



CHAPTER 3 -- THE LAND USE PLAN: RESOURCES AND DEVELOPMENT ISSUES AND POLICIES

3.11 INDUSTRIAL DEVELOPMENT AND ENERGY FACILITIES

[Policies](#)

Coastal Act Requirements

The Coastal Act, while emphasizing protection, enhancement and restoration of coastal resources, recognizes that some industrial and energy development may need to be located in the coastal zone.

Section 30001.2. The Legislature further finds and declares that, notwithstanding the fact electrical generating facilities, refineries, and coastal-dependent developments, including ports and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such development in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state.

Section 30232. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Section 30250 (b). Where feasible, new hazardous industrial development shall be located away from existing developed areas.

Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30260. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely



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affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

Section 30262. Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met:

- (a) The development is performed safely and consistent with the geologic conditions of the well site.
- (b) New or expanded facilities related to such development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, or sites required to produce the reservoir economically and with minimal environmental impacts.
- (c) Environmentally safe and feasible subsea completions are used when drilling platforms or islands would substantially degrade coastal visual qualities unless use of such structures will result in substantially less environmental risks.
- (d) Platforms or islands will not be sited where a substantial hazard to vessel traffic might result from the facility or related operations, determined in consultation with the United States Coast Guard and the Army Corps of Engineers.
- (e) Such development will not cause or contribute to subsidence hazards unless it is determined that adequate measures will be undertaken to prevent damage from such subsidence.
- (f) With respect to new facilities, all oilfield brines are reinjected into oil-producing zones unless the Division of Oil and Gas of the Department of Conservation determines to do so would adversely affect production of the reservoirs and unless injection into other subsurface zones will reduce environmental risks. Exceptions to reinjections will be granted consistent with the Ocean Waters Discharge Plan of the State Water Resources Control Board and where adequate provision is made for the elimination of petroleum odors and water quality problems.

Where appropriate, monitoring programs to record land surface and near-shore ocean floor movements shall be initiated in locations of new large-scale fluid extraction on land or near shore before operations begin and shall continue until surface conditions have stabilized. Costs of monitoring and mitigation programs shall be borne by liquid and gas extraction operators.

Section 30263.

- (a) New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the



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maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area... or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property.

(b) In addition to meeting all applicable air quality standards, new or expanded refineries or petrochemical facilities shall be permitted in areas designated as air quality maintenance areas by the State Air Resources Board and in areas where coastal resources would be adversely affected only if the negative impacts of the project upon air quality are offset by reductions in gaseous emissions in the area by the users of the fuel, or, in the case of an expansion of an existing site, total site emission levels, and site levels for each emission type for which national or state ambient air quality standards have been established do not increase.

(c) New or expanded refineries or petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from inplant processes where feasible.

Section 30264. Notwithstanding any other provision of this division, except subdivisions (b) and (c) of Section 30413, new or expanded thermal electric generating plants may be constructed in the coastal zone if the proposed coastal site has been determined by the State Energy Resources Conservation and Development Commission to have greater relative merit pursuant to the provisions of Section 25516.1 than available alternative sites and related facilities for an applicant's service area which have been determined to be acceptable pursuant to the provisions of Section 25516.

Section 30413(b). The (Coastal) Commission shall, prior to January 1, 1978, and after one or more public hearings, designate those specific locations within the coastal zone where the location of a facility as defined in Section 25110 would prevent the achievement of the objectives of this division; provided, however, that specific locations that are presently uses for such facilities and reasonable expansion thereof shall not be so designated. Each such designation shall include a description of the boundaries of such locations, the objectives of this division which would be so affected, and detailed findings concerning the significant adverse impacts that would result from development of a facility in the designated area. The commission shall consider the conclusions, if any, reached by the State Energy Resources Conservation and Development Commission in its most recently promulgated comprehensive report issued pursuant to Section 25309. The (Coastal) Commission shall transmit a copy of its report prepared pursuant to this subdivision to the State Energy Resources Conservation and Development Commission.

Section 30515. Any person authorized to undertake a public works project or proposing an energy facility development may request any local government to amend its certified local coastal program, if the purpose of the proposed amendment is to meet public needs of an area



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greater than that included within such certified local coastal program that had not been anticipated by the person making the request at the time the local coastal program was before the commission for certification. If, after review, the local government determines that the amendment requested would be in conformity with the policies of this division, it may amend its certified local coastal program as provided in Section 30514.

If the local government does not amend its local coastal program, such person may file with the commission a request for amendment which shall set forth the reasons why the proposed amendment is necessary and how such amendment is in conformity with the policies of this division. The local government shall be provided an opportunity to set forth the reasons for its action. The commission may, after public hearing approve and certify the proposed amendment if it finds after a careful balancing of social, economic, and environmental effects that to do otherwise would adversely affect the public welfare, that a public need of an area greater than that included within the certified local coastal program would be met, that there is no feasible less environmentally damaging alternative way to meet such need, and that the proposed amendment is in conformity with the policies of this division.

Issues: Industrial Development and Energy Facilities

Industries along the Mendocino coast are predominantly resource-oriented, performing the initial processing of raw materials. Most are near Fort Bragg, the largest coastal community between San Francisco and Eureka. Many of these industries, while situated along the shoreline, are not strictly coastal dependent but Mendocino County and the Coastal area are dependent on these industries. There is a need in the county and on the coast that these existing industries remain and be allowed to expand as necessary but traditionally have been located on sites which could be used for coastal dependent industries. Georgia Pacific's lumber mill is the major industrial employer in the coastal zone and in conjunction with Louisiana Pacific Lumber Company and other lumber interests account for about 1,550 jobs. Other local industries include the Baxman Gravel Company, fish-processing and boat-building enterprises at Noyo Harbor.

Onshore oil and gas production could start in the coastal zone within the near future. The Manchester Anticline Petroleum Project is seeking permits from the County of Mendocino for the first phase of operations, drilling exploratory wells on a 1,200 acre site south of Manchester and east of Highway 1. If successful and if the project receives production permits from the county and the Coastal commission, the oil field could be brought into full production. The oil could be trucked to refineries in the San Francisco Bay area via Highway 128.

OCS Lease Sales

Outer Continental Shelf (OCS) Lease Sales, as part of a proposed national, five-year program to explore and develop offshore oil and gas resources, includes OCS submerged lands off Mendocino County. Although the Secretary of the Interior in August 1981 withdrew the



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Mendocino tracts from further consideration in Lease Sale #53, the initial planning stages for Lease Sale #73 are underway which could affect the Mendocino coast. In addition, the Secretary of the Interior has proposed major changes in the "Five Year OCS Oil and Gas Lease Sale Schedule - January 1982 - December 1986," which could increase the number of lease sales in California and speed up the leasing schedule.

Throughout California and in Mendocino County, local governments, the State Government and citizen groups expressed opposition to OCS leasing on the North Coast. The Board of Supervisors initially passed resolutions requesting that the Department of the Interior delay any final decisions on Lease Sale #53 until further environmental studies could be completed and that it investigate the possibility of establishing all or part of Lease Sale #53 as a petroleum reserve to be used only in a time of national emergency. The Board later appointed the Mendocino County Technical Advisory Task Force on the OCS to correspond with the various State and Federal agencies, review all pertinent documents and advise it on OCS matters. The Task Force has determined that OCS oil and gas development would create permanent adverse environmental impacts. As a result of this determination, the Task Force has recommended that no onshore related oil and gas development be permitted extending to the 3 mile limit which would facilitate OCS development such as pipelines, onshore marine terminals, gas or oil processing plants, the use of highways and airports, and the use of harbors.

The Board of Supervisors more recently has passed resolutions requesting the Department of the Interior to delete the Mendocino coast from any OCS oil and gas development. The Governor of California has made the same request. The California Coastal Commission has recommended that the Mendocino coastal tracts be deleted because oil-related offshore and onshore industrial facilities would not be compatible with policies designed to protect the areas rural and undeveloped character and its natural resources.

Energy Issues

The 1976 amendments of the Coastal Zone Management Act established the Coastal Energy Impact Program (CEIP) to provide financial assistance to coastal states and local governments potentially affected by energy development. In 1979, Mendocino county received a CEIP grant to evaluate potential impacts associated with Lease Sale #53. The studies assessed adverse effects on the tourist industry and commercial and sport fishing and analyzed siting options for energy-related onshore facilities.

The CEIP reports determined that both tourism and fishing would suffer revenue losses after an oil spill. Losses to the tourism industry could range from \$1 to \$6 million, depending upon the size of the spill, the season in which it occurred, and the effectiveness of cleanup operations. Potential losses to commercial and sport fishermen could range between \$1 and \$7 million, depending on the season. Federal programs established to mitigate adverse impacts may be inadequate because of insufficient funds, legal complexities and bureaucratic delays.



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The CEIP studies also assessed five potential County sites for locating onshore facilities, such as a service base, a gas processing plant, or an oil and gas partial processing facility. None of the sites was completely suitable in terms of meeting the industry's basic requirements for land, water depths, and services; protecting sensitive habitats and avoiding hazardous areas; and conforming with County and local policies for future development. The study concluded that, given the inadequacies of the representative sites, and the proximity of excellent facilities in the San Francisco Bay Area, the oil industry would be more likely to locate its onshore facilities out of the County.

In addition, the Coastal Commission has designated areas in the coastal zone where the California Energy Commission cannot approve new power plants. In 1978, the Commission adopted a report, Staff Recommendations on Designation of Coastal Areas Where Power Plants Would Be Inconsistent with Coastal Act Policies (#20), updated in 1979, that described and mapped areas where siting a power plant would prevent the achievement of Coastal Act Policies. These designations are site-specific and are intended to protect critical environmental resources, recreational areas, agricultural lands, scenic sites,

and areas with inadequate public services. In general, the report indicated that there is no site suitable for a power plant along the stretch of coast from Ten Mile River to just south of Navarro. Power plants could conceivably be permitted in other areas, primarily east of Highway 1.

Alternative energy sources-such as solar, wind, waves, biomass and cogeneration (including kelp)-potentially could be developed on the Mendocino Coast. Currently, there is cogeneration at the Georgia Pacific plant, and many individuals are becoming more energy self-reliant by solarizing their homes, using wood stoves, and building windmills. In the short term, the shift to alternative energy sources, with the exception of wind power, is more practical as an individual private endeavor than as a large-scale commercial venture. PG&E staff believes that the coast could be a prime site to test wind-generators that would be connected to its power grid.