

April 21, 2006

TO: Commissioners and Alternates
FROM: Will Travis, Executive Director (415/352-3653 travis@bcdc.ca.gov)
Joseph LaClair, Senior Planner (415/352-3656 joel@bcdc.ca.gov)
SUBJECT: **Public Hearing and Vote to Initiate a Possible Amendment of the *San Francisco Bay Plan* Recreation Findings and Policies, Bay Plan Map Notes, Policies and Suggestions and Resolution 16**
(For Commission consideration on May 4, 2006)

Summary and Recommendations

The staff recommends that the Commission: (1) adopt the attached proposed descriptive notice to initiate the process of considering a possible amendment to the *San Francisco Bay Plan* recreation findings and policies, Bay Plan Map notes, policies and suggestions regarding recreation and the map waterfront park priority use designations, (2) revise Resolution 16, amending the boundaries of the waterfront park priority use areas; and (3) schedule a public hearing for July 20, 2006 to consider the proposed amendment.

Staff Report

Background. Water-oriented recreation is an intrinsic element of our Bay Area culture. The Commission has had enforceable policies pertaining to water-oriented recreation facilities since 1969 when the California Legislature designated the Commission as the agency responsible for carrying out the provisions of the McAteer-Petris Act and the *San Francisco Bay Plan* (Bay Plan). Revisions to the findings and policies were made during the early 1980's to address recreational boating and live-aboard boats, and again in 2002 to address the recreational use of many former bayfront military installations designated for waterfront park priority use in the Bay Plan.

The current recreation findings and policies, Bay Plan Map notes, policies and suggestions regarding recreation and the waterfront park priority use designations were developed nearly 40 years ago when the Bay Plan was adopted. Accordingly, the findings and policies addressing waterfront parks, beaches, marinas, launching lanes, fishing piers and live-aboard boats focus on the appropriate location, improvement and management of these facilities. The Commission has never undertaken a comprehensive review of the recreation policy section or the Bay Plan Map initiatives regarding recreation, and as a result, this policy section and related map designations are out of date and do not address some key issues, trends or recreational pursuits that have emerged.



Since the plan was adopted, the Bay Area population has grown dramatically and diversified, creating considerable new demand for water-oriented recreation opportunities, including additional waterfront park land, boating facilities, launching lanes and other facilities to increase the supply to address these needs. The increasing diversity of the population, including the explosive growth of the Hispanic population, the aging of the Baby Boom generation, and growth in other ethnic groups has diversified the demand for recreation, introducing new activities, or created greater emphasis on existing activities, thereby creating a need for a new mix of facilities to meet this demand. Also, certain management challenges have emerged that are not addressed in the policies, such as accessibility, locating ferry terminals in water-oriented recreation facilities, environmental education or interim uses.

Over the past 25 years, new non-motorized small boating activities, such as kayaking, windsurfing, dragon boating, kite boarding and other pursuits emerged and expanded greatly in popularity. The advent of the San Francisco Bay Area Water Trail as a project epitomized this trend. These activities require new access facilities, appropriate site improvements, boater education regarding stewardship and navigational safety, and provision for equipment concessions and overnight accommodations and camping. In addition, recent legislation has focused attention on the health risks that contaminated water poses to swimmers and required testing of water at popular beaches and posting of warnings and closures when contamination is present.

In the recent Bay Plan recreation policy update addressing the recreation potential of closed military bases designated for park use in the Bay Plan, the Commission developed policies to address the reuse of historic buildings, in some cases for non-park uses, as a means of preserving important resources and realizing the recreation potential of these sites. Many waterfront parks that were not military bases include historic structures that could be preserved, which indicates that these policy initiatives should be expanded to apply more broadly around the Bay.

Over the past 34 years, wildlife refuges, wildlife areas and ecological reserves have been established within the Commission's jurisdiction to protect fish, other aquatic organisms and wildlife and their habitats and also to provide wildlife-compatible recreation opportunities. The Bay Plan does not recognize the recreation potential of these lands, and provides limited guidance on the proper location, improvement and management of recreation activities in these areas. Also, the popularity of wildlife observation, environmental education, and volunteer stewardship have grown, and many of these activities are well suited to wildlife refuges, wildlife areas, and ecological reserves.

Finally, an update of the Bay Plan recreation policies is needed to: (a) bring the Bay Plan into consistency with Section 66611 that directs the Commission, in part, to designate sufficient waterfront parkland to meet present and future water-oriented recreation needs; (b) clarify, delete or revise current finding and policy language that is duplicative or no longer applicable; (c) update the findings and policies to conform with the Commission's present practices and terminology; and (d) update the Bay Plan Map designations, notes, policies and suggestions to reflect changes in ownership, and correct any Bay Plan mapping or text errors regarding waterfront parks or recreation.

The initiation of the proposed amendment would carry out the Commission's adopted strategic plan. The proposed Bay Plan amendment would consist of: (1) revised recreation findings and policies; (2) and update to the Bay Plan map notes, policies and suggestions regarding recreation; (3) revisions to the waterfront park priority use designation on the Bay Plan Maps; and (4) revisions to Resolution 16 fixing the boundaries of the waterfront park priority use areas.

Commission Procedure

Circulating a descriptive notice is the first step in the process of amending the Bay Plan. A notice of the proposed amendment is required by the McAteer-Petris Act (Government Code Section 66652) and Section 11000 of the Commission's regulations (California Administrative Code, Title 14, Division 5). If the attached proposed descriptive notice is approved by the Commission on May 4, 2006, a public hearing will be held on July 20, 2006. The staff will distribute a report on the proposed amendment with the staff's preliminary recommendation for the specific changes to the Bay Plan to all Commissioners, Alternates, and interested parties at least 30 days prior to the initial public hearing, as required by the Commission's regulations (California Administrative Code, Title 14, Division 5, Section 11001). Upon conclusion of the public hearings, and after submission of the Executive Director's final recommendation, the Commission can vote upon the proposed Bay Plan changes. The descriptive notice must be mailed at least 30 days prior to the public hearings and the vote cannot take place earlier than 90 days from the mailing of the descriptive notice.

Descriptive Notice

May 5, 2006

**Proposed San Francisco Bay Plan Amendment No. 2-06
Concerning an Amendment of the Bay Plan
Recreation Finding and Policies; Bay Plan Map Notes,
Policies, Suggestions and Waterfront Park Priority Use
Designations; and Amendments to Resolution 16**

Notice is hereby given that the San Francisco Bay Conservation and Development Commission will consider an amendment to the *San Francisco Bay Plan*. The proposed amendment would update the Bay Plan by revising existing recreation findings and policies, Bay Plan Map notes, policies and suggestions and waterfront park priority use designations regarding recreation and Resolution 16, fixing the boundaries of waterfront park priority use designations.

A **Public Hearing** on the possible amendment will be held on **July 20, 2006** at the MetroCenter, 101 Eighth Street, Oakland, California, starting at 1:00 P.M. At least thirty days prior to the initial meeting, the staff will prepare and mail a staff report and preliminary recommendation on the proposed amendment. Interested persons may request the staff report and present written comments on or before April 20, 2006. Oral comments may be presented at the April 20, 2006 Commission meetings or thereafter as directed by the Commission.

This **Notice** is prepared in conformance with Section 66652 of the California Government Code, Section 11001 of Title 14, Division 5 of the California Code of Regulations, and Section 312 of the federal Coastal Zone Management Act of 1980. If, after the hearings, the Commission adopts an amendment to the *San Francisco Bay Plan* described in this notice and subsequent staff report, such amendment will be processed as a routine program change of the Commission's federally-approved coastal management program for San Francisco Bay. Any federal agency interested should, therefore, comment to the Commission on or before April 20, 2006. Any written comment received subsequent to the close of the public hearing and public comment period will be distributed to the Commission; however, the staff will not provide a response to the comment in its staff recommendation, but will advise the Commission whether it believes the comment raises a new, substantial issue. If the Commission determines that the comment raises a new, substantial issue, the Commission may reopen the public hearing, and the staff would prepare and distribute a new planning report.

Whether the Bay Plan should be amended as described above, and in what manner, will be the subject of the public hearings and Commission deliberations.

Further information concerning the proposed amendment can be obtained by contacting Mr. Joe LaClair at the Commission's office, 50 California Street, Suite 2600, San Francisco, California 94111, telephone (415) 352-3656, e-mail joel@bcdc.ca.gov.

