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Division of Public Information, EQ

May 27, 1963

Robert L. Southwick, Assistant to the
Manager for Public Information, SAN

50-205

STATEMENT BY SONOMA COUNTY SUPERVISORS

MI:ELS

Attached for your information is a statement by the Sonoma County Board of Supervisors relating to the Licensing of Bodega Head and emphasizing AEC review of the nuclear power reactor for safety purposes.

Attachment:
Clipping from Santa Rosa
Press Democrat - 5/21/63

cc: w/encls - Bob Lowenstein, DLAR, HQ
Howard Shapar, OGC, HQ



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Supervisors Issue Paper On Bay A-Plant Actions

Sonoma County Supervisors, criticized by critics of their actions in the Bodega Bay power plant affair, yesterday approved a lengthy statement on their role in the controversy.

Prepared by County Counsel Richard Ramsey and Administrator Neal D. Smith, the statement was ordered up last week as an effort by the board to "protect" their public image.

It was approved yesterday with a minimum of comment after Mr. Ramsey read it to them; the vote was 4-0 with Supervisor Guy King absent but they agreed that he'll be allowed to cast a vote on it today. (Mr. King was in Sacramento.)

The statement: "Much later and publicly has surrounded developments which have taken place in taking place in the Bodega Bay area. Actions by the Board of Supervisors have been challenged by certain individuals and organizations, and statements have been made and published which are not in keeping with the facts. This statement is made for the purpose of placing the pertinent facts in perspective to one another and presenting them to the public.

"Early in 1958 the Pacific Gas and Electric Co. announced a proposal to build a major steam generating electric power plant on Bodega Head at Bodega Bay. It was stated that this installation might be atomic powered. Such announcement, and a great many other follow-up announcements and developments were headlined in county newspapers and created extensively in news stories in Sonoma County and Bay Area newspapers during 1958, 1959 and 1960. In consequence of the original announcement, this Board and other county departments, as representatives of the people of the county, began immediately to give serious thought to the proposal.

"At the time of the announcement of the proposed plant, the Bodega Bay area, including Bodega Head, carried an Unclassified or "U" Zone classification under the County Zoning Ordinance. Because of provisions of the zoning ordinance regarding the "U" zone, the planning and legal departments of the county were of

the opinion that the Bodega Head area might be put to such an atomic power plant use without any local regulations or voice in the matter unless the zoning were changed.

"Construction of a major power plant in the Bodega Bay area together with other developments taking place indicated substantial changes to the economy and land use of the Bodega Bay area. This led the Planning Commission to study the potential land use of the property in the Bodega Bay area and to recommend to the Board of Supervisors the adoption of an Interim Zoning Ordinance covering the Bodega Bay area which would clearly require that a use permit be obtained for a power plant and other major developments in the area. To discharge its duty to the public and gain a petition from which a county voice could be had in the matter, the Board of Supervisors adopted such interim zoning on March 2, 1960.

"In view of the clear requirement for a use permit under the Interim Zoning Ordinance so adopted, the Pacific Gas and Electric Co. applied for a use permit. After thorough and complete investigation of the proposal, both before the Planning Commission and the Board of Supervisors, during which time considerable publicity was carried in the newspapers of Sonoma County, a use permit was issued on February 8, 1960, conditionally authorizing use of the land for the proposed power plant. A principal condition of that use permit was that before the plant was constructed, all necessary permits from all State and Federal agencies be obtained. This included the required permit from the Public Utilities Commission and, if the plant was to be atomic powered, a permit from the Atomic Energy Commission.

"All of the proceedings leading to the issuance of this use permit were conducted by the Board of Planning Adjustments, the Planning Commission and the Board of Supervisors in open public meetings with extensive news coverage on all of their actions.

"During investigation of the facts leading up to the issuance of these permits, conferences were held by staff members and mem-

bers of the Board of Supervisors with representatives of Pacific Gas and Electric Co. and with others that indicated an interest in this matter. Such conferences are common practice and provide a good basis for obtaining as much information as possible prior to the time of official action so that the best judgment can be exercised in making the official decision on any matter.

"The State law directs that studies proceed and zoning being developed promptly for any area placed in a temporary or interim zoning classification. The Planning Department and Planning Commission of the County of Sonoma have therefore been conducting studies of the entire Bodega Bay area which studies resulted in the preparation of a proposed zoning plan for the area. Public hearings on such proposal were held by the Planning Commission after public notice, and by the Board of Supervisors after public notice, and on May 7, 1960, a Final Zoning Ordinance for the Bodega Bay area was adopted. The zoning is determined to be most appropriate for the area to which the proposed power plant is to be located was "A" or "Agricultural" Zone. The basic zoning ordinance of Sonoma County has been substantially in its present form for many years and, although the designation of the zone chosen as "Agricultural" may not seem as appropriate, the content of the "A" or "Agricultural" Zone and provisions of the basic zoning Ordinance were felt to be the most appropriate of any of those available.

"This is only substantiated by careful consideration of the basic zoning ordinance itself in light of facts of developments and proposals and patterns of development now existing at Bodega Bay together with the fact that the Board of Supervisors, at the time of issuance of the original use permit to the Pacific Gas and Electric Co. considered the question as to whether the area was appropriate for a land use plan-

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point for the construction of a power plant and at that time determined that it was an appropriate use. The Board of Supervisors has not changed its determination in this regard. The public should not be misled by the title given in the basic Zoning Ordinance to the same clause but should investigate the provisions in the body of the section.

As to other aspects of the total situation, the following things are also involved and should be borne in mind.

It is the declared legislative and executive policy of our nation and of the State of California that the development of peaceful use of atomic energy shall be encouraged and promoted.

The Board of Supervisors and the County of Sonoma has no jurisdiction as to whether a power plant is needed or required. This authority is vested in the California Public Utilities Commission. The Public Utilities Commission held extensive hearings on the question of the establishment of a power plant at Bedegrass Bend and issued a permit for that purpose.

Federal law requires that before any use of atomic energy for peaceful purposes in which a permit be obtained from the Atomic Energy Commission with responsibility for public safety in connection with any such installation and also thereafter in connection with operation of any such installation.

The law of the State of California also provides administration for regulation of peaceful use of atomic energy, requires permits for operation and provides for safety policing of such atomic energy installation.

The Atomic Energy Commission is comprised of individuals of recognized technical ability and unimpeachable moral character. The technical aspects of such a subject are beyond the average layman's field of knowledge. The Atomic Energy Commission will hold a public hearing to give inter-

ested persons the opportunity to be heard in connection with the issuance of a permit by them.

The Atomic Energy Commission has announced that the public hearing will be held in Sonoma County in the near future. At that time all qualified and interested persons will be given the opportunity to make a presentation on matters pertaining to the proposed atomic powered plant.

As has been the case throughout history, new developments are not accepted by everyone without reservation and sometimes even fear. Our Federal Government has taken precaution to see that peaceful use of atomic energy is properly controlled and the necessary safeguards provided. This Board of Supervisors has faith that the designated representatives of the Federal government will use the best possible judgment in determining whether the proposed plant is safe and should be constructed and will base their decision on scientific knowledge and facts and not upon fear of the unfamiliar.

Our Constitutional form of government is a representative form of government. The Sonoma County Board of Supervisors is elected by and to represent the people of Sonoma County. This Board believes it has support of the majority of those people for its position in this matter.

Members of the Board are available to their constituents for consultation and advice. The responsibility for policy decision is that of the Board of Supervisors. It based its action upon the best judgment of a majority of its members. Had the Board of Supervisors not made a decision according to its best judgment on the issuance of the use permit, or upon the process going at Bedegrass Bend, it would have been unethical in its duty.

All persons should judge for themselves all things published and heard in connection with this subject matter, giving themselves what is true is the best public interest and what the instructions should be to those who attend the proposed plant.

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