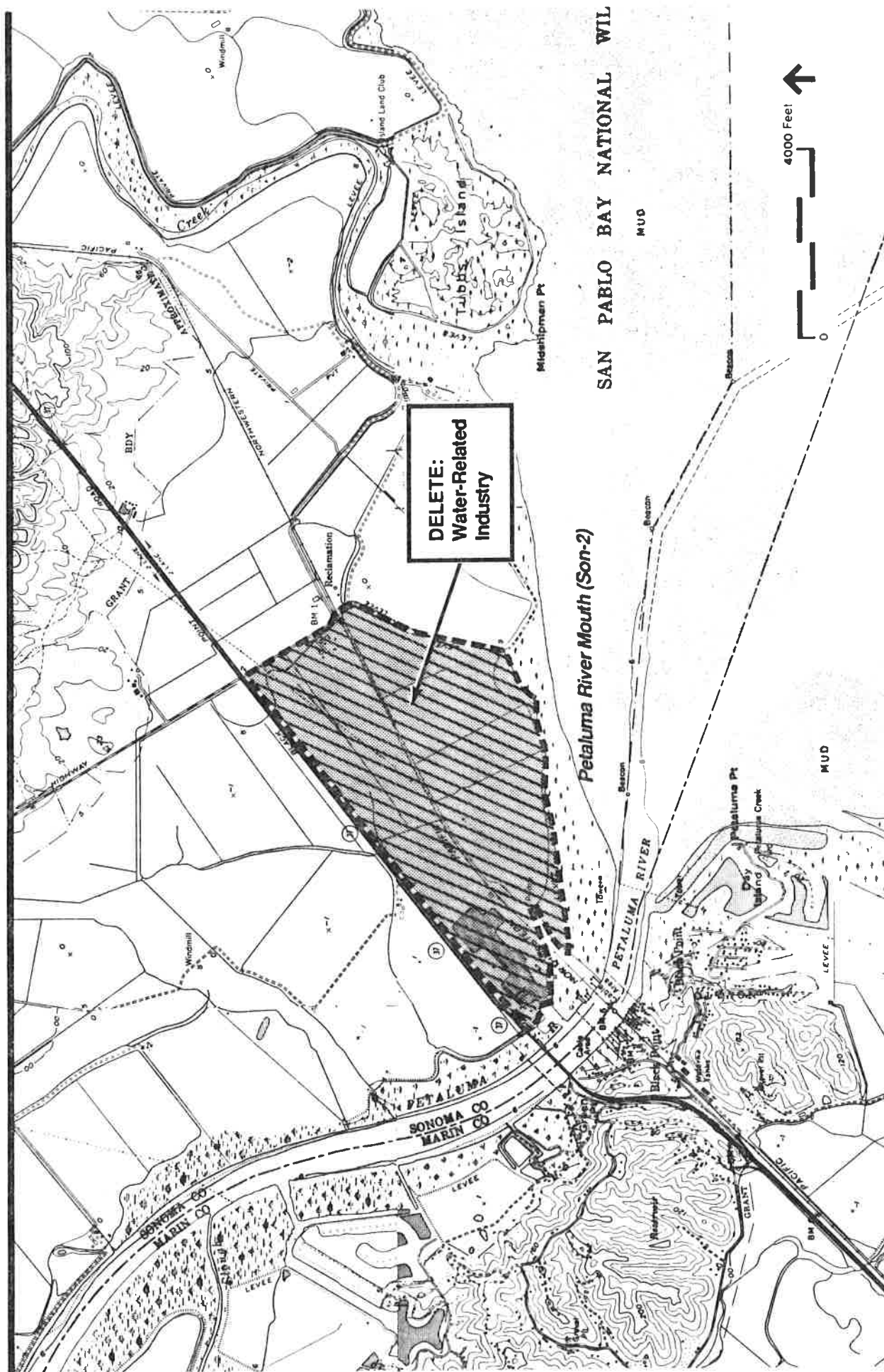


FIGURE 8

Priority Use Area Boundary

Petaluma River Mouth (Son-2)

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
Thirty Van Ness Avenue, San Francisco 94102 557 - 3686

June 19, 1987

TO: All Commissioners and Alternates
FROM: Alan R. Pendleton, Executive Director
SUBJECT: STAFF REPORT ON BAY PLAN AMENDMENT NO. 2-87
CONCERNING NONPOLICY TEXT CHANGES TO THE
SAN FRANCISCO BAY PLAN
(For Commission consideration on July 2, 1987)

Background and Reason for Proposed Amendment

To keep the Bay Plan up to date, as part of the 1986-1987 planning work program the Commission authorized the staff to reprint the Bay Plan text and maps amended by the Commission since the Plan was last reprinted in 1983. The staff believes that prior to printing the Plan, minor nonpolicy editorial changes should be made to the Plan so, among other things, the relationship of the Plan policies and map designations to the McAteer-Petris Act and the Commission's regulations is clear and to add a description of the federal consistency determination process to the Plan. In addition, certain other technical, nonpolicy changes should be made in the introductory part of the Plan.

Although no policy changes are proposed in this "housekeeping" amendment, the Commission must, under the McAteer-Petris Act, proceed as with a normal Bay Plan amendment.

Amendment Description

The proposed changes to the Bay Plan follow. Each proposed change is keyed by number to the place in the Bay Plan where the change would occur as shown in attached Exhibit A.

1. On the title page of the Plan, the printing date would be clarified and the change in title of the Office of Ocean and Coastal Resource Management would be corrected. The proposed new language replacing the existing language would be as follows:

JANUARY 1969
as amended

This publication was prepared with financial assistance from the U. S. Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, under the provisions of the federal Coastal Zone Management Act of 1972, as amended.

program. The Commission can appeal that decision to the courts or can request the Secretary of Commerce to mediate its dispute with the federal agency. In contrast, if the Commission objects to a consistency certification under 3 or 4 above, the activity cannot proceed. The project sponsor can, however, appeal the Commission's objection to the Secretary of Commerce. If the Secretary finds that the activity would be consistent with the objectives of the Coastal Zone Management Act, or necessary for national security, the Secretary can authorize the activity despite the Commission's objection.

The Commission considers consistency determinations and certifications in the same manner it considers permit applications. Consistency concurrence or objection occurs only after public hearings (except for consistency determinations or certifications for emergency or minor repairs to existing installations or minor improvements as provided in the Commission's regulations which may be approved by the Executive Director). The Commission must take action on a consistency determination matter within 45 days after it has received the federal agency determination, unless the federal agency agrees to a time extension. Consistency certification, must be acted upon within six months.

6. For consistency, the numbers on the earlier special area plans would be deleted and reference to the Richardson Bay Special Area Plan would be added to Part VI--The Plan Maps section on page 41 as follows:

San Francisco Waterfront Special Area Plan (adopted April 1975)--applies to the San Francisco shoreline from the east side of the Hyde Street Pier to the south side of India Basin.

Benicia Waterfront Special Area Plan (adopted April 1977)--applies to the Benicia shoreline from West Second Street to the Benicia-Martinez Bridge.

South Richmond Shoreline Special Area Plan (adopted May 1977)--applies to the Richmond shoreline from the west side of Shipyard Three to the southeastern City boundary.

Richardson Bay Special Area Plan (adopted December 1984)--applies to Richardson Bay up to a line drawn between Cavallo Point in Marin County near the Golden Gate Bridge to Point Tiburon in the Town of Tiburon.

Suisun Marsh Protection Plan (adopted December 1976) is described on page 39.