

4.8 LAND USE AND RECREATION

1

2 Section 4.8 provides a detailed description of the existing land use and recreation
3 conditions around the Amorco Marine Oil Terminal (Amorco Terminal) Lease
4 Consideration Project (Project) study area, outlines applicable land use plans and
5 policies, and summarizes potential land use and recreation-related impacts and mitigation
6 measures associated with the proposed lease renewal.

7 4.8.1 ENVIRONMENTAL SETTING

8 4.8.1.1 Land Uses near the Amorco Terminal

9 The Amorco Terminal is located in the city of Martinez (city), Contra Costa County,
10 California, on the south shore of the Carquinez Strait, west of the Benicia-Martinez Bridge
11 (Interstate 680 [I-680]). The Carquinez Strait is a narrow channel; it is approximately 1
12 mile wide at the Amorco Terminal.

13 The Amorco Terminal is located on public land leased from the California State Lands
14 Commission (CSLC) in a historically industrial section of the city. The Amorco Terminal
15 is a heavy industrial facility located in an area characterized by wildlife preserves, the
16 Carquinez Strait shoreline, and several heavy industrial facilities. There are no sensitive
17 land uses such as hospitals, retirement communities, or schools located adjacent to or
18 near the Amorco Terminal. The nearest residential area is approximately 1 mile to the
19 southwest of the Amorco Terminal, and is adjacent to heavy industrial uses on land zoned
20 as Industrial (see Figure 4.8-1). The following summarizes land uses that surround the
21 Project site:

- 22 • North of the Amorco Terminal are the Carquinez Strait and Suisun Bay, which
23 provide industrial transport access, commercial and recreational water uses, and
24 wildlife habitat. The Carquinez Strait provides transport access for cargo vessels,
25 and supports sport fishing, commercial fishing, shellfish harvesting, recreational
26 boating and kayaking, shoreline hiking, and other water-related recreational
27 activities.
- 28 • South and west of the Amorco Terminal are the shoreline of the Carquinez Strait
29 and open space marshlands owned by the State. Further south is the Amorco Tank
30 Farm and appurtenant structures, and further west is the Shell Martinez Marine
31 Terminal.
- 32 • East of the Amorco Terminal are I-680 and the Benicia-Martinez Bridge. Land
33 further east is occupied by heavy industrial development and open space.

34 The Amorco Terminal operates on approximately 16.6 acres of sovereign land under the
35 jurisdiction of the CSLC as a barge and tanker transfer facility for crude oil and petroleum

1 products. Additionally, pursuant to the McAteer-Petris Act of 1965, the Bay Conservation
2 and Development Commission (BCDC) has regulatory jurisdiction over land use activities
3 within the first 100 feet from the shore of San Francisco Bay, which gives the BCDC
4 jurisdiction over the Amorco Terminal. According to the *San Francisco Bay Plan*
5 (amended 2006), which is produced by the BCDC to guide jurisdictional development
6 activities, the Amorco Terminal site is designated for Water-Related Industry. The Amorco
7 Terminal is consistent with this use designation.

8 Although the city of Martinez does not have jurisdiction over the Amorco Terminal, the
9 city does have jurisdiction over the land occupied by the associated onshore Amorco
10 Tank Farm. The city's General Plan (GP) designates the Amorco Tank Farm site as
11 Industrial ("I"). In addition, the Tank Farm site has a zoning designation of Heavy Industrial
12 ("H-I") with an overlay Environmental Conservation District ("ECD"). The GP land use
13 and zoning designations are consistent with existing and surrounding uses.

14 **4.8.1.2 Recreational Uses on Carquinez Strait and Suisun Bay**

15 As a heavy industrial use, no recreational facilities or activities are directly associated with
16 the Amorco Terminal. However, there are a number of recreational facilities (designated
17 parks, wildlife preserves, open space, etc.) and recreational uses (nature viewing, hiking,
18 boating, fishing, surfing, etc.) in the Project vicinity, including:

- 19 • hiking, bird watching, or nature viewing in open space preserves near the site;
- 20 • water uses on the Carquinez Strait and Suisun Bay by recreational boat users and
21 sport fishermen, including recreational marinas such as the Martinez Marina,
22 Benicia Marina and Yacht Club, and Glen Cove Marina; and
- 23 • near-shoreline picnicking and park activities associated with the East Bay Regional
24 Park District and city facilities.

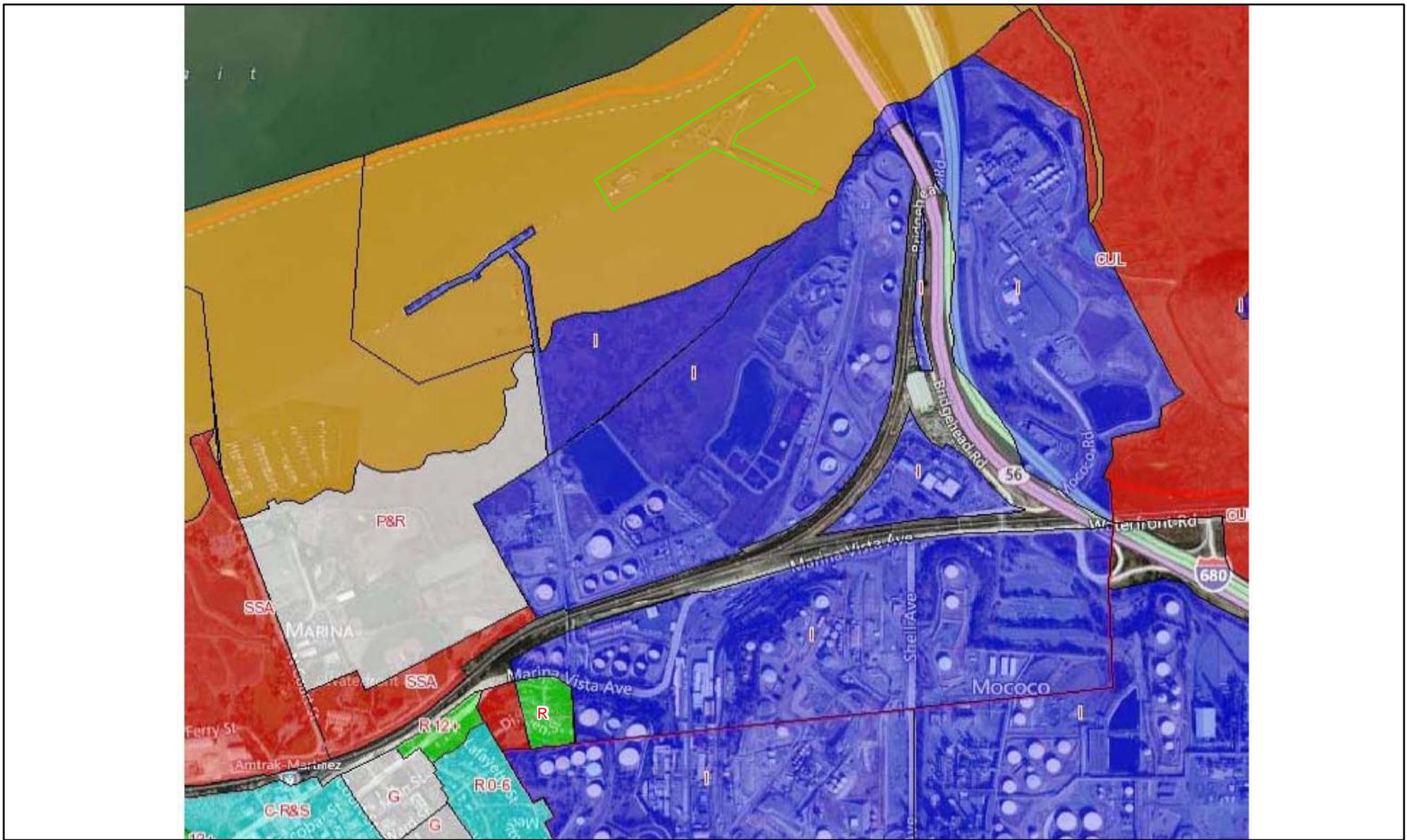
25 These facilities are described by jurisdiction below and shown on Figure 4.8-2.

26 ***Bay Conservation and Development Commission***

27 The BCDC controls a trail easement to the southwest of the Amorco Terminal, which
28 provides access to the onshore open space area to the west of the associated Amorco
29 Tank Farm.

30 ***California Department of Fish and Wildlife***

31 The California Department of Fish and Wildlife (CDFW) maintains the 760-acre Point
32 Edith Wildlife Area located east of I-680 and across the Pacheco Flood Control channel.
33 The CDFW also manages shoreline marshlands onshore near the Amorco Terminal.



X:\CSLC\Amorco MOT14.8 Land Use and Recreation\mxd\Figure 4_8-1 City of Martinez Land Use Designations in the Project Vicinity.mxd

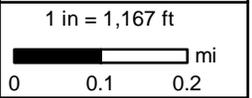
Figure 4.8-1
City of Martinez Land Use Designations in the Project Vicinity
 California State Lands Commission
Amorco Marine Oil Terminal Lease Consideration Project

- R: Residential
- C - R&S: Commercial, Retail and Services
- I: Industrial
- G: Government
- CUL: Open Space/Conservation Use Land
- P&R: Parks and Recreation
- SSA: Special Study Area

CSLC Lease Boundary



1:14,000



8/22/2013

THIS PAGE IS INTENDED TO BE LEFT BLANK



Copyright: ©2013 Esri, DeLorme, NAVTEQ

X:\CSLC\Amorco MOT\4.8 Land Use and Recreation\mxd\Figure 4.8-2 Recreational Uses in the Project Vicinity.mxd

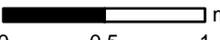
Figure 4.8-2
Recreational Uses in the Project Vicinity
 California State Lands Commission
Amorco Marine Oil Terminal Lease Consideration Project



10/7/2013

-  CSLC Lease Boundary
-  Benicia State Park Recreation Area
-  Point Edith Wildlife Area
-  Martinez Regional Shoreline/
Martinez Waterfront Park
-  Carquinez Strait Regional Shoreline

source: San Francisco Bay Conservation and Development Commission


 1:60,000
 1 in = 5,000 ft
 mi
 0 0.5 1

THIS PAGE IS INTENDED TO BE LEFT BLANK

1 **East Bay Regional Park District**

2 The East Bay Regional Park District manages several open space recreational parks near
3 the Project site and on the shoreline of the Carquinez Strait. Table 4.8-1 provides a brief
4 summary of these facilities and their locations relative to the Amorco Terminal.

5 **Table 4.8-1: East Bay Regional Park District Parks near the Project Site**

Regional Park	Description	Location	Approximate Distance from Amorco Terminal	Acreage
Martinez Regional Shoreline	Marshland, hiking and horse trails, boating, multi-use field facilities	City of Martinez shoreline	1.5 miles to the west	N/A
Carquinez Strait Regional Shoreline	Marshland, hiking and horse trails	Along Carquinez Scenic Drive between Crockett and Martinez	3 miles to the west	1,415
Waterbird Regional Preserve	Wetland; associated uplands with hiking trails	East of Interstate 680	1 mile to the southeast	198
Point Pinole Regional Shoreline	Hiking and horse trails, fishing, camping	Giant Highway, Richmond	14 miles to the west	2,315
Browns Island	No facilities	Island north of Pittsburg	14 miles to the east	595

Source: East Bay Regional Park District 2012

6 **City of Martinez**

7 The city maintains 13 parks ranging in size from 1 to 150 acres, although none is located
8 immediately adjacent to the Project site. Waterfront Park, which is located at North Court
9 Street via Ferry Street Four, is approximately 0.08 mile from the Amorco Terminal; this
10 150-acre park is comprised of multiple playing fields and picnic areas. The city also
11 operates the Martinez Marina in the Martinez Regional Shoreline Preserve. The marina
12 is just north of Waterfront Park. The marina is the launching area for many of the
13 recreational boats and sport fishermen that recreate near the Amorco Terminal. The
14 marina also offers a fishing pier and a multi-use field complex.

15 **4.8.1.3 Recreational Uses on San Francisco Bay and San Pablo Bay**

16 This section describes the land use and recreation setting within San Francisco Bay and
17 San Pablo Bay for the evaluation of the risks associated with oil spills from vessels that
18 service the Amorco Terminal. San Francisco and San Pablo Bays contain a variety of

1 shoreline-related recreational opportunities. Major recreational park areas and sensitive
2 land uses (including wildlife reserves/refuges) are listed in Table 4.8-2.

3 **Table 4.8-2: Major Shoreline Recreational Areas, San Francisco and**
4 **San Pablo Bays**

Bay/Shoreline Parks	
Angel Island State Park	Bay View Park
Bayside Park	Benicia State Recreation Area
Berkeley Waterfront – Cesar Chavez Park	Candlestick Point State Recreation Area*
Carquinez Strait Regional Shoreline	Carquinez Strait – Vallejo Shoreline
China Camp State Park	Coyote Hills Regional Park
Coyote Point County Park	Eastshore State Park*
Gateway Shoreline Park*	Golden Gate National Recreation Area
Hayward Regional Shoreline	Keil Cove-Bluff Point Park*
Martin Luther King, Jr. Regional Shoreline Park	Martinez Regional Shoreline and Martinez Waterfront Park
McInnis County Park	Middle Harbor Shoreline Park
Miller/Knox Regional Shoreline	Mountain View Shoreline Park
Oyster Bay Regional Shoreline*	Oyster Point Marina Park
Point Isabel Regional Shoreline	Point Molate
Point Pinole Regional Shoreline	Point San Pablo Peninsula*
Robert W. Crown Memorial State Beach and Elsie Roemer Bird Sanctuary	San Francisco Bay Area Water Trail*
San Leandro Shoreline Park System	San Pablo Bay Regional Shoreline Park
West Contra Costa Sanitary Landfill*	Wilson Point Beach and Park
Refuges/Preserves/Wildlife Areas	
Alameda National Wildlife Refuge*	Bair Island Ecological Reserve
Brooks Island Regional Preserve	Browns Island Regional Shoreline
Castro Rocks	Don Edwards San Francisco Bay National Wildlife Refuge
Eden Landing Ecological Preserve	Greco Island
Hamilton Field*	Marin Baylands National Wildlife Refuge*
Marin Islands National Wildlife Refuge and State Ecological Reserve	Mount Tamalpais Waterfowl Refuge
Napa-Sonoma Marshes Wildlife Area*	Palo Alto Baylands Nature Reserve
Petaluma Marsh	Point Edith Wildlife Area
Rat Rock	Ravenswood Open Space Preserve
Red Rock	Redwood Shores Ecological Reserve
San Francisco Bay National Estuarine Research Reserve (China Camp State Park)	San Pablo Bay National Wildlife Refuge
Skaggs Island Naval Reservation*	The Brothers
The Sisters	

Source: BCDC 2006

*Proposed facility

1 Developed parks, and recreational and sightseeing areas that provide access to the
2 shoreline are found along the urbanized sections of San Francisco Bay, particularly along
3 the waterfront areas of the San Francisco Peninsula. In addition, there are approximately
4 140 boat-launching ramps/marinas and associated facilities (including fishing piers)
5 throughout San Francisco Bay. Extensive private boating (both sail and power) occurs
6 throughout San Francisco Bay. Undeveloped marsh areas are located to the south. The
7 San Francisco Bay National Wildlife Refuge and Coyote Hills Regional Park at the
8 southern end of San Francisco Bay provide opportunities for hiking and biking in selected
9 areas and near the shore.

10 The northern end of San Pablo Bay is not as urbanized as the southern portions of San
11 Pablo Bay. Most of the shoreline along north San Pablo Bay and across the bay from the
12 Project area consists of the San Pablo National Wildlife Refuge, where hiking and hunting
13 activities are allowed. Only a few boat ramps and fishing piers are in this area.

14 **4.8.1.4 Recreational Uses on the Outer Coast**

15 This section describes the land use and recreation setting along the Pacific outer coast
16 for the evaluation of the risks associated with oil spills from vessels that service the
17 Amorco Terminal. The outer coast consists of a broad mix of land uses, including
18 undeveloped open coastal areas, wetlands, unique shoreline and coastal resource areas,
19 and areas of concentrated development and urban uses. The conditions of the various
20 uses range from relatively undisturbed land areas to degraded coastal zones affected by
21 urban development and industrial pollution. Opportunities for recreation vary along
22 California's shoreline. The coast contains a variety of features ranging from coastal bluffs
23 and beaches to nearby mountains and forests offering a diversity of recreational
24 opportunities. The more urbanized areas tend to have more "developed" recreational
25 opportunities such as trails with manicured vegetation, while the less urbanized areas
26 and those in remote locations tend to have more natural settings with "undeveloped"
27 recreational uses. Some of the less developed areas are designated as preserves or
28 wilderness. Recreational activities include nature viewing, hiking, biking, and equestrian
29 trails, with beaches providing a range of uses such as picnicking, shore fishing, volleyball,
30 windsurfing/sailing, and surfing. All along the outer coast are fishing piers and berthing
31 and launching facilities for recreational boats; however, the greatest concentrations of
32 these facilities are found in the urbanized areas.

33 **4.8.2 REGULATORY SETTING**

34 Federal and State laws that may be relevant to the Project are identified in Table 4-1.
35 Local laws, regulations, and policies are discussed below.

1 **City of Martinez**

2 The city's GP is a comprehensive, long-range planning document stating the city's
3 development goals and policies. It is used to define land use restrictions, which are
4 implemented through the city's Zoning Ordinance. Policy 21.51 of the GP states
5 "Expansion of the petroleum refining and related industries must proceed in an orderly
6 fashion and be consistent with protection of the community's air, water, scenic and fiscal
7 resources. The GP land use designation for the Amorco Tank Farm is Industrial.

8 The city's Zoning Ordinance implements the GP policies. The onshore Amorco Tank
9 Farm has a zoning designation of Heavy Industrial ("H-I"), and the Amorco Terminal also
10 has an overlay Environmental Conservation District ("ECD-H-I").

11 **4.8.3 IMPACT ANALYSIS**

12 **4.8.3.1 Significance Criteria**

13 For the purposes of this analysis, an impact was considered to be significant and to
14 require mitigation if it would result in any of the following:

- 15 • Conflict with any applicable land use plan, policy, or regulation of an agency with
16 jurisdiction over the Project adopted for the purpose of avoiding or mitigating an
17 environmental effect
- 18 • Cause residual impacts on sensitive shoreline lands and/or water and non-water
19 recreation due to an accidental release of oil
- 20 • Conflict with established or proposed land uses, including potentially sensitive land
21 uses

22 **4.8.3.2 Assessment Methodology**

23 Environmental impacts are discussed in this section relative to the areas adjacent to the
24 Project. Potential land use and recreational impacts relate to continued operation of the
25 offshore portion of the Amorco Terminal. Potential long-term land and recreational use
26 impacts relate to such issues as compatibility of the facilities with existing and proposed
27 land uses in the surrounding area (e.g., changes in land use, land use conflicts, and
28 effects on potentially sensitive land uses) and conformity with governmental land use and
29 recreation plans, policies, and regulations.

30 **4.8.3.3 Impacts Analysis and Mitigation Measures**

31 The following subsections describe the Project's potential impacts on land use and
32 recreation; where impacts are determined to be significant, feasible mitigation measures
33 (MM) are described that would reduce or avoid the impact.

1 Proposed Project

2 **Impact Land Use and Recreation (LUR)-1: Conflict with any applicable land use**
3 **plan, policy, or regulation of an agency with jurisdiction over the Project adopted**
4 **for the purpose of avoiding or mitigating an environmental effect. (Less than**
5 **significant.)**

6 Because the Amorco Terminal is located on sovereign lands under the jurisdiction of the
7 CSLC in a historically industrial section of the city, the BCDC is the only other agency
8 with land use jurisdiction over the site. The BCDC's *San Francisco Bay Plan* (amended
9 2006) is the most comprehensive planning document for water-related development
10 around San Francisco Bay. According to the *San Francisco Bay Plan*, the Amorco
11 Terminal site is designated for Water-Related Industry. Use of the Amorco Terminal is
12 consistent with this use designation.

13 Although the city does not have jurisdiction over the Amorco Terminal, the city's GP
14 designates the Amorco Tank Farm site as Industrial, and the zoning designation is Heavy
15 Industrial. These land use and zoning designations are consistent with existing and
16 surrounding uses.

17 The use of the Amorco Terminal as an industrial facility in an area planned and zoned for
18 industrial uses is consistent with all applicable local and regional land use plans and
19 policies. Because applicable planning documents designate the Amorco Terminal and
20 surrounding areas for industrial uses, which currently exist and are compatible, future
21 planning policies and plans over the proposed 30-year lease term would likely continue
22 to designate the area in a similar manner. Impacts would be less than significant.

23 **Mitigation Measure:** No mitigation required.

24 **Impact LUR-2: Cause residual impacts on sensitive shoreline lands and/or water**
25 **and non-water recreation due to an accidental release of oil at or near the Amorco**
26 **Terminal. (Significant and unavoidable.)**

27 An accidental spill of oil at or near the Amorco Terminal could cause residual impacts on
28 sensitive shoreline lands and recreation near the water and the shoreline, including
29 Martinez Regional Shoreline, Martinez Waterfront Park, and Carquinez Strait Regional
30 Shoreline, and to recreational boats (refer to Section 4.8.1.2). The greatest risk of a spill
31 is from small accidents at the Amorco Terminal during normal operations. While there is
32 less risk of spill during tankering, the size of a spill that could result would be much greater
33 and more severe. The degree of impact is influenced by factors such as location, spill
34 size, type of material spilled, prevailing wind and current conditions, the vulnerability and
35 sensitivity of the shoreline, and effectiveness of early containment and cleanup efforts.

1 Crude oil feedstocks are shipped to and from the Amorco Terminal. Light product spills
2 generally volatilize relatively rapidly, and little remains within 24 to 48 hours after a spill.
3 Heavy crude oil may disappear over a period of several days, with remaining heavy
4 fractions lasting from several weeks to several months floating at or near the surface in
5 the form of mousse, tar balls, or mats.

6 If a spill were to occur at the Amorco Terminal, transfer operations would be suspended.
7 The capability to immediately respond and deploy appropriate containment booming
8 would influence the extent of affected shoreline. Tesoro Refining and Marketing
9 Company, LLC (Tesoro) has contracted with Bay Area Ship Services to assist with initial
10 oil spill response services, including the immediate execution of approximately 600 feet
11 of harbor boom in approximately 30 minutes. In addition, Tesoro contracts with Marine
12 Spill Response Corporation to serve as the primary Oil Spill Response Organization
13 contractor in its Oil Spill Response Plan for offshore, onshore, and shallow-water
14 response services. Refer to Section 2.6.4 for a more detailed description of the Amorco
15 Terminal oil spill response capabilities and equipment.

16 Because it is impossible to predict with any certainty the potential consequences of a spill,
17 impacts from spills are considered to be significant and unavoidable if first-response
18 efforts would not contain or clean up the spill, resulting in residual impacts that would
19 affect the general public's use of shoreline or water areas. If a spill occurs that would be
20 contained and cleaned up during the first response, that spill would be considered a less
21 than significant with mitigation impact to land use and recreation.

22 Mitigation Measures OS-1a, OS-1b, OS-1c, OS-4a, and OS-4b, presented in Section 4.1,
23 Operational Safety/Risk of Accidents of this Environmental Impact Report (EIR), provide
24 improved oil spill containment measures. With implementation of these measures, the
25 risk to shoreline and recreational resources can be reduced to less than significant for
26 small spills; however, impacts would remain significant for large spills.

27 **Mitigation Measure:** No additional mitigation measures available.

28 **Impact LUR-3: Cause residual impacts on sensitive shoreline lands and/or water**
29 **and non-water recreation due to an accidental release of oil from vessels in transit.**
30 **(Significant and unavoidable.)**

31 Depending on spill size and location, a spill within San Francisco Bay or Carquinez Strait
32 could affect recreational boating in the vicinity of the spill and its area of spread.
33 Depending on wind and current condition and the size of the spill, the shoreline and land-
34 and water-recreation uses could also be affected. Oil spill modeling for the vicinity of the
35 Amorco Terminal (see Appendix C) shows the potential extent of oil spread based on
36 various scenarios of spill size, wind, tide, and current conditions. Modeling results indicate
37 that probabilities of exceeding the levels of concern range from 75 to 100 percent along

1 the shoreline east and west of the Carquinez Bridge in both summer and winter, with
2 higher probabilities of exceedance extending into San Pablo Bay and Suisun Bay for the
3 winter scenario. Refer to Section 4.1, Operational Safety/Risk of Accidents for a more in-
4 depth discussion of oil spill modeling in the Project vicinity.

5 Shoreline uses that could be affected by a spill include marinas, parks, and other
6 recreational uses, as well as other marine terminals and port and harbor operations.
7 Passenger and cargo vessels, commercial fishing vessels, recreational boaters, and
8 others may have to slow, reroute, or halt operations during cleanup and containment.

9 Compared to the San Francisco Bay, existing land uses and recreational areas along the
10 outer coast are more diverse, ranging from heavily used areas to areas that are
11 undeveloped and fairly inaccessible, especially along the northern coast. Spills that beach
12 along heavily used areas and recreational points would limit or preclude such uses and
13 result in significant, adverse impacts, depending on the characteristics of a spill and its
14 residual effects. Oil that spreads to beaches, sand dunes, tide pools, shoreline reserves,
15 harbors, marinas, and other recreational boating and fishing facilities would limit access
16 to these areas due to containment equipment and cleanup activities. Spills that reach the
17 more remote portions of the shoreline may not necessarily decrease the availability of
18 recreational uses because use may be minimal, but would result in impacts to biological
19 resources and water quality (refer to Sections 4.2 and 4.3 for details). Portions of the
20 coastline would also be visually affected by spills, as discussed in Section 4.10, Visual
21 Resources, Light, and Glare.

22 Over the life of the proposed new lease, as more areas of the coastline are developed or
23 made accessible to the public, the likelihood that an established land use or recreational
24 amenity may be affected by a spill would also increase.

25 Because it is impossible to predict with any certainty the potential consequences of a spill,
26 impacts from spills are considered to be significant and unavoidable if first-response
27 efforts would not contain or clean up the spill, resulting in residual impacts that would
28 affect the general public's use of shoreline or water areas. If a spill occurs that would be
29 contained and cleaned up during the first response, that spill would be considered a less
30 than significant with mitigation impact to land use and recreation.

31 Mitigation measures OS-1a, OS-1b, OS-1c, OS-4a, and OS-4b, presented in Section 4.1,
32 Operational Safety/Risk of Accidents, provide improved oil spill containment measures.
33 With implementation of these measures, the risk to shoreline and recreational resources
34 can be reduced to less than significant for small spills; however, impacts would remain
35 significant for large spills.

36 **Mitigation Measure:** No additional mitigation measures available.

1 **Impact LUR-4: Conflict with established or proposed land uses, including**
2 **potentially sensitive land uses. (Less than significant.)**

3 The existing Amorco Terminal is compatible with all adjacent and proximate land uses.
4 The Amorco Terminal is not immediately surrounded by any other facilities, with the
5 exception of the Shell Martinez Marine Terminal to the west. Both facilities are industrial
6 and are allowed land uses within the planning jurisdiction of the city of Martinez. There
7 are no sensitive or incompatible land uses (such as hospitals, retirement communities, or
8 schools) located near the Amorco Terminal. The nearest residential area is approximately
9 1 mile to the southwest of the Amorco Terminal, and is adjacent to heavy industrial uses
10 on land zoned as Industrial.

11 A new 30-year lease would not create any physical land use incompatibilities, mainly
12 because current activities would continue in the same manner. The Amorco Terminal
13 would continue to be compatible with all existing surrounding industrial land uses.
14 Because the area is built out and zoned Industrial, it is highly unlikely that any sensitive,
15 incompatible land uses would be developed near the Amorco Terminal during the 30-year
16 lease period.

17 In 2006, Senate Bill 1556 mandated that the Delta Protection Commission adopt a plan
18 and implementation program for a continuous recreational corridor trail network through
19 the five Delta counties, linking the San Francisco Bay Trail system to the planned
20 Sacramento River trails in Yolo and Sacramento counties. The Great California Delta Trail
21 (Delta Trail) is to include routes for bicycling and hiking, with interconnections to other
22 trails, park and recreational facilities, and public transportation. Operation of the Amorco
23 Tank Farm prohibits public access to the shoreline, so constructing the Delta Trail through
24 the facility is not feasible. However, the upland portion of the Amorco Terminal is not
25 under the jurisdiction of the CSLC, and is not part of the proposed lease. Therefore, issues
26 related to land use associated with the planned trail segments are not applicable to this
27 EIR.

28 **Mitigation Measure:** No mitigation required.

29 **Alternative 1: No Project**

30 **Impact LUR-5: Cause residual impacts on sensitive shoreline lands and/or water**
31 **recreation due to an accidental release of oil from marine-based sources; or**
32 **conflict with established or proposed land uses, including potentially sensitive**
33 **land uses. (Beneficial.)**

34 Under the No Project Alternative, Tesoro's lease would not be renewed and the existing
35 Amorco Terminal would be subsequently decommissioned with its components

1 abandoned in place, removed, or a combination thereof. The decommissioning of the
2 Amorco Terminal would be governed by an Abandonment and Restoration Plan.

3 The localized risk of a spill (i.e., risks associated with the specific location and access
4 route to the Amorco Terminal) impacting shoreline land uses and precluding recreational
5 uses in the vicinity of the Amorco Terminal would not occur, as the Amorco Terminal
6 would not be in use. With no potential for spills in the immediate area, a beneficial impact
7 would occur near the Amorco Terminal.

8 After decommissioning, the No Project Alternative assumes the number of tankers
9 servicing the area would remain essentially the same due to regional demands, and
10 assumes that without the Amorco Terminal, incoming tankers would instead go to the
11 Avon Terminal. Therefore, the risks associated with the transport of oil would not be
12 removed from the region, but simply shifted to a nearby facility, approximately 2.5 miles
13 away. An incremental increase in risk associated with increases in vessel activity at the
14 Avon Terminal would result. At the Avon facility, there would be the potential for oil spill
15 impacts similar to the proposed Project.

16 The Amorco Terminal would eventually be decommissioned and abandoned or converted
17 to another use, which would require a separate California Environmental Quality Act
18 environmental review. No significant adverse land use or recreation impacts would be
19 anticipated for the decommissioning process.

20 **Mitigation Measure:** No mitigation required.

21 **Impact LUR-6: Cause residual impacts on sensitive lands and/or recreation due to**
22 **an accidental release of oil imported from non-marine sources; or conflict with**
23 **established or proposed land uses, including potentially sensitive land uses.**
24 **(Significant and unavoidable.)**

25 This alternative assumes that there would be no Amorco Terminal to receive crude or
26 transport product and, therefore, Refinery operations would be dependent on crude oil
27 receipts through non-marine sources in order to meet regional refining demands. Sources
28 may include land-based transportation such as rail cars and trucks, and/or pipeline
29 connections to other Bay Area marine oil terminals, or a combination thereof.

30 Crude oil transportation by rail car would involve constructing additional rail lines and
31 associated handling facilities. Pipeline delivery would require construction of new
32 pipelines and/or the purchase of existing pipeline capacity from other local petroleum
33 refinery competitors. Permit modification might be required for any increased use of the
34 existing pipeline to the Plains All America Martinez Terminal, or the Kinder Morgan
35 Pipeline.

1 If pipeline and/or rail construction were needed, alignments would need to be identified
2 and easements obtained. Conversion of some lands in highly developed urban areas
3 could either directly or indirectly affect land use, including recreational use. This could
4 result in significant impacts. In areas where property could be taken to construct pipeline
5 and/or railway alignments, impacts could be wholly or partially mitigated by monetary
6 means or land trades. However, impacts would remain significant in the event that land
7 is deeded to an easement and taken out of public use such as a public park, if that loss
8 contributes to a decrease in park space with no means for replacement. Incompatible
9 land uses with adjacent property could also result in significant impacts. During operation
10 of the pipeline and or rail cars, accidental oil spills could result in significant impacts.

11 **Alternative 2: Restricted Lease Taking Amorco Out of Service for Oil Transport**

12 **Impact LUR-7: Cause residual impacts on sensitive shoreline lands and/or water**
13 **recreation due to an accidental release of oil from marine based sources; or conflict**
14 **with established or proposed land uses, including potentially sensitive land uses.**
15 **(Beneficial.)**

16 Refer to Impact LUR-5.

17 **Mitigation Measure:** No mitigation required.

18 **Impact LUR-8: Cause residual impacts on sensitive lands and/or recreation due to**
19 **an accidental release of oil imported from non-marine sources; or conflict with**
20 **established or proposed land uses, including potentially sensitive land uses.**
21 **(Significant and unavoidable.)**

22 Refer to Impact LUR-6.

23 **Cumulative Impact Analysis**

24 Routine operations at the Amorco Terminal would not contribute to cumulative land use
25 or recreation impacts. However, there is a risk of a potentially significant oil spill from the
26 proposed Project and other marine oil terminal projects in the region. Over the proposed
27 30-year lease period, increased throughput would occur through an increase in the
28 number of vessels handled at the Amorco Terminal. An incremental increase in spill risk
29 that would impact land use and recreation would be associated with that increase. When
30 the cumulative environment is considered, the contribution from the proposed Project is
31 small. Even so, impacts to sensitive shoreline lands and/or water and non-water
32 recreation due to an accidental release of oil would remain potentially significant. Tesoro
33 would be responsible for spills at or near the Amorco Terminal, but not for vessels
34 transiting San Francisco Bay or the outer coast.

1 **4.8.4 SUMMARY OF FINDINGS**

2 Table 4.8-3 includes a summary of anticipated impacts to land use and recreation and
 3 associated mitigation measures.

4 **Table 4.8-3: Summary of Land Use and Recreation Impacts and Mitigation**
 5 **Measures**

Impact	Mitigation Measure(s)
Proposed Project	
LUR-1: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect	No mitigation required.
LUR-2: Cause residual impacts on sensitive shoreline lands and/or water and non-water recreation due to an accidental release of oil at or near the Amorco Terminal	No additional mitigation measures available. (refer to MMs OS-1a, OS-1b, OS-1c, OS-4a, and OS-4b.)
LUR-3: Cause residual impacts on sensitive shoreline lands and/or water and non-water recreation due to an accidental release of oil from vessels in transit	No additional mitigation measures available. (refer to MMs OS-1a, OS-1b, OS-1c, OS-4a, and OS-4b.)
LUR-4: Conflict with established or proposed land uses, including potentially sensitive land uses	No mitigation required.
Alternative 1: No Project	
LUR-5: Cause residual impacts on sensitive shoreline lands and/or water and non-water recreation due to an accidental release of oil; or conflict with established or proposed land uses, including potentially sensitive land uses	No mitigation required.
LUR-6: Cause residual impacts on sensitive lands and/or water and non-water recreation due to an accidental release of oil; or conflict with established or proposed land uses, including potentially sensitive land uses	Should this alternative be selected, mitigation measures would be determined during a separate environmental review under CEQA.
Alternative 2: Restricted Lease Taking Amorco Out of Service for Oil Transport	
LUR-5: Cause residual impacts on sensitive shoreline lands and/or water and non-water recreation due to an accidental release of oil; or conflict with established or proposed land uses, including potentially sensitive land uses	No mitigation required.
LUR-6: Cause residual impacts on sensitive lands and/or water and non-water recreation due to an accidental release of oil; or conflict with established or proposed land uses, including potentially sensitive land uses	Should this alternative be selected, mitigation measures would be determined during a separate environmental review under CEQA.