

RESOLUTION NO. ??-07

RESOLUTION OF THE MEMBERS OF THE RICHMOND CITY COUNCIL, RICHMOND, CALIFORNIA REQUESTING CALIFORNIA STATE LANDS COMMISSION TO REQUIRE BAY TRAIL MITIGATION FOR A NEW 30-YEAR LEASE OF STATE LANDS FOR OPERATION OF CHEVRON'S LONG WHARF

WHEREAS, the California State Lands Commission (CSLC) is considering granting a new 30-year lease of California sovereign land to Chevron for continued operation of Long Wharf;

WHEREAS, on March 7 the CSLC issued a Finalizing Addendum to the Draft EIR for the Chevron Richmond Long Wharf Marine Terminal Lease Consideration;

WHEREAS, The Draft EIR recognized:

"Granting a new lease for Long Wharf operations offers the opportunity to examine the potential for any adverse impacts to public access opportunities along this section of the Bay Trail segment linking Point Richmond with Point Molate. In addition, if the lease were denied, the shoreline facilities supporting the Long Wharf could be removed. With this area open, a trail could go though the area with no direct conflicting land uses, and the land could serve as safety buffer between the trail and the Refinery.";

WHEREAS, the City of Richmond General Plan, ABAG's San Francisco Bay Trail Plan, the Contra Costa Countywide Bicycle and Pedestrian Plan and MTC's Regional Bicycle Plan each call for a bicycle and pedestrian trail linking City of Richmond residential areas with Point Molate and the rest of the Point San Pablo Peninsula;

WHEREAS, it is not possible to construct this planned Bay Trail segment on public land because in 1956 the City of Richmond vacated portions of Scofield Street, Standard Avenue and Western Drive to the benefit of Standard Oil Company though Order of Vacation No. 589;

WHEREAS, the City of Richmond and Chevron jointly funded the July 31, 2001 "Feasibility Study of Bay Trail Routes to Point San Pablo Peninsula" conducted by Questa Engineering and guided by a Steering Committee comprising the City of Richmond, Chevron, Caltrans, ABAG Bay Trail Project, East Bay Regional Park District and Trails for Richmond Action Committee;

WHEREAS, The Steering Committee for the Feasibility Study reached a consensus that Option 2 represents the best route across Chevron land when considering cost and Long Wharf security needs in conjunction with the pleasure and safety of trail users, and Questa's 8/30/01 Addendum submitted to the City of Richmond's Project Manager for the study stated, "... (Steering) committee members felt that safety and security issues could be managed through good trail design, fencing, and use of buffer strips and fire clearance zones, periodic patrols, and sunset closure."

WHEREAS, the Option 2 trail segment is adjacent to the I-580 corridor where 77,000 motor vehicles already pass by every day and in which a bicycle lane is currently designated by Caltrans on the shoulder of the freeway on both sides with no physical security separation from Chevron facilities immediately below, including tanks and pipelines, and which could be made more secure to include appropriate fencing, surveillance and alarm devices to actually improve security ;

WHEREAS, Chevron has nevertheless refused to provide the land required for construction of this planned bicycle and pedestrian trail;

WHEREAS, repeats of the fatal 2006 accident which occurred when bicyclists used the I-580 shoulder to access Point Molate could be avoided by building a Class I (off road) trail; and

WHEREAS, the CSLC has been asked to require Bay Trail mitigation from Chevron in connection with the Long Wharf lease by two former Mayors and the current mayor of Richmond, several Richmond City Council members, Supervisor John Gioia, Senator Perata, Assemblywoman Hancock, West Contra Costa Transportation Advisory Committee, ABAG Bay Trail Project,, East Bay Regional Park District, Plumbers & Pipefitters Local 342, Bay Access, Bicycle Trails Council of the East Bay, East Bay Bicycle Coalition Marin Bicycle Coalition,

Point Richmond Neighborhood Council, Save The Bay, TRAC and approximately 90 individuals.

NOW, THEREFORE, be it resolved that the Richmond City Council hereby requests that the California State Lands Commission:

1. require as mitigation for issuance of a new 30-year lease for operation of Long Wharf that Chevron be required to provide public access easements for two-way, multi-use Class I Bay Trail segments connecting:
 - a. Tewksbury Avenue with the existing trail on the south side of the Richmond/San Rafael Bridge toll plaza area and
 - b. the north side of I-580 corridor with the City of Richmond's former Point Molate Naval Fuel Depot via a shoreline route,as well as funds adequate to cover the increased costs due to presence of Long Wharf of designing and building the Option 2 Bay Trail in the 7/31/01 Questa Feasibility Study of Bay Trail Routes to the Point San Pablo Peninsula; and
2. hold in the City of Richmond its public hearing on certification of the Final EIR and granting the new lease for Long Wharf.

I certify that the foregoing Resolution was passed and adopted by the Members of the City Council of the City of Richmond at a regular meeting held on ??????, 2007_____ by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Clerk of the City of Richmond

Approved:

Mayor

Approved as to form:

City Attorney