

CALENDAR ITEM
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CALENDAR ITEM

C24.

CONSIDERATION OF AMENDMENT TO MARTINEZ WATERFRONT
LAND USE PLAN -- CITY OF MARTINEZ AND
EAST BAY REGIONAL PARK DISTRICT

TRUSTEE: East Bay Regional Park District
11500 Skyline Blvd.
Oakland, California 94619

City of Martinez
525 Henrietta Street
Martinez, California 94553

LOCATION: Tide and submerged lands granted in trust
to East Bay Regional Park District and
the City of Martinez.

BACKGROUND: City of Martinez and East Bay Regional
Park District are trustees for certain
state tide and submerged lands, both filled
and unfilled, in Carquinez Strait, Contra
Costa County, granted in trust under Chapter
815, Statutes of 1976. City of Martinez
leases state lands adjoining the granted
lands for a marina. The granting statute
provides that granted lands be improved,
preserved, restored, or maintained in accord
with the Martinez Land Use Plan, which
was adopted by the City and District in
April, 1976. The Waterfront Plan treats
activities at the leased marina as more
or less independent but complementary to
recreational activities on the granted
area.

Section 6(a) of the granting statute requires
that changes and amendments to the Waterfront
Plan be submitted to State Lands Commission
for approval. On May 19, 1977 the City
and the District requested State Lands

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CALENDAR ITEM NO. 024. (CONTD)

Commission consider the actions taken by their governing bodies. These were:

1. Change priority of Ferry Street realignment from Phase I of the Land Use Plan to Phase II of the Land Use Plan.
2. Request made by the City to the District to dispose of dredging spoils from the Martinez Marina in certain filled lands for the summer of 1977 only. These lands were designated for future use as East Meadow area and for sports and field games (Areas 8 and 9). No change which would authorize commercial, income-producing development is involved.

DO PROPOSED ACTIVITIES ON MARTINEZ WATERFRONT CONSTITUTE CHANGE OF LAND USE PLAN:

1. Postponement of priority for Ferry Street realignment constitutes a change in the Waterfront Plan because the Plan calls for the street realignment to be accomplished in Phase I. The granting statute provides that on or before January 1, 1982, the lands shall be substantially improved, restored, preserved or maintained in accord with Phase I, or lands revert to the State. Approval by SLC of this change is required.
2. The Waterfront Plan did not deal with phasing of land fill in areas 8 and 9. The draft EIR concerning the Plan indicated these are filled lands and anticipated some additional fill was needed to create mounds and to bury construction debris. Ultimate development was scheduled in Phase II, but the Plan does not preclude earlier preparation of the ground. The District will direct and approve disposal of the spoils. In this instance there is no change of plan, and State Lands Commission approval is not required under the granting statute.

REASON FOR CHANGE:

Projects scheduled for Phase I include a number of high cost items essential for

CALENDAR ITEM NO. C24. (CONTD)

park development: land acquisitions, marsh restoration, landscaping, development of public recreation facilities. Officials believe there is sufficient public access to the area so that the realignment of the street can be postponed to Phase II in order to accomplish more of the basic park purposes in Phase I with funds available.

CONFORMITY WITH GRANTING STATUTE:

The Legislature declared that Martinez Waterfront provides an opportunity for assuring balance between preservation and restoration of coastal fish and wildlife resources and environment with nature study, appropriate recreational activities, public navigation, fishing and selected development. Review of the change indicates it is in accord with provisions of the statute and the public trust.

EXHIBITS:

- A. Map of Martinez Waterfront Land Use Plan

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE TRANSFER OF FERRY STREET REALIGNMENT FROM PHASE I TO PHASE II OF THE MARTINEZ WATERFRONT LAND USE PLAN PERMITS MORE TIMELY FUNDING AND COMPLETION OF OTHER ITEMS ESSENTIAL FOR PARK DEVELOPMENT, THAT THE PUBLIC WILL CONTINUE TO HAVE ACCESS TO THE GRANTED AREA, AND THAT THE CHANGE IS IN CONFORMITY WITH CHAPTER 815, STATUTES OF 1976.
2. APPROVE THE CHANGE OF THE PLAN AS REQUIRED BY SECTION 6(A) OF THE GRANTING STATUTE.