

MINUTE ITEM

This Calendar Item No. 29
was approved as Minute Item
No. 29 by the State Lands
Commission by a vote of 3
to 0 at its 2/24/77
meeting.

CALENDAR ITEM

7/77
G02-04
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29.

CONSIDERATION OF SPECIAL AREA PLAN FOR
SOUTH RICHMOND SHORELINE, CITY OF RICHMOND

BACKGROUND:

City of Richmond, Contra Costa County, is trustee for State lands granted in trust under Chapter 1336, Statutes of 1959, as amended by Chapter 233, Statutes of 1971. On January 30, 1975, the State Lands Commission considered the Richmond Coastline Plan of 1973, when approving the general plan for the future use of the granted lands as required under the Statute. The Statute also provided that the city shall submit any plan which contains a proposal for the restoration, preservation, or maintenance of the lands to the State Lands Commission for its approval. Since the Richmond Coastline Plan was modified by the South Richmond Shoreline Special Area Plan completed in October, 1976, City of Richmond submitted the plan for Commission consideration on April 28, 1977. The Richmond City Council adopted the plan on April 25, 1977. San Francisco Bay Conservation and Development Commission adopted a Bay Plan Amendment incorporating the plan, the policies, a map and draft language for two implementing zoning ordinances on May 5, 1977.

A Citizens' Advisory Committee worked with the City and BCDC exploring issues and developing proposals for the plan. Staff of the State Lands Division was also consulted. Planning for the South Richmond Shoreline considered four sub-areas: Point Isabel, Broc's Island, Inner Harbor Basin, and Santa Fe sub-areas (including shoreline bordering the Santa Fe, Lauritzen, and Harbor Channels). A draft Environmental Impact Report on these changes was prepared and certified on April 21, 1977.

EFFECT OF MODIFIED PLAN ON GRANTED LANDS:

The 1959 legislative grant to City of Richmond consists of four described parcels. The City plans, approved by State Lands Commission in January, 1975, discussed effects of policies on the lands themselves, on areas lying between the lands, and on the shoreline. The Special Area Plan continues to provide for a container port, marine terminal, industry, general commercial and commercial recreation, marina beach, park and other urban uses. While the

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previous plan indicated some marina uses for Inner Harbor Basin, marina and marina-related uses are expanded and BCDC removed its port priority designation. Small craft traffic is not expected to interfere with shipping activities at Richmond port facilities nor with park or preservation areas on the granted lands. Some changes at the Point Isabel sub-area increase space allotted to park or preservation; others add space for future industry. Throughout the plan provision is made for circulation elements, including hike/bike trails; for environmental resource management, including protection of open water, tidelands, marsh and mudflats.

OWNERSHIP:

The plan, in various sections, attempts to discuss ownership of certain tidelands parcels not included in the granted lands. The status of title may be different than as represented in the report's ownership sections. According to City officials, statements of title ownerships are independent from the plan policies and changes in such information would not alter policies. State Lands Commission staff proposed that rather than pursue the difficult legal and engineering questions necessary to delineate ownerships at this time, approval of the report is conditioned by the following language:

Approval of this plan does not constitute agreement by the State, in any manner, with the informational ownership sections of this report. This approval is without prejudice to any right, title or interest of the State of California, or the public, in and to such lands.

CONFORMITY WITH GRANTING STATUTE:

Chapter 1336, Statutes of 1959, as amended, requires the City to improve, restore, preserve, or maintain the granted lands. Among the uses authorized by the statute are harbor, aviation, public recreation, and enhancement of unique environmental values of the lands. Review indicates the South Richmond Shoreline Special Area Plan is in accord with provisions of the Statute.

EXHIBIT: A. Map of the Grant under Chapter 1336, Statutes of 1959

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IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE SPECIAL AREA PLAN SOUTH RICHMOND SHORELINE ADOPTED BY THE CITY OF RICHMOND APRIL 25, 1977, CONFORMS WITH THE PROVISIONS OF CHAPTER 1336, STATUTES OF 1959, AS AMENDED.
2. APPROVE THE SPECIAL AREA PLAN AS PROVIDED BY SECTION 1(c) OF THE AMENDED GRANT STATUTE WITH THE PROVISIO THAT APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AGREEMENT BY THE STATE, IN ANY MANNER, WITH THE INFORMATIONAL OWNERSHIP SECTIONS OF THIS REPORT. THIS APPROVAL IS WITHOUT PREJUDICE TO ANY RIGHT, TITLE OR INTEREST OF THE STATE OF CALIFORNIA, OR THE PUBLIC, IN AND TO SUCH LANDS.