

OAKLAND BASE REUSE AUTHORITY

RESOLUTION No. 2000-37

CSK

RESOLUTION REAFFIRMING SUPPORT OF THE APPLICATION TO THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION TO AMEND THE SAN FRANCISCO BAY PLAN AND SAN FRANCISCO BAY AREA SEAPORT PLAN AND STATING THE INTENT TO DEDICATE PROPERTY FOR ANCILLARY MARITIME SUPPORT ACTIVITIES AT THE OAKLAND ARMY BASE

WHEREAS, the OBRA Governing Body at its meeting of July 27, 1998, passed Resolution No. 98-15 thereby adopting the Draft Final Reuse Plan for the Oakland Army Base ("Reuse Plan") and authorizing the Executive Director to submit the plan to the United States Departments of Housing and Urban Development and Defense for review and approval; and

WHEREAS, the Reuse Plan sets forth a land use plan for the 422 acres constituting the Army Base, which includes, among other things, maritime uses for the area west of Maritime Street ("OARB-West") and industrial and training activities, among other things, for the area east of Maritime Street ("OARB-East"); and

WHEREAS, the United States Department of the Army ("Army"), pursuant to the requirements of the National Environmental Policy Act ("NEPA"), prepared an Environmental Impact Statement that analyzes the impacts on the environment of four development scenarios for the Army Base, including the land use plan contained in the Reuse Plan; and

WHEREAS, the Army, pursuant to the provisions of the Coastal Zone Management Act ("CZMA"), issued a consistency determination on November 9, 1999, that states that the closure of the Army Base is consistent with the State's Coastal Zone Management Program, which includes the San Francisco Bay Conservation and Development Commission's ("BCDC") San Francisco Bay Plan ("Bay Plan") and BCDC's and the Metropolitan Transportation Commission's San Francisco Bay Area Seaport Plan ("Seaport Plan"); and

WHEREAS, the Bay Plan and the Seaport Plan designate the entire Army Base as a port priority use area which restricts development to port and related uses to meet the projected cargo container through-put requirements for 2020; and

WHEREAS, BCDC, pursuant to the CZMA and California Public Resource Code, is mandated to review the Army's consistency determination and either concur with or object to that determination; and

WHEREAS, BCDC staff preliminarily reviewed the Army's consistency determination and notified the Army on November 29, 1999, that some of the proposed land uses for OARB-East, as contained in the Reuse Plan, appeared not to be consistent with the

port priority use designation, but that staff needed additional time to review the Reuse Plan; and

WHEREAS, the Army, pursuant to the request of BCDC, has extended the time in which BCDC must respond to the consistency determination to April 2001; and

WHEREAS, staff has been working with Agency staff and the Port of Oakland ("Port") staff to reconfigure the proposed land use plan for the Army Base in order to ensure consistency with the requirements of the Bay and Seaport Plans; and

WHEREAS, the proposed reconfiguration of the land use plan would allow the Port to develop OARB-East so as to relocate and expand its proposed Joint Intermodal Terminal, to increase the back land area for existing terminals in the outer harbor area, to meet the container through-put requirements of the Seaport Plan and to dedicate approximately 75 acres for ancillary maritime support activities; and

WHEREAS, the proposed reconfiguration will allow the Governing Body, with recommendations from the Agency and City, to plan for the development of OARB-West to maximize jobs for Oakland residents and create new businesses with minimal impact on the environment; and

WHEREAS, the proposed reconfiguration of the land use plan will allow the Governing Body to plan for the removal of certain ancillary maritime support activities from the City's neighborhoods and to dedicate sufficient land in both OARB-West and OARB-East for those activities; and

WHEREAS, the Governing Body, at its meeting of July 24, 2000, passed Resolution No. 2000-23 thereby authorizing the Executive Director to submit a joint application with the Port to BCDC to amend the Bay and Seaport Plans to eliminate the port priority use designation for approximately 190 acres (176.6 acres-OARB, 10 acres-Army Reserves, 2.5 acres-Port) at the Army Base so as to allow the development set forth in the proposed reconfigured land use plan; and

WHEREAS, the OBRA Executive Director submitted said application to BCDC in September 2000 and BCDC's Seaport Planning Advisory Committee recommended approval of the application at its meeting of October 17, 2000; and

WHEREAS, BCDC held a public hearing on the joint application on December 7, 2000, and received written and oral comments from interested parties, including governmental entities, regarding the proposed amendments to the Bay and Seaport Plans and will consider the application at its meeting of January 4, 2001; and

WHEREAS, BCDC commissioners, at said public hearing, expressed concern that ancillary maritime support activities, including truck-related uses, needed to be accommodated at the Army Base and that the applicants needed to express a commitment to dedicate sufficient land for those purposes; and

WHEREAS, the Council of the City of Oakland and the Redevelopment Agency of the City of Oakland, at their regular meetings of December 12, 2000, passed resolutions supporting the joint application to amend the Bay and Seaport Plans to delete the port priority use designation from certain portions of the Army Base and requesting OBRA and the Port to each dedicate 15 additional acres at the Army Base to ancillary maritime support activities; and

WHEREAS, the Governing Body, at its meeting of February or March 2001, will consider the amendment of the Army Base Reuse Plan to adopt the reconfigured land use plan to be consistent with the proposed amendments to the Bay Plan and Seaport Plan and to dedicate sufficient land for ancillary maritime support activities; and

WHEREAS, it is in the best interests of OBRA to reaffirm its support to BCDC of the OBRA/Port application to amend the Bay Plan and Seaport Plan and to express its intent to consider the commitment of sufficient land at the Army Base to accommodate ancillary maritime support activities, including truck-related uses; and

WHEREAS, OBRA supports the Port of Oakland's Port Services Location Study and will work with the Port, City and Redevelopment Agency to remove some Port-related trucking activities from the neighborhoods through local and regional solutions; and

WHEREAS, the City of Oakland, in conjunction with OBRA, will perform environmental review of the reconfigured land use plan for the Army Base as required by the California Environmental Quality Act ("CEQA"); and

WHEREAS, the final adoption of the Reuse Plan, as it may be amended by the reconfigured land use plan, is expressly contingent upon completion of environmental review pursuant to NEPA and CEQA; now, therefore, be it

RESOLVED: That the Governing Body hereby fully reaffirms its support of the joint application to amend the Bay Plan and Seaport Plan so as to delete the port priority use designation for approximately 190 acres of land at the Army Base; and be it

FURTHER RESOLVED: That the Governing Body hereby expresses its intent to consider the amendment of the Army Base Draft Final Reuse Plan to adopt the reconfigured land use plan so as to be consistent with the application submitted to BCDC to amend the Bay Plan and Seaport Plan and to dedicate sufficient land at the Army Base for ancillary maritime support activities; and be it

FURTHER RESOLVED: That the Executive Director is hereby directed to take whatever actions may be necessary to demonstrate OBRA's support of the joint application, including the submission of this resolution and supporting correspondence stating OBRA's intent to dedicate 15 acres of land in the area to be developed by the Agency at a specific location to be determined by the Governing Body, to BCDC; and be it

FURTHER RESOLVED: That the Executive Director is directed to plan for the inclusion of 15 acres at either the Baldwin Railroad Yard, the Subaru Lot or an area adjacent to the Port's proposed joint intermodal terminal for ancillary maritime support activities and to return to the Governing Body and recommend the designation of one of those site or an alternative site for such uses; and be it

FURTHER RESOLVED: That the Executive Director is further directed to keep the Governing Body apprised of the amendments to the Bay Plan and Seaport Plan.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution passed by the City Council of the City of Oakland on DEC 18 2000.

CEDA FLOYD
City Clerk, Clerk of the Council and
Secretary to the Governing body of OBRA

Per  Deputy