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## 1982 MOSS LANDING COMMUNITY PLAN LAND USE POLICIES

### **Commercial Fishing & Recreational Boating Facilities – MLCP Key Policy No. 5.3.1**

The County encourages the maximum development of commercial fishing and recreational boating facilities at Moss Landing; consistent with the conservation of the area's wetlands, dunes and other natural resources.

### **Commercial Fishing & Recreational Boating Facilities – MLCP General Policy No. 5.3.2.1**

Commercial fishing facilities shall be protected and, where feasible, upgraded. Commercial fishing shall have priority for berthing space in the South Harbor, and recreational boating facilities shall not interfere with the needs of the commercial fishing industry.

### **Commercial Fishing & Recreational Boating Facilities – MLCP General Policy No. 5.3.2.2**

Optimum use of the existing harbor area and expansion of the harbor should be compatible with conservation of the most sensitive and viable wetlands.

### **Commercial Fishing & Recreational Boating Facilities – MLCP General Policy No. 5.3.2.3**

Due to limited capacity of Highway One and Sandholdt Road, priority should be given on the island to expansion of commercial fishing industries and facilities that generate low volumes of traffic. Some flexibility should be maintained for other development on the island that directly serves people engaged in those above industries and would not be suitably located in other areas of Moss Landing.

### **Commercial Fishing & Recreational Boating Facilities – MLCP General Policy No. 5.3.2.4**

Use of existing land-based facilities that support commercial boating should not jeopardize the protection of public access to the shoreline.

### **Commercial Fishing & Recreational Boating Facilities – MLCP General Policy No. 5.3.2.5**

Use of existing piers for access and recreational purposes should be encouraged when compatible with commercial fishing uses.

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### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3**

The specific policies that follow set forth a two phase harbor improvement program that stresses maximizing the use of existing resources and restoring wetlands habitats before expansion occurs. Figure 3 illustrates the location of improvement measures discussed in the following policies.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.1 – Harbor Development Phase 1**

Encourage the conversion of underutilized or unused parcels on the island to land uses that are supportive of the commercial fishing industry and aquaculture.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.2 – Harbor Development Phase 1**

Legal remedies should be investigated to prevent berthing of unseaworthy boats in the harbor and abandonment of boats in dry storage areas.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.3 – Harbor Development Phase 1**

Bulkheading to prevent erosion and to maximize use of available shoreline should be provided along the west bank of the South Harbor.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.4 – Harbor Development Phase 1**

The capacity of dry dock storage areas should be increased when needed and new dry storage areas should be developed. Measures should be taken to ensure that grading and surfacing work performed to provide additional capacity will not adversely affect water quality in the harbor.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.5 – Harbor Development**

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### **Phase 1**

Provision of an additional boat fueling facility should be considered.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.6 – Harbor Development Phase 1**

The Sandholdt Pier should be considered for renovation as a fishing pier.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.7 – Harbor Development Phase 1**

An additional boat launching ramp or hoist should be provided. A possible location would be in the North Harbor just south of the Elkhorn Yacht Club.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.8 – Harbor Development Phase 1**

Develop a retaining wall or bulkhead along the eastern bank of the North Harbor adjacent to the Harbor offices as a means of preventing further erosion and improving berthing capacity.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.9 – Harbor Development Phase 1**

On-site parking facilities shall be provided by private developers to satisfy demand generated by upgrading land uses on the island. Development of a public facility parking should be considered for a location near the north west end of the island.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.10 – Harbor Development Phase 1**

Methods to improve tidal flow and sediment transport from the North Harbor as a means of improving capacity of the North Harbor to

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accommodate additional berthing facilities and minimize the need for dredging should be studied. One possible method would be expansion of the existing culvert under Jetty Road.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.11 – Harbor Development Phase 1**

Priority shall be given to developing recreation and visitor-serving commercial uses in the North Harbor area and improving public recreational boating facilities.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.12 – Harbor Development Phase 1**

Upgrading and development of recreational boating support facilities should not jeopardize conservation of sensitive mudflat habitats in the North Harbor.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.13 – Harbor Development Phase 1**

Additional restroom facilities should be provided in the North Harbor area.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.14 – Harbor Development Phase 1**

A comprehensive wetland restoration program shall be undertaken as mitigation for the expansion of the harbor area (phase 2) as required by Sections 30233 and 30411 of the Coastal Act. Designation of the wetland areas to be restored and the extent of restoration necessary, has not been determined by the affected agencies at the time of the certification of this plan. However, Bennett Slough, Moro Cojo Slough, and Old Salinas River are potential restoration areas. The State Department of Fish and Game, U. S. Fish and Wildlife Service, the Coastal Conservancy and the U. S. Army Corps of Engineers should be consulted and a habitat evaluation conducted, if necessary, to determine the measures required to implement this program. Mitigation measures might include such things as a new tide gate to control tidal flushing under Moss Landing Road, upstream Moro Cojo Slough flood control measures and widening of the Bennett Slough culvert. Completion of the wetland restoration program must be attained before harbor expansion in the Old Salinas River is allowed. Former wetlands that have

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been diked off from tidal influence but not filled should generally receive priority for restoration over diked and filled wetlands.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.15 – Harbor Development Phase 2**

After optimal use of existing facilities is made and the wetland restoration program is completed, expansion of the Harbor using the feasible least environmentally damaging alternative should be encouraged. Environmental impacts of harbor expansion must be mitigated to the maximum possible extent. All feasible road construction measures should be investigated to minimize damage to the sand dune habitat. Prior to extension of Sandholdt Road, a dune restoration program should be developed in cooperation with appropriate agencies and property owners. This program should under take the restoration of degraded dunes adjacent to the extended road by replanting with native vegetation and the installation of fences or other means of controlling public access between the road and the dunes.

### **Commercial Fishing & Recreational Boating Facilities – MLCP Specific Policy No. 5.3.3.16 – Harbor Development Phase 2**

Additional land-based harbor support facilities should be provided following any expansion of the harbor. Figure 2 designates the Harbor District property on the east side of the Old Salinas River Channel for the development of harbor support facilities that will include parking and restrooms. On the west bank of the channel Light Industrial development is proposed between Sandholdt Road and the bank.

### **Energy Facilities and Industrial Development – MLCP Key Policy No. 5.5.1**

Existing coastal dependent industries in Moss Landing have local, regional, statewide and, in some cases, national significance. Accordingly, the county shall encourage maximum use and efficiency of these facilities, and to allow for their reasonable long-term growth consistent with maintaining the environmental quality and character of the Moss Landing Community and its natural resources.

### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.1**

Coastal dependent industrial facilities should be encouraged to expand within existing sites before off-site expansion is considered. Commercial fishing activities and aquaculture shall have priority over other types of coastal dependent industrial uses in Industrial areas. The Kaiser industrial facility at Moss Landing should be permitted to expand within the existing site subject to conforming to all other requirements of this plan, and other State and Federal regulations.

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### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.2**

Future expansion, improvement or other development including fuels conversions at P.G.&E. or Kaiser Refractories, and any other heavy industry in the area shall be considered in accordance with master plans for these facilities. This master plan requirement shall not apply to emergency or administratively approved developments under section 30624 of the Coastal Act. The master plans shall be developed by the respective industries and submitted to Monterey County for review and approval prior to approval by the County of any required permits for these industries. The master plans shall address the long range development and operation of the facilities including physical expansion and new construction, major operational changes, changes in fuels or fuel delivery systems, circulation or transportation improvements, electrical power transmission, alternative development opportunities, environmental considerations, potential mitigation of adverse environmental impacts and conformance to all other policies of the North County LCP and other State and Federal regulations. Subsequent to approval of these master plans, permit requests not in conformity with the master plans shall be considered only upon completion and approval of necessary amendments to the master plan.

This general policy shall not be construed to require disclosure in the master plans of trade secrets, proprietary or confidential information, but only location of buildings and other land use matters necessary for planning purposes.

### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.3**

The least environmentally damaging alternative should be selected for on-site modernization and upgrading of existing facilities. When selection of the least environmentally damaging alternative is not possible for technical reasons, adverse environmental effects of the preferred alternative shall be mitigated to the maximum extent.

### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.4**

Modernization and expansion of industrial facilities shall be compatible with existing community land use patterns and circulation system capacities, planning objectives, and local air quality regulations in effect at the time of the granting of such approval for said expansion by the appropriate agencies.

### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.5**



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Potentially hazardous industrial development shall not be located adjacent to developed areas.

### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.6**

Any nuclear plants shall avoid disruption of environmentally sensitive habitats and shall avoid seismic hazard areas. Conversion of heavy industries to coal technologies should be highly discouraged. Use of coal as a fuel should be considered only if other cleaner fuels become unavailable, and there are no resultant adverse impacts on agriculture and fishing. Should this occur, the most effective air pollution control technology available shall be utilized to ensure minimum sulfur dioxide.

### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.7**

To reduce traffic hazards, Highway One access for PG&E and Kaiser should be eliminated except in emergency. Major access for each facility should be developed on Dolan Road. This may require improvements to Dolan Road and Highway One.

### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.8**

The responsible government agencies shall periodically examine the effectiveness of PG&E's oil spill contingency clean-up plans for both on shore and off shore areas. One condition of possible future expansion of offshore tanker terminal mooring facilities should be the demonstrated effectiveness of oil spill contingency plans to minimize the environmental effects of oil spills to the maximum extent feasible. Maximum protection of Elkhorn Slough must be provided.

### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.9**

The development of mariculture using existing warm water discharge should be encouraged.

### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.10**

All new heavy industry shall be coastal dependent.

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### **Energy Facilities and Industrial Development – MLCP General Policy No. 5.5.2.11**

Due to sensitive agricultural, fishing, recreational and environmental resources in the proximity of Moss Landing, additional development of polluting heavy industry shall not be permitted unless all adverse effects on these resources are fully mitigated.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.1**

Due to sensitive agricultural and environmental resources in proximity of the PG&E and Kaiser plants which could be damaged by coal conversion, the plant should continue operation with the use of natural gas and oil fuels.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.2**

Methods should continue to be studied for improving efficiency and air emission controls at the PG&E and Kaiser plants by both the County and MBUAPCD.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.3**

In the event of future upgrading or modification of P G & E generating units 1-5, consideration should be given to continuing the cooling water discharge outfall for these units into the slough at their historical discharge rate. If the discharge rate is to be increased, environmental studies should be undertaken to determine the effect.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.4**

Additional Kaiser process storage ponds shall be limited to the area shown on Figure 5 and designed and located to avoid any adverse effects to wetland areas and agriculture. All feasible alternatives shall be examined to prevent loss of wetlands.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.5**

In the event that conversion of the PG&E power plant to a coal burning facility is necessary, effective mitigation measures to minimize adverse effects to air quality, public safety, agriculture, and aquaculture shall be required. A safe disposal site for coal ash and collected air pollutants shall be located away from inhabited areas and sensitive resources. Methods to reduce potentially significant environmental

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effects from runoff to an acceptable level shall be incorporated into the power plant and disposal site design.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.6**

Due to potential hazards related to geological conditions, proximity to populated areas, land use conflicts, and possible impacts on marine and estuarine environments, the PG&E site south of Potrero Road should not be considered a suitable location for future development of a nuclear power plant facility.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.7**

An atmospheric surveillance station shall be established in the Moss Landing vicinity by the Monterey Bay Unified Air Pollution Control District or the County of Monterey to monitor air pollution concentrations in addition to pertinent meteorological parameters.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.8**

As a condition of issuance of development permits, to industries with significant emissions, the County of Monterey shall require that an atmospheric surveillance station be established in the Moss Landing vicinity. This station should thereafter be operated by the MBUAPCD to monitor air pollution concentrations in addition to pertinent meteorological studies.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.9**

Further expansion of heavy industrial uses on the property owned by PG&E west of Highway One and east of the Moss Landing Harbor shall be limited to improvements or modifications that are compatible with the road right-of-way and visual policies of the plan.

### **Energy Facilities and Industrial Development – MLCP Specific Policy No. 5.5.3.10**

Possible future development of a transmission line north from the PG&E power plant shall be shown to be compatible with research and educational use of the estuarine sanctuary, and potential environmental effects shall be reduced to an acceptable level before development is allowed.

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