

12.0 LAND USE AND RECREATION

This chapter describes existing land use and analyzes the potential effects on land use, recreation, and planning that may occur with the implementation of the proposed project.

Guidelines and key sources of data used in the preparation of this chapter include the following:

- A site reconnaissance survey
- U.S. Geological Survey 7.5-minute topographic quadrangle maps
- Aerial photography
- Local land use ordinances and the *City of Pittsburg General Plan*

12.1 ENVIRONMENTAL SETTING

12.1.1 Regulatory Context

12.1.1.1 Federal Regulations

No applicable federal plans or policies are anticipated to have an effect on land use or recreation.

12.1.1.2 State Regulations

The primary applicable State regulation is the California Environmental Quality Act (CEQA), California Public Resources Code (Sections 21000-211781) and CEQA Guidelines, Title 14, California Code of Regulations (Sections 15000-15387). No other applicable State land use plans or policies have been identified.

12.1.1.3 Local Regulations

City and County Zoning and General Plan Designations

The California State Legislature, pursuant to Government Code Section 65300, requires each city and county jurisdiction in the State to prepare a local general plan. The general plan is the primary planning document that establishes policies to regulate the development, function, and use of land within the boundaries and planning area of each city or county. General plans are required to contain the following seven elements or chapters: land use, circulation, housing, conservation, open space, noise, and safety. Although all elements carry equal weight, the land use element designates the pattern and scope of development. Land use designations are the primary tool cities and counties use to establish a comprehensive plan for guiding development. Typical land use designations are

Residential, Commercial, Agricultural, Industrial, and Open Space, with subcategories based on densities or uses. Land use designations are supported by general plan policies that generally define how land can and cannot be used.

General plan policies are supported by local ordinances such as zoning, which describe the specific requirements for developing a parcel within an identified general plan land use designation. Zoning ordinances define the specific allowable uses for each type of land use designation. Land uses may be classified in the zoning ordinance as permitted, conditionally permitted, or permitted under other special circumstances. Under most zoning ordinances, permitted land uses require a simplified permitting process, whereas Conditional Use Permits and other special-circumstance approvals may have additional criteria for being considered allowable.

The project site has been zoned by the City of Pittsburg (City) as General Industrial and has an Industrial land use designation in the general plan.

City of Pittsburg General Plan

The City's general plan outlines a vision for long-range physical and economic development as well as conservation. The general plan describes Pittsburg's land use pattern as reflective of its history as an industrial center of Contra Costa County. The general plan currently contains the following elements:

- Land Use
- Growth Management
- Urban Design
- Downtown
- Economic Development
- Transportation
- Youth and Recreation
- Resource Conservation
- Health and Safety
- Public Facilities
- Noise
- Housing

The general plan identifies policies specific to designated areas within the City. The Land Use policies are categorized according to subarea. The proposed WesPac Energy–Pittsburg Terminal (Terminal) project site lies in the Northwest River subarea, which includes the NRG Energy, Inc. (NRG) Pittsburg Generating Station and a small portion of the Concord Naval Weapons Station; the rest of the subarea is marshland. The project site is adjacent to the Downtown subarea. Pertinent land use policies outlined in the *City of Pittsburg General Plan* (2001, including updates through 2010) for the Northwest River subarea are listed in Table 12-1. Because Policy 2-P-7 relates to sensitive uses being subject to

Table 12-1: Applicable City of Pittsburg General Plan Policies

Policy Number	Policy Statement
<i>Land Use Element, Citywide Land Use Policies</i>	
2-P-7	During development review, consider project compatibility with existing surrounding land uses. Ensure that sensitive uses—such as residences, schools, and parks—are not subject to hazardous or unhealthy conditions.
2-P-13	Ensure that buffers—including landscaping, berms, parking areas, and storage facilities—are used to separate potentially incompatible activities.
<i>Land Use Element, Northwest River Subarea Policies</i>	
2-P-97	Preserve the wetlands and salt marsh habitats along the Suisun Bay waterfront. Allow only the development of multi-use trails and recreation facilities.
2-P-98	Maintain the Mirant (formerly PG&E) power plant site in the Industrial designation. Pursue annexation of the power plant and adjacent PG&E properties to ensure land use control of these areas.
2-P-100	Pursue opportunities for a linear park/trail along the waterfront, connecting to Downtown. Cooperate with the Bay Conservation and Development Commission to provide public access along Suisun Bay.
<i>Economic Development Element</i>	
6-P-18	Ensure that new waterfront development includes enhanced shoreline access, some form of public amenity, and an appropriate mix of waterfront uses.
<i>Open Space, Youth and Recreation Element</i>	
8-P-25	Emphasize the importance of public views of the shoreline (from public spaces and rights-of-way) when reviewing new development projects along the water.
8-P-26	Explore all potential improvement to fully integrate the City’s shoreline into the urban fabric, including a linear park along the shoreline, featuring a path for both walking and biking.
<i>Resource Conservation Element</i>	
9-P-29	Cooperate with the Bay Area Air Quality Management District to achieve emissions reductions for ozone and its precursor, PM-10.
9-P-30	Cooperate with the Bay Area Air Quality Management District to ensure compliance with dust abatement measures during construction.
<i>Health and Safety Element</i>	
10-P-33	Prevent the spread of hazardous leaks and spills from industrial facilities to residential neighborhoods and community focal points, such as downtown.

Policy Number	Policy Statement
10-P-34	Identify appropriate regional and local routes for transport of hazardous materials and wastes. Ensure that fire, police, and other emergency personnel are easily accessible for response to spill incidences on such routes.
Noise Element	
12-P-7	Require control of noise at the source through site design, building design, landscaping, hours of operation, and other techniques, for new development deemed to be noise generators.
12-P-8	Develop noise attenuation programs for mitigation of noise adjacent to existing residential areas, including such measures as wider setbacks, intense landscaping, double-pane windows, and building orientation muffling the noise source.
12-P-9	Limit generation of loud noises on construction sites adjacent to existing development to normal business hours between 8:00 AM and 5:00 PM.

Source: City of Pittsburgh, 2010

hazardous or unhealthy conditions, applicable air, noise, and hazardous materials policies that have the potential to conflict with Policy 2-P-7 are also included in Table 12-1; these policies are analyzed in greater detail in Chapter 4.0: Air Quality, Chapter 10.0: Hazards and Hazardous Materials, and Chapter 13.0: Noise and Vibration.

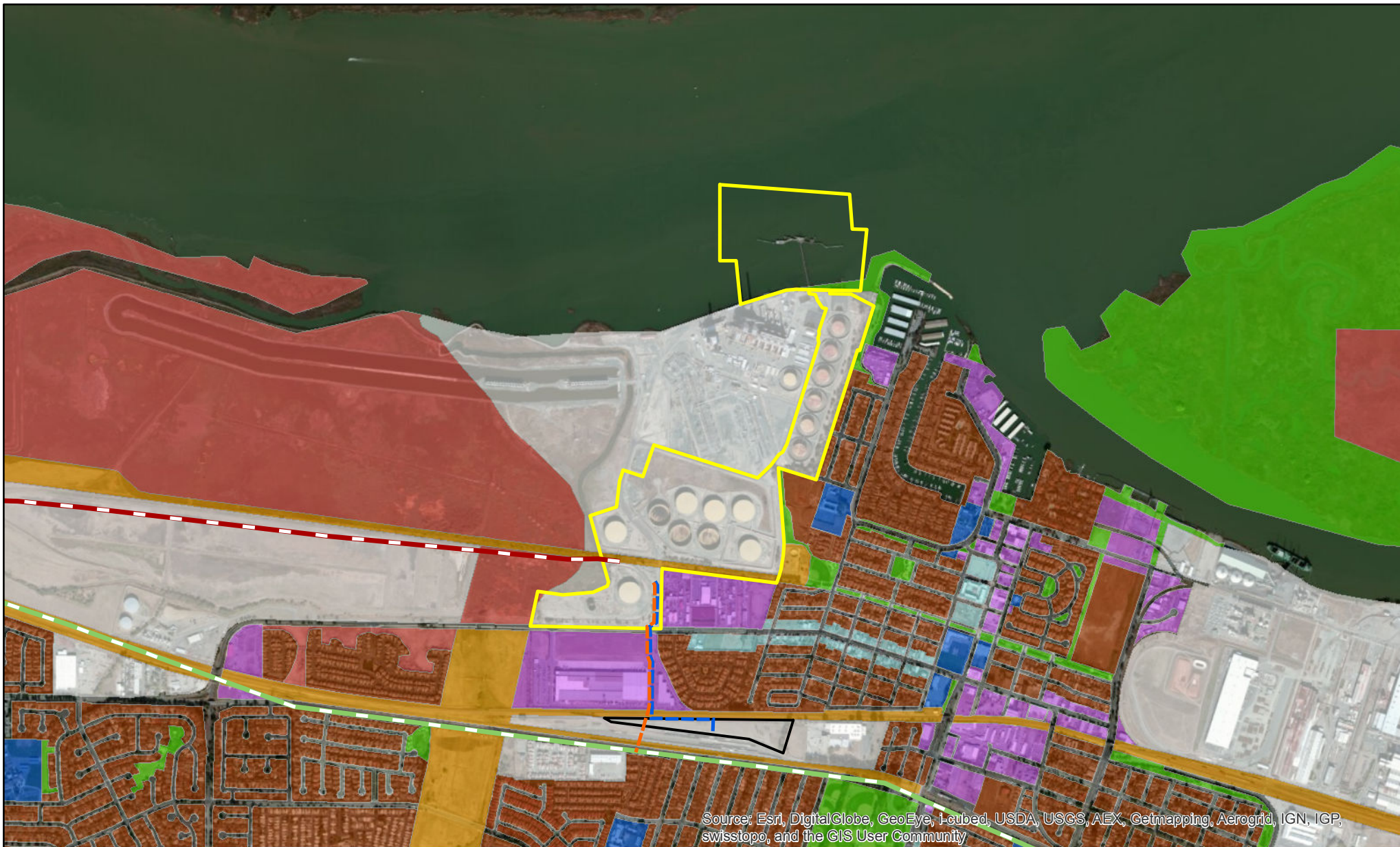
The proposed Rail Transload Operations Facility (Rail Transload Facility) site is in the West Central subarea. There are no pertinent land use policies outlined in the *City of Pittsburgh General Plan* (2010) for the West Central subarea.

12.1.2 Existing Conditions

12.1.2.1 Land Use

Pittsburg is known for its steel and chemical industries. Industrial uses are primarily situated along the waterfront based on proximity to New York Slough. The NRG Pittsburg Generating Station dominates the western waterfront, while major manufacturing operations are located along the eastern waterfront, including (but not limited to) USS-POSCO, Dow Chemical, K2 Pure Solutions, and the Delta Diablo Sanitation District Wastewater Treatment Plant.

The proposed Terminal project site is bounded by Suisun Bay to the north, primarily single-family residences to the east, and industrial facilities to the immediate south, with residential uses to the far south. The NRG Pittsburg Generating Station is to the west of the East Tank Farm, and open space surrounding Mallard Slough abuts the western project boundary of the South



Source: Esri, DigitalGlobe, GeoEye, I-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

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Figure 12-1
Pittsburg General Plan Land Use Designations
 City of Pittsburg
WesPac Pittsburg Energy Infrastructure Project

- | | |
|----------------------|--|
| Commercial | Existing San Pablo Bay Pipeline |
| Industrial | Existing KLM Pipeline |
| Mixed Use | Proposed Pipeline from Rail Transload Facility |
| Open Space | Proposed KLM Pipeline Connection |
| Park | Terminal Boundary |
| Public/Institutional | Rail Transload Facility |
| Residential | |
| Utility/ROW | |

1:20,000

1 inch = 1,667 feet

0 1,000 2,000 ft



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Tank Farm (see Figure 12-1: Pittsburg General Plan Land Use Designations). Access to the site would be from the south, via West 10th Street. The general plan land use designation for the proposed Terminal project site is Industrial and the zoning classification is General Industrial, as established by the City of Pittsburg Planning Division. The proposed Terminal project is also within the Northwest River planning subarea. The Northwest River subarea is characterized by large-scale heavy industrial operations and vacant land. The proposed project site currently contains a non-operational marine terminal, an onshore storage terminal with 16 existing tanks, and an existing pipeline connection to the existing San Pablo Bay Pipeline.

The proposed Rail Transload Facility would be constructed on approximately 9.8 acres of currently vacant land within an existing rail yard to be leased from BNSF Railway Company (BNSF). The proposed Rail Transload Facility site is bounded by the existing BNSF and Union Pacific railroads to the north, south, and west, with residential uses to the far north and south, and a vacant lot to the east. Access to the site would be from the existing access road at 90 Cornwall Street to the east. The general plan land use designation for the proposed Rail Transload Facility site is Industrial and the zoning classification is Limited Industrial. The site is within the West Central planning subarea, which is comprised primarily of residential and small, neighborhood commercial uses. Business commercial, services, and light industrial parcels are also located adjacent to and north of the project site.

Existing land uses within 1 mile of the sites include low- to high-density residential, office, commercial, industrial, public facilities and institutions, utilities, parks, and open space. Sensitive receptors are human receptors that may be particularly vulnerable to project impacts compared with the general public, such as persons at schools, hospitals, or convalescent homes. Sensitive receptors within a 0.25-mile radius of the Terminal include residences, St. Peter Martyr School and Extended Care Facility, and First Baptist Head Start, as well as Stewart Memorial Methodist Church and the First Baptist Church. Templo Cristiano Church is within 0.25 mile of the Rail Transload Facility. One additional school, Parkside Elementary School, is located approximately 800 feet south of the proposed KLM Pipeline connection and 1,200 feet south of the Rail Transload Facility. No sensitive receptors were identified within 0.25 mile of the proposed San Pablo Bay Pipeline. Table 12-2 lists the sensitive receptors within 0.25 mile of the proposed project.

12.1.2.2 Recreation and Open Space

Recreational activities in the vicinity of the proposed project include land and water-oriented recreation (see Figure 12-2: Recreation). Land recreation includes biking, hiking, and sightseeing opportunities. Water-oriented recreation includes boating, fishing, windsurfing, swimming, canoeing/kayaking, etc. The McAvoy Boat Harbor lies 4 miles west of the project site, immediately north of the existing

Table 12-2: Sensitive Receptors with 0.25 Mile of the Project

Land Use	Location	Direction from Project Site	Approximate Distance from the Project Site
Mariner Walk (planned 93-unit residential development)	West 4 th Street (APN #085-130-047)	East	Adjacent to Terminal boundary
Mariner Walk (existing 30-unit residential development)	Halsey Way, Standley Court, Herb White Way (APNs #085-130-040, 085-130-041, 085-130-042, 085-130-039, 085-130-038, 085-130-037, 085-130-035, 085-130-034, 085-130-033, 085-130-028, 085-130-027, 085-130-026, 085-130-025, 085-130-024, 085-130-029, 085-130-030, 085-130-032, 085-130-031, 085-130-036, 085-130-019, 085-130-020, 085-130-021, 085-130-022, 085-130-023, 085-130-018, 085-130-017, 085-130-016, 085-130-015, 085-130-014, 085-130-013, 085-130-012, 085-130-011, 085-130-010, 085-130-009, 085-130-008)	East	293 feet

Land Use	Location	Direction from Project Site	Approximate Distance from the Project Site
Residential (closest to project site)	Linda Vista Avenue (APNs #085-041-013, 085-121-005, 085-041-016, 085-041-022, 085-041-021, 085-041-020, 085-041-019, 085-041-018, 085-041-017, 085-041-015, 085-041-014, 085-121-009, 085-121-008, 085-121-007, 085-121-006, 085-121-004, 085-121-003, 085-121-002, 085-121-001)	East	Adjacent to Terminal boundary
Stewart Memorial Church	580 Front Street (APN #085-041-032)	East	Adjacent to Terminal boundary
First Baptist Head Start and Church	204 Odessa Avenue (APN #085-122-008)	East	152 feet
St. Peter Martyr School and Extended Care Facility	425 West 4 th Street (APN #085-130-005)	Southeast	119 feet
Parkside Elementary School	985 West 17 th Street (APN #086-020-006)	South	800 feet (KLM Pipeline connection) 1,200 feet (Rail Transload Facility)
Templo Cristiano Church	395 West 12 th Street (APN #085-213-014)	Northeast	640 feet (Rail Transload Facility)

Source: TRC Solutions, Inc.

San Pablo Bay Pipeline, and the Pittsburg Marina lies within 0.5 mile to the east. Additional water activities in the form of vessel traffic that occur in Suisun Bay, including commercial fishing and commercial fleet traffic, are discussed in Chapter 16.0: Marine Transportation and Marine Terminal Operations. The closest open space to the proposed project is the area around Mallard Slough, which abuts the western project boundary. Limited and potential beneficial uses for the Mallard Slough, as designated in the *San Francisco Bay Basin (Region 2) Water Quality Control Plan (2010)*, include water-related recreation and non-water-related recreation.

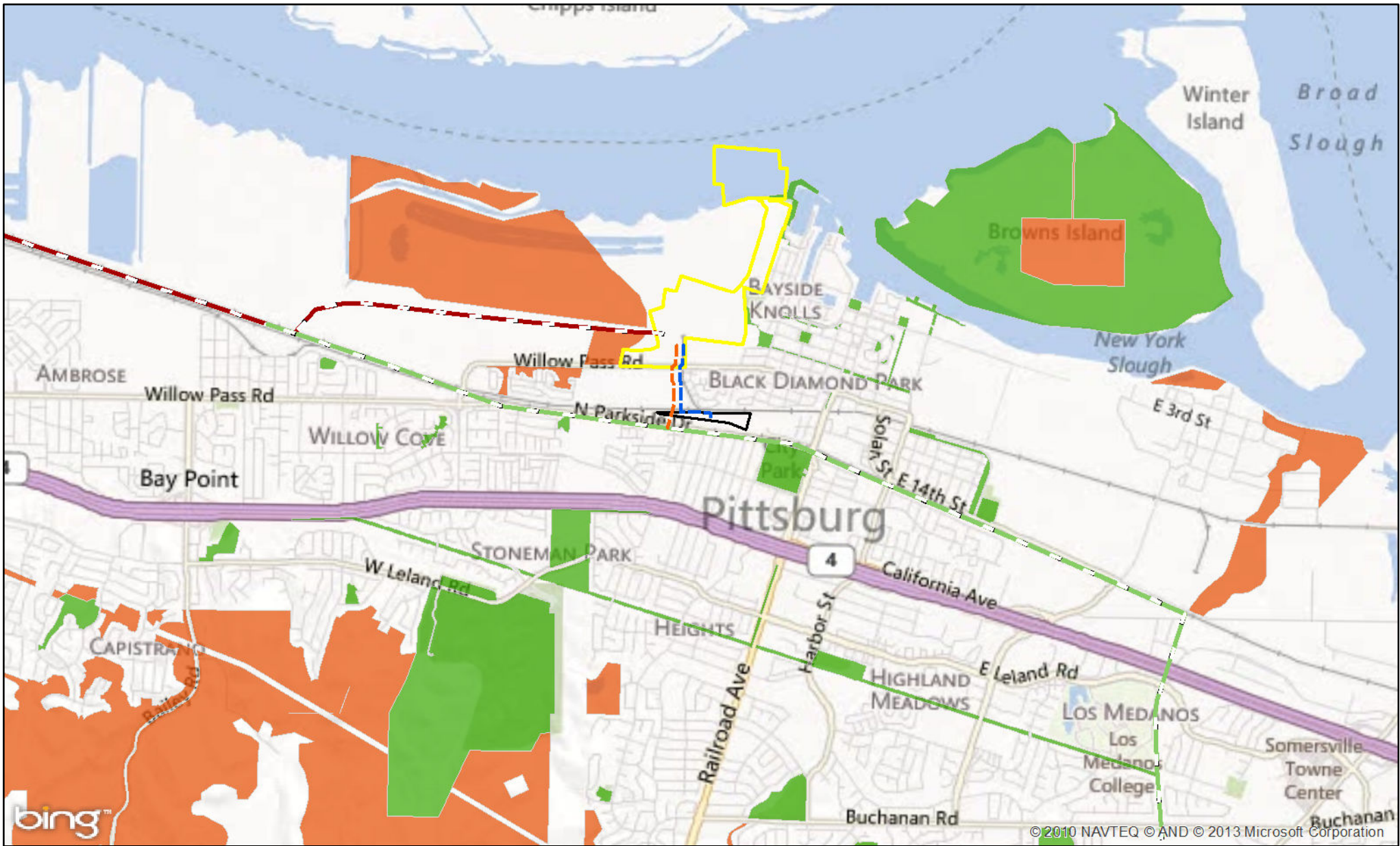
The pace of parkland acquisition in the City has decreased in the last decade. Although the City's park standard remains at 5 acres per 1,000 residents, only 2.9 acres of additional parkland per 1,000 new residents has been achieved since 1988. However, there are seven proposed park sites that would provide the City with additional neighborhood parks (City of Pittsburg, 2010). Table 12.3 lists existing parks within 0.25 mile of the project site, which includes the following:

- Riverview Park is a 4-acre community park adjacent to the marine terminal portion of the project.
- Mariner Park is a 3.6-acre community park east of the South Tank Farm.
- Marina Park is a 15-acre vacant lot adjacent to the project site, south of the East Tank Farm and east of the South Tank Farm, proposed for residential development.
- Marina Walk Park is a 1.7-acre neighborhood park less than 0.25 mile east of the project site.
- City Park is a 28-acre community park southeast of the proposed Rail Transload Facility site.

In addition, Browns Island, a Regional Shoreline Preserve located approximately 0.5 mile northeast of the project, is a refuge for migrating shorebirds. It is only accessible by boat and is under the jurisdiction of the East Bay Regional Park District.

12.1.2.3 Agriculture

Agricultural land uses and Williamson Act contracts are not found within areas that would be affected by the project.




**Figure 12-2
Recreation**
City of Pittsburg
WesPac Pittsburg Energy Infrastructure Project



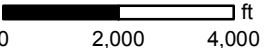
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- Open Space
- Park
- Existing San Pablo Bay Pipeline
- Existing KLM Pipeline
- Proposed Pipeline from Rail Transload Facility
- Proposed KLM Pipeline Connection
- Terminal Boundary
- Rail Transload Facility



1:40,000

1 inch = 3,333 feet



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Table 12-3: Recreation with 0.25 Mile of the Project

Land Use	Location	Direction from Project Site	Approximate Distance from the Project Site
Riverview Park (located along the existing waterfront)	Riverview Park Drive (APNs #085-020-004, 085-010-010, 085-010-013)	Northeast and East	Adjacent to Terminal boundary
Mariner Park	Herb White Way and West 8 th Street (APN #085-130-044)	East	229 feet
Marina Park (proposed for development)	West 4 th Street (APN #085-130-047)	East	Adjacent to Terminal boundary
Marina Walk Park	West 6 th Street and Cutter Street (APN #085-130-047)	East	0.25 mile
City Park	17 th Street and Railroad Avenue (APN #086-100-019)	Southeast	840 feet (Rail Transload Facility)

Source: TRC Solutions, Inc.

12.2 IMPACT ANALYSIS

12.2.1 Methodology for Impact Analysis

Environmental impacts are discussed in this section relative to the areas adjacent to the project. Potential land use and recreational impacts relate to construction and operation of the marine terminal, storage terminal, and pipelines.

Potential short-term construction impacts are discussed in terms of the land and recreational use characteristics in the area of disturbance. Potential long-term land and recreational use impacts relate to such issues as compatibility of the proposed facilities with existing and proposed land uses in the surrounding area (e.g., changes in land use, land use conflicts, and effects on potentially sensitive land uses) and conformity with governmental land use and recreation plans, policies, and regulations.

12.2.2 Significance Criteria

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

- 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
- Conflict with existing zoning and policies for agricultural use or conflict with a Williamson Act contract
- Physically divide an established community
- Cause residual impacts on sensitive shoreline lands and/or water and non-water recreation due to an accidental release of oil
- Conflict with established or proposed land uses, including potentially sensitive land uses
- Cause a substantial long-term disruption of any institutionally recognized recreational facilities or activities
- Cause the loss of passive recreational opportunities in open spaces and multi-use trails
- Cause decreased public access to the Suisun Bay waterfront

12.2.3 Impacts and Mitigation Measures

12.2.3.1 Proposed Project

Construction-related Impacts

Impact Land Use and Recreation (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.

(Significant and unavoidable.) Policy 2-P-7 requires that a proposed project would not subject surrounding sensitive uses to hazardous or unhealthy conditions. The project would adhere to the general plan policies in Table 12-1 regarding air, noise, and health and safety. Therefore, the project would not conflict with these policies. Potential project impacts to these resources are analyzed in greater detail in Chapter 4.0: Air Quality, Chapter 10.0: Hazards and Hazardous Materials, and Chapter 13.0: Noise and Vibration.

During construction, nitrogen oxide (NO_x) emissions would remain above the Bay Area Air Quality Management District's (BAAQMD) CEQA threshold even with the proposed mitigation and, therefore, would be a significant and unavoidable impact under CEQA. It should be noted that with the proposed mitigation, the average daily construction-related precursor organic compounds (POC) emissions are expected to be increased, and exceed the BAAQMD CEQA threshold. Refer to Chapter 4.0: Air Quality for more information.

Although the project site is zoned Industrial, a single-family residential neighborhood lies adjacent to the eastern boundary of the site. As this is a potentially incompatible use, the project would adhere to Policy 2-P-13, which requires that landscaping and berms separate the activities. An existing berm with mature vegetation currently separates the East Tank Farm from the residences to the east. The berm and landscaping will remain in its existing condition; thus, the project would not conflict with Policy 2-P-13 of the general plan. Refer to Chapter 3.0: Aesthetics for more details regarding landscaping.

The project is not compatible with Policies 2-P-100, 6-P-18, and 8-P-26, which refer to the creation of a trail along the waterfront. Additionally, other plans and regulations identify the creation of a continuous, linear trail along the waterfront (Great California Delta Trail), including Senate Bill 1556, the East Bay Regional Park District's 2007 Master Plan and Bay Point Wetlands to Marina Park Engineering Study (May 2011), Delta Protection Commission's Blueprint Report for Solano and Contra Costa Counties (September 2010), and Contra Costa County Bicycle Plan (2009). The project would conflict with the Bay Point Regional Shoreline to Pittsburg's Marina Park segment of the proposed Delta Trail; however, because the Terminal project area is not currently accessible to the public, and because the trail is conceptual and has not been designed, impacts resulting from a conflict with these plans, policies, and regulations would be less than significant.

Because NO_x emissions would be above the BAAQMD's limits during construction even with the implementation of mitigation (refer to Chapter 4.0: Air Quality), the project would conflict with an agency regulation adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be significant and unavoidable.

Mitigation Measure LUR-1: Utilize construction equipment with Tier 2 engines or newer. Refer to Mitigation Measure AQ-1 in Chapter 4.0: Air Quality.

Impact LUR-2: Conflict with existing agricultural zoning and/or policies for agricultural use or conflict with a Williamson Act contract. (No impact.) As the project site is not on agricultural land or under Williamson Act contract, there would be no impact to such lands.

Mitigation Measure: No mitigation required.

Impact LUR-3: Physically divide an established community. (No impact.) The project sites include an existing, inactive marine and storage terminal and a proposed Rail Transload Facility on land within an existing rail yard, and project construction would be consistent with the existing zoning and land use designations of the sites and surrounding area. The residential development nearest the existing Terminal is adjacent to the project boundary to the east; however, project construction would not require displacement of housing or divide an established community.

Mitigation Measure: No mitigation required.

Impact LUR-4: Conflict with established or proposed land uses, including potentially sensitive land uses. (Less than significant with mitigation.) Established uses surrounding the project site are primarily industrial, with some residential uses to the east and an elementary school to the east of the proposed project site. While there is an approved subsequent phase (not yet built) of development associated with the Mariner Walk Residential Development immediately east of the project site, there are no other new residential housing or other sensitive uses currently proposed near the Terminal project site.

The proposed Rail Transload Facility site is on land within an existing rail yard, and is surrounded by railroad tracks. Established land uses surrounding the rail yard are primarily residential, with some neighborhood commercial and light industrial uses.

Construction activities would be designed and undertaken to minimize interference with surrounding land uses, including the use of water trucks for dust suppression (refer to Environmental Commitment AQ-1, described in Chapter 2.0: Proposed Project and Alternatives), and limiting truck traffic to appropriate

truck routes (refer to Environmental Commitment NV-1, described in Chapter 2.0). Although the project sites are zoned Industrial and would not conflict with any applicable land use plans or policies, some short-term, construction-related impacts on adjacent existing land uses are anticipated. Construction-related health risk from the proposed project (as shown in Table 4-7 in Chapter 4.0: Air Quality) would result in risk levels above the BAAQMD's thresholds of significance for cancer risk and ambient PM_{2.5} (fugitive dust). This impact would be less than significant with the implementation of Mitigation Measure LUR-1. In addition, construction of the proposed project would not create a new source of substantial light or glare that would affect nearby residences with implementation of Mitigation Measure LUR-2. Refer to Chapter 3.0: Aesthetics and Chapter 4.0: Air Quality, and see Chapter 13.0: Noise and Vibration and Chapter 15.0: Land Transportation for more details. It is recognized that impacts due to air, noise, and hazards may be felt beyond the adjacent land uses, and these impacts and appropriate environmental commitments and mitigation measures are discussed in the respective chapters.

In 2006, Senate Bill (SB) 1556 mandated that the Delta Protection Commission adopt a plan and implementation program for a continuous recreational corridor trail network through the five Delta counties, linking the San Francisco Bay Trail system to the planned Sacramento River trails in Yolo and Sacramento counties. The Great California Delta Trail (Delta Trail) is to include routes for bicycling and hiking, with interconnections to other trails, park and recreational facilities, and public transportation. Construction of the Terminal portion of the project would prohibit public access to the shoreline, so constructing the Delta Trail through the facility would not be feasible. The project would conflict with the Bay Point Regional Shoreline to Pittsburg's Marina Park segment of the proposed Delta Trail; however, because the Terminal project area is not currently accessible to the public, and because the trail is conceptual and has not been designed, impacts would be less than significant.

Mitigation Measure LUR-2: Direct construction lighting away from sensitive receptors. Refer to Mitigation Measure AE-1 in Chapter 3.0: Aesthetics.

Impact LUR-5: Cause the loss of passive recreational opportunities in open spaces and multi-use trails. (Less than significant.) The nearest open space, the Mallard Slough area, abuts the western border of the Terminal, but project construction would not interfere with its limited recreational uses. Construction would also avoid Riverview Park, a passive waterfront recreation area adjacent to the project site.

As described in Impact LUR-4, construction of the project would prohibit public access to the shoreline, so constructing the proposed Delta Trail through the facility would not be feasible. The project would not cause the loss of a passive recreational opportunity—the proposed Delta Trail—because the Terminal project

area is not currently accessible to the public, and because the trail is conceptual and has not been designed; therefore, impacts would be less than significant.

Mitigation Measure: No mitigation required.

Impact LUR-6: Cause decreased public access to the Suisun Bay waterfront. (Less than significant.) The marine terminal pier extends approximately 750 feet into the water, and the width of Suisun Bay at the marine terminal is approximately 3,000 feet (NOAA, 2011). Construction vessels would be stationed at or near the wharf, thus leaving adequate room for passing vessels. Environmental Commitment LUR-1, described in Chapter 2.0: Proposed Project and Alternatives, commits the project's construction/dredging company to inform the U.S. Coast Guard (USCG) of the type and placement of vessels, and construction schedule before construction begins. The USCG would distribute this information to mariners using the Local Notice to Mariners (LNM) process. The LNM is the primary means for disseminating information concerning aids to navigation, hazards to navigation, and other items of marine information of interest to mariners. These notices are published weekly and are also available on the Internet. Therefore, it is expected that vessel traffic in the area, including recreational boaters utilizing the Pittsburg Marina, would be fully aware of the construction activity and have adequate room to avoid it. Project construction would not impact access to Riverview Park. See Chapter 16.0: Marine Transportation and Marine Terminal Operations for more details regarding dredging and marine terminal construction. Therefore, dredging and marine and storage terminal construction would not cause decreased public access to the Suisun Bay waterfront.

Mitigation Measure: No mitigation required.

Operational Impacts

Impact LUR-7: Conflict with any land use plans, policies, or regulations, and/or divide an established community as a result of project operation. (Less than significant.) Although the Terminal project site is zoned Industrial, a single-family residential neighborhood lies adjacent to the eastern boundary of the site. As this is a potentially incompatible use, the project would adhere to Policy 2-P-13, which requires that landscaping and berms separate the activities. An existing berm with mature vegetation currently separates the East Tank Farm from the residences to the east. The berm and landscaping would remain in its existing condition. Refer to Chapter 3.0: Aesthetics for more details regarding landscaping.

The project is not compatible with Policies 2-P-100, 6-P-18, and 8-P-26, which refer to the creation of a trail along the waterfront. Additionally, other plans and regulations identify the creation of a continuous, linear trail along the waterfront (Great California Delta Trail), including Senate Bill 1556, the East Bay Regional

Park District's 2007 Master Plan and Bay Point Wetlands to Marina Park Engineering Study (May 2011), Delta Protection Commission's Blueprint Report for Solano and Contra Costa Counties (September 2010), and Contra Costa County Bicycle Plan (2009). The project would conflict with the Bay Point Regional Shoreline to Pittsburg's Marina Park segment of the proposed Delta Trail; however, because the Terminal project area is not currently accessible to the public, and because the trail is conceptual and has not been designed, impacts resulting from a conflict with these plans, policies, and regulations would be less than significant.

The project sites are comprised of an existing, inactive marine and storage terminal and an existing rail yard, and proposed modernization, construction. Project operations would be consistent with the existing zoning and land use designations of the surrounding area and would not require displacement of housing or otherwise divide an established community.

Mitigation Measure: No mitigation required.

Impact LUR-8: Cause residual impacts on sensitive shoreline lands and/or water and non-water recreation due to an accidental release of oil. (Significant and unavoidable.) An accidental spill of oil at or near the marine terminal could cause residual impacts on sensitive shoreline lands and recreation near the water and the shoreline, including Riverview Park and Browns Island, and to recreational boats. The degree of impact is influenced by factors such as location, spill size, type of material spilled, prevailing wind and current conditions, the vulnerability and sensitivity of the shoreline, and effectiveness of early containment and cleanup efforts.

The greatest risk of a spill is from small accidents at the marine terminal during normal operations. While there is less risk of spill during tankering, the size of a spill that could result is much greater. See Chapter 16.0: Marine Transportation and Marine Terminal Operations for a discussion of spill modeling and the impacts of an accidental oil spill at the marine terminal, and refer to Chapter 10.0: Hazards and Hazardous Materials for more information about the impacts of an accidental potential oil spill from a pipeline or storage tank.

Impacts from spills are considered to be significant and unavoidable if first-response efforts would not contain or clean up the spill, resulting in residual impacts that would affect the general public's use of shoreline or water areas. If a spill occurs that would be contained and cleaned up during the first response, that spill would be considered a less-than-significant-with-mitigation impact to land use and recreation.

Contingency planning and response measures for oil releases discussed in Chapter 10.0: Hazards and Hazardous Materials (see Impacts HM-4 and HM-5) would be implemented, per regulations, to minimize this impact to the extent feasible and practicable.

Mitigation Measure: No additional mitigation measures available.

Impact LUR-9: Conflict with established or proposed land uses, including potentially sensitive land uses. (Less than significant with mitigation.)

Established uses surrounding the Terminal project site are primarily industrial to the west and south, with potentially sensitive residential uses to the east and far south of the project site (refer to Table 12-2). There is an approved subsequent phase (not yet built) of development associated with the Mariner Walk Residential Development immediately east of the Terminal project site; no other new residential housing or other sensitive uses are currently proposed near the project site.

The proposed Rail Transload Facility site is on land within an existing rail yard, and is surrounded by railroad tracks. Established land uses surrounding the rail yard are primarily residential, with some neighborhood commercial uses.

The project-related increase in health risk during project operations is less than the CEQA threshold for all health risk categories (refer to Chapter 4.0: Air Quality for more details).

During project operations, lighting fixtures at the storage terminal and the dock would be located and designed to avoid casting light or glare toward off-site locations as required by Pittsburgh Municipal Code 18.82.030 (refer to Environmental Commitment AE-1, described in Chapter 2.0: Proposed Project and Alternatives). If necessary, lights would be provided with shields to reduce glare. Lighting fixtures would be installed at the Rail Transload Facility at the transloading platform, administration/control building, parking area, and rail-switch points. Environmental Commitment LUR-2 commits the project to using cut-off optics on the fixtures at the Rail Transload Facility to minimize light spill. With implementation of Mitigation Measure LUR-3, project operations at the storage terminal would not create a new source of substantial light or glare.

Tanker movements throughout Suisun Bay are part of an established pattern of activity in the area, and the docked ships would generate light while at the dock from unloading operations, which would be at any time of day or night. The closest sensitive receptor to the marine terminal is Riverview Park; however, the park is closed to the public during the night. In addition, the low-level lighting from ships is typically distant from receptors and does not result in light and glare impacts to nearby land uses; therefore, light and glare impacts from ships and the marine terminal would be less than significant.

The noise analyses indicate that estimated noise levels at each of the receptor locations during project operations would be below the significance thresholds described in Chapter 13.0: Noise and Vibration. In addition, operational noise levels at the proposed Mariner Walk residential development on adjacent parcels to the southeast of the proposed project would be less than significant, assuming that the Mariner Walk project includes an 8-foot-high sound wall at the common property line (see Impact NV-3 in Chapter 13.0 for details).

As described in Impact LUR-4, regulation of the project would prohibit public access to the shoreline, so constructing the proposed Great California Delta Trail through the facility would not be feasible. The Delta Trail plan is still conceptual and has not been designed. Project operation would conflict with the proposed Delta Trail; however, because the Terminal project area is not currently accessible to the public, and because the trail is conceptual and has not been designed, impacts would be less than significant.

Mitigation Measure LUR-3: Terminal lighting. Refer to Mitigation Measure AE-2 in Chapter 3.0: Aesthetics.

Impact LUR-10: Cause a substantial long-term disruption of any institutionally recognized recreational facilities or activities. (Less than significant.) Project operations would involve a maximum number of vessels at the marine terminal of approximately 18 per month. This would result in a 26 percent increase in Suisun Bay over 2010 traffic levels. However, commercial vessel traffic in Suisun Bay has historically been much higher; in 2005, the number of upbound trips was almost triple what it was in 2010. In the recommendations sections of the San Francisco Bay Harbor Safety Plans from 1995 through 2012, no vessel traffic problems were noted for the proposed project area and no recommendations for improvements were proposed.

There are also a number of small boat marinas in the Bay Area that offer a wide variety of recreational boating opportunities, including sailing, power boating, and fishing. The Pittsburg Marina, with its 575 berths, is located just east of the proposed Terminal. However, the number of recreational boats transiting the Bay Area is not monitored. The Vessel Traffic Service in Suisun Bay should be able to safely manage the relatively minor increase in vessel traffic expected from the proposed project (see Chapter 16.0: Marine Transportation and Marine Terminal Operations). Therefore, operation of the project is not expected to significantly affect recreational boating.

Project operations are expected to have a less-than-significant impact on Riverview Park and Browns Island because the vessels calling on the marine terminal would not sail near shore. There would be no disruption to nearby onshore parks, including Marina Park and Mariner Park, which are adjacent to the project site.

Regulation of the project would prohibit public access to the shoreline, so constructing the proposed Great California Delta Trail through the facility would not be feasible. The creation of the Delta Trail has been mandated by SB 1556, and is also identified in the East Bay Regional Park District's 2007 Master Plan and Bay Point Wetlands to Marina Park Engineering Study (May 2011), City of Pittsburg General Plan (Policies 2-P-100 and 8-P-26), the Delta Protection Commission's Blueprint Report for Solano and Contra Costa Counties (September 2010), and the Contra Costa County Bicycle Plan (2009). However, because the Terminal project area is not currently accessible to the public and because the trail is conceptual and has not been designed, the project would not cause a substantial long-term disruption to an institutionally recognized proposed recreational facility. Impacts would be less than significant.

Mitigation Measure: No mitigation required.

Impact LUR-11: Cause the loss of passive recreational opportunities in open spaces and multi-use trails. (Less than significant.) The nearest open space to the proposed project site is Mallard Slough, which is adjacent to the western project boundary. Vessels calling on the Terminal would follow a regulated navigation channel, and would not sail near the slough (refer to Figure 2-19 in Chapter 2.0: Proposed Project and Alternatives). Mallard Slough's limited use for recreation would not be affected by project operations.

Regulation of the Terminal project would prohibit public access to the shoreline, so constructing the proposed Great California Delta Trail through the facility would not be feasible. The project would not cause the loss of a passive recreational opportunity—the proposed Delta Trail—because the Terminal project area is not currently accessible to the public, and because the trail is conceptual and has not been designed; therefore, impacts would be less than significant.

Mitigation Measure: No mitigation required.

Impact LUR-12: Cause decreased public access to the Suisun Bay waterfront. (Less than significant.) Project operations would involve up to 18 vessels at the marine terminal per month. As noted above, vessels would follow a regulated navigation channel, and would not sail near shore. Therefore, project operations would not interfere with public access to the Suisun Bay waterfront.

Mitigation Measure: No mitigation required.

12.2.3.2 *Alternative 1: Reduced Onshore Storage Capacity*

Construction-related Impacts

Impact LUR-13: 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. (Significant and unavoidable.) Policy 2-P-7 requires that a proposed project would not subject surrounding sensitive uses to hazardous or unhealthy conditions. The project would adhere to the policies in Table 12-1 regarding air, noise, and health and safety. Therefore, the project would not conflict with these policies. Potential project impacts to these resources are analyzed in greater detail in Chapter 4.0: Air Quality, Chapter 10.0: Hazards and Hazardous Materials, and Chapter 13.0: Noise and Vibration.

Although the Terminal project site is zoned Industrial, a single-family residential neighborhood lies adjacent to the eastern boundary of the site. As this is a potentially incompatible use, the project would adhere to Policy 2-P-13, which requires that landscaping and berms separate the activities. An existing berm with mature vegetation currently separates the East Tank Farm from the residences to the east. The berm and landscaping would remain in its existing condition; thus, the project would not conflict with Policy 2-P-13 of the general plan. Refer to Chapter 3.0: Aesthetics for more details regarding landscaping.

The project is not compatible with Policies 2-P-100, 6-P-18, and 8-P-26, which refer to the creation of a trail along the waterfront. Additionally, other plans and regulations identify the creation of a continuous, linear trail along the waterfront (Great California Delta Trail), including Senate Bill 1556, the East Bay Regional Park District's 2007 Master Plan and Bay Point Wetlands to Marina Park Engineering Study (May 2011), Delta Protection Commission's Blueprint Report for Solano and Contra Costa Counties (September 2010), and Contra Costa County Bicycle Plan (2009). The project would conflict with the Bay Point Regional Shoreline to Pittsburg's Marina Park segment of the proposed Delta Trail; however, because the Terminal project area is not currently accessible to the public, and because the trail is conceptual and has not been designed, impacts resulting from a conflict with these plans, policies, and regulations would be less than significant.

While average daily construction emissions under Alternative 1 would be slightly less than the proposed project, NO_x and POC emissions would remain above the BAAQMD CEQA thresholds even with the proposed mitigation. This would be a significant and unavoidable impact under CEQA. Refer to Chapter 4.0: Air Quality for more information.

Mitigation Measure LUR-4: Utilize construction equipment with Tier 2 engines or newer. Refer to Mitigation Measure LUR-1.

Impact LUR-14: Conflict with existing agricultural zoning and/or policies for agricultural use/Williamson Act contract, physically divide an established community, or decreased public access to the Suisun Bay waterfront. (No impact.) As the project site is not on agricultural land or under Williamson Act contract, there would be no impact on such lands. Alternative 1 would not physically divide an established community since the nearest residential development (adjacent to the East Tank Farm site boundary) would be approximately 500 feet away (versus 160 feet under the proposed project), and project construction would not require displacement of housing. As the project location does not change under this alternative, there would be no impact to recreational opportunities or access to the Suisun Bay waterfront.

Mitigation Measure: No mitigation required.

Impact LUR-15: Conflict with established or proposed land uses, including potentially sensitive land uses; or cause the loss of passive recreational opportunities in open spaces and multi-use trails. (Less than significant with mitigation.) As with the proposed project, construction activities would be designed and undertaken to minimize interference with surrounding land uses. Refer to Impact LUR-4 for more details. Some short-term, construction-related impacts on adjacent existing land uses are anticipated. Construction-related health risk would result in risk levels above the Bay Area Air Quality Management District's thresholds of significance for cancer risk and ambient PM_{2.5} (fugitive dust). This impact would be less than significant with the implementation of Mitigation Measure LUR-4. In addition, construction of Alternative 1 would not create a new source of substantial light or glare that would affect nearby residences with implementation of Mitigation Measure LUR-6. Refer to Chapter 3.0: Aesthetics and Chapter 4.0: Air Quality for more details.

As described under Impact LUR-4, construction of the project would prohibit public access to the shoreline, so constructing the Great California Delta Trail through the facility would not be feasible. The project would conflict with the Bay Point Regional Shoreline to Pittsburg's Marina Park segment of the proposed Delta Trail, but it would not cause the loss of a passive recreational opportunity. Because the Terminal project area is not currently accessible to the public and because the trail is conceptual and has not been designed, impacts would be less than significant.

Mitigation Measure LUR-5: Direct construction lighting away from sensitive receptors. Refer to Mitigation Measure LUR-2.

Operational Impacts

Impact LUR-16: Conflict with any land use plans, policies, or regulations, and/or divide an established community as a result of project operation.

(Less than significant.) Although the Terminal project site is zoned Industrial, a single-family residential neighborhood lies adjacent to the eastern boundary of the site. As this is a potentially incompatible use, the project would adhere to Policy 2-P-13, which requires that landscaping and berms separate the activities. An existing berm with mature vegetation currently separates the East Tank Farm from the residences to the east. The berm and landscaping would remain in its existing condition. Refer to Chapter 3.0: Aesthetics for more details regarding landscaping.

The project is not compatible with Policies 2-P-100, 6-P-18, and 8-P-26, which refer to the creation of a trail along the waterfront. Additionally, other plans and regulations identify the creation of a continuous, linear trail along the waterfront (Great California Delta Trail), including Senate Bill 1556, the East Bay Regional Park District's 2007 Master Plan and Bay Point Wetlands to Marina Park Engineering Study (May 2011), Delta Protection Commission's Blueprint Report for Solano and Contra Costa Counties (September 2010), and Contra Costa County Bicycle Plan (2009). The project would conflict with the Bay Point Regional Shoreline to Pittsburg's Marina Park segment of the proposed Delta Trail; however, because the Terminal project area is not currently accessible to the public, and because the trail is conceptual and has not been designed, impacts resulting from a conflict with these plans, policies, and regulations would be less than significant.

The project sites are comprised of an existing, inactive marine and storage terminal, and a proposed Rail Transload Facility within an existing rail yard. Project operations would be consistent with the existing zoning and land use designations of the surrounding area and would not require displacement of housing or otherwise divide an established community.

Because the project would be in the same location as the proposed project, impacts to surrounding land uses and recreation would remain less than significant. By excluding the East Tank Farm from operation, the project would be farther from most of the nearby sensitive receptors, including the residences on Linda Vista Avenue, Stewart Memorial Church, First Baptist Church, and St. Peter Martyr School and Extended Care Facility.

Mitigation Measure: No mitigation required.

Impact LUR-17: Cause residual impacts on sensitive shoreline lands and/or water and non-water recreation due to an accidental release of oil.

(Significant and unavoidable.) Alternative 1 involves an 18 percent reduction in the amount of crude oil delivered to the project site. It is estimated that 15 tank vessels per month (180 per year) would call at the marine terminal under Alternative 1 (refer to Chapter 2: Proposed Project and Alternatives), which is 83.3 percent of the vessel traffic assumed for the proposed project. Therefore, impacts to land use and recreation resulting from an oil spill could be the same as, or slightly less than for the proposed project. Refer to Impact LUR-8 for a detailed explanation of the impacts.

Impacts from spills are considered to be significant and unavoidable if first-response efforts would not contain or clean up the spill, resulting in residual impacts that affect the general public's use of shoreline or water areas. If a spill occurs that would be contained and cleaned up during the first response, that spill would be considered a less-than-significant-with-mitigation impact to land use and recreation. Contingency planning and response measures are proposed for potential spills (refer to Impact LUR-8).

Mitigation Measure: No additional mitigation measures available.

Impact LUR-18: Conflict with established or proposed land uses, including potentially sensitive land uses. (Less than significant with mitigation.)

Established uses surrounding the project site are primarily industrial, with some potentially sensitive residential uses to the east and south of the project site (refer to Table 12-2). There is an approved subsequent phase (not yet built) of development associated with the Mariner Walk Residential Development immediately east of the project site; no other new residential housing or other sensitive uses are currently proposed near the project site.

Similar to the proposed project, the project-related increase in health risk during project operations is less than the CEQA threshold for all health risk categories (refer to Chapter 4.0: Air Quality for more details).

During project operations, lighting fixtures at the storage terminal and the dock would be located and designed to avoid casting light or glare toward off-site locations as required by Pittsburgh Municipal Code 18.82.030 (refer to Environmental Commitment AE-1, described in Chapter 2.0: Proposed Project and Alternatives). If necessary, lights would be provided with shields to reduce glare. Lighting fixtures would be installed at the Rail Transload Facility at the transloading platform, administration/control building, parking area, and rail-switch points. Environmental Commitment LUR-2 commits the project to using cut-off optics on the fixtures at the Rail Transload Facility to minimize light spill. With implementation of Mitigation Measure LUR-6, project operations at the storage terminal would not create a new source of substantial light or glare. Light

and glare impacts from ships and the marine terminal would be less than significant (refer to impact LUR-9 for more details).

The noise analyses indicate that estimated noise levels at each of the receptor locations during project operations would be below the significance thresholds described in Chapter 13.0: Noise and Vibration. In addition, operational noise levels at the proposed Mariner Walk residential development on adjacent parcels to the southeast of the proposed project would be less than significant, assuming that the Mariner Walk project includes an 8-foot-high sound wall at the common property line (see Impact NV-3 in Chapter 13.0 for details).

Similar to the proposed project, regulation of the project would prohibit public access to the shoreline, so constructing the proposed Great California Delta Trail through the facility would not be feasible. The project would conflict with the Bay Point Regional Shoreline to Pittsburg's Marina Park segment of the proposed Delta Trail; however, because the Terminal project area is not currently accessible to the public, and because the trail is conceptual and has not been designed, impacts would be less than significant.

Mitigation Measure LUR-6: Terminal lighting. Refer to Mitigation Measure LUR-3.

Impact LUR-19: Cause a substantial long-term disruption of any institutionally recognized recreational facilities or activities. (Less than significant.) Similar to the proposed project, operations under Alternative 1 are expected to have a less-than-significant impact on existing recreational facilities in the area, including the adjacent Riverview Park. Regulation of the project would prohibit public access to the shoreline, so constructing the proposed Great California Delta Trail through the facility would not be feasible. Because the Terminal project area is not currently accessible to the public and because the trail is conceptual and has not been designed, the project would not cause a substantial long-term disruption to an institutionally recognized proposed recreational facility. Impacts would be less than significant.

Mitigation Measure: No mitigation required.

Impact LUR-20: Cause the loss of passive recreational opportunities in open spaces and multi-use trails, or decreased public access to the Suisun Bay waterfront. (Less than significant.) Operation of the project under Alternative 1 would not be substantively different from the proposed project and would not impact the nearest open space (Mallard Slough) or interfere with public access to the Suisun Bay waterfront (refer to Impacts LUR-11 and LUR-12). Regulation of the Terminal portion of the project would prohibit public access to the shoreline, so constructing the proposed Great California Delta Trail through the facility would not be feasible. The project would not cause the loss of a passive recreational opportunity—the proposed Delta Trail—because the Terminal project

area is not currently accessible to the public, and because the trail is conceptual and has not been designed; therefore, impacts would be less than significant.

Mitigation Measure: No mitigation required.

12.2.3.3 Alternative 2: No Project

Impact LUR-21: Conflict with any land use plans, policies, or regulations; conflict with existing agricultural zoning and/or policies for agricultural use/Williamson Act contract; or physically divide an established community. (Less than significant.) Alternative 2 would not involve operation of the existing Terminal facility and would allow the marine and storage terminal and associated pipelines to remain in a state of inactivity. The facility would remain in caretaker status and would continue to receive regular maintenance. In addition, construction of the proposed Rail Transload Facility would not occur. Alternative 2 would not meet the City's general plan land use policy supporting the reuse of industrial sites in the Northwest River subarea. While not meeting the City's general plan policy would be a negative impact, it would not be considered significant. Alternative 2 would not conflict with existing zoning and policies for agricultural use, or physically divide an established community. Therefore, impacts resulting from Alternative 1 would be less than significant.

Mitigation Measure: No mitigation required.

Impact LUR-22: Cause residual impacts on sensitive shoreline lands and/or water and non-water recreation due to an accidental release of oil. (No impact.) Under Alternative 2, no construction or operation of an active marine terminal and storage would take place and existing maintenance activities would be carried out by NRG. No oil would be transferred or stored at the facility, so no oil spill could occur. There would be no impact to sensitive shoreline lands or recreation due to an accidental release of oil.

Mitigation Measure: No mitigation required.

Impact LUR-23: Conflict with established or proposed land uses, including potentially sensitive land uses. (No impact.) Under Alternative 2, existing facilities would remain at the project site and proposed construction associated with the modernization and reactivation of the current facilities and subsequent operation would not occur; therefore, there would be no impact to established or proposed land uses in the vicinity.

Mitigation Measure: No mitigation required.

Impact LUR-24: Cause a substantial long-term disruption of any institutionally recognized recreational facilities or activities. (No impact.)

Under Alternative 2, existing facilities would remain at the project site and construction associated with the modernization and reactivation of the current facilities and subsequent operation would not occur; therefore, there would be no impact to nearby recreational facilities or activities.

Mitigation Measure: No mitigation required.

Impact LUR-25: Cause the loss of passive recreational opportunities in open spaces and multi-use trails, or decreased public access to the Suisun Bay waterfront. (No impact.)

Because there would not be any improvements or operations of existing facilities, there would be no loss of passive recreational opportunities in the open space to the west of the project site. Access to the Suisun Bay waterfront would remain the same under Alternative 2, as it would not involve construction or operation of the existing facility and would allow the marine and storage terminal and associated pipelines to remain in a state of inactivity. No impact would occur.

Mitigation Measure: No mitigation required.

12.3 REFERENCES

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