



**NOTICE OF AVAILABILITY OF A DRAFT  
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR)  
AND PUBLIC MEETING FOR THE  
POINT MOLATE MIXED-USE DEVELOPMENT PROJECT**

**DATE:** February 21, 2020

**TO:** Office of Planning & Research State Clearinghouse, County Clerk, and Affected Agencies (via Hand Delivery and Certified Mail) and Adjacent Property Owners and Interested Parties (via US Mail and City website)

**FROM:** City of Richmond

**LEAD AGENCY:** City of Richmond  
Planning Division  
450 Civic Center Plaza  
P.O. Box 4046  
Richmond, CA 94804-1630

**CONTACT:** Lina Velasco, Community Development Director

**SUBJECT:** Notice of Availability of a Draft Subsequent Environmental Impact Report (SEIR) in accordance with State California Environmental Quality Act (CEQA) Guidelines section 15162 and Notice of Public Meeting

**A. NOTICE OF AVAILABILITY**

***Notice is hereby given*** that pursuant to the State of California Public Resources Code and the “Guidelines for Implementation of the California Environmental Quality Act of 1970” as amended to date, the City of Richmond Planning Division has prepared a Draft Subsequent Environmental Impact Report (SEIR) for a proposed mixed-use development project (Modified Project) on the former Point Molate Navy Fuel Depot and Winehaven Historic District Site (Point Molate Site or Project Site).

The Modified Project makes certain changes in land use and intensities to the Point Molate Mixed-Use Tribal Destination Resort and Casino Project (Casino Project) and alternatives analyzed in the Final Environmental Impact Report for the Point Molate Mixed-Use Tribal Destination Resort and Casino Project that was certified by the City in 2011 (2011 FEIR). These changes include, but are not limited to, the elimination of the proposed casino, increasing allowable residential units and rehabilitating the buildings that contribute to the historic Winehaven District (similar to the rehabilitation in Alternative B1 of the 2011 FEIR). The SEIR

addresses the potential physical and environmental effects of the Modified Project per the requirements of the California Environmental Quality Act (CEQA), Public Resources Code [PRC] section 21000, et seq., and the CEQA Guidelines (Title 14, California Code of Regulations section 15000, et seq.). As the Lead Agency, the City will use the SEIR when considering approval of the Modified Project. Responsible Agencies, which are public agencies other than the City that have discretionary approval power over the Modified Project, also may rely on the SEIR prepared by the City when issuing approvals for the implementation of the Modified Project.

The Draft SEIR is available for review online at: <http://www.ci.richmond.ca.us/3757/Point-Molate-Mixed-Use-Project>. Copies are also available for review at the following locations:

- Richmond Public Libraries:
  - Main Branch 325 Civic Center Plaza, Richmond, CA 94804
  - West Side Branch 135 Washington Avenue, Richmond, CA 94801 (Point Richmond)
- City of Richmond Planning Division, City Hall, 450 Civic Center Plaza, Richmond, CA, 94804 (The Planning Division public counter is open Monday through Thursday from 8:30 a.m. to 4:00 p.m. and Friday from 8:30a.m. to 12:30 p.m. A digital copy of all documents incorporated by reference and cited in the SEIR will also be available at the City of Richmond Planning Division.)

## **B. PUBLIC REVIEW AND COMMENT PERIOD**

***Further notice is hereby given*** that the City invites comments on the SEIR in response to this NOA. Pursuant to CEQA Guidelines Section 15105(a), a minimum forty-five-day (45) public review period is required and shall commence on the date of this notice (February 21, 2020). Please mail or email your written comments on the Draft EIR no later than **5 p.m. on April 6, 2020** to:

Lina Velasco, Community Development Director  
City of Richmond Planning Division  
450 Civic Center Plaza-2nd Floor  
Richmond, CA 94804  
[admin@pointmolateseir.com](mailto:admin@pointmolateseir.com)

Please include in your written response the name and phone number of a contact person in your agency. In addition, comments may be provided at the Public Meeting that is noticed below.

### C. PUBLIC SCOPING MEETING

***Further notice is hereby given*** that the City has scheduled a Public Meeting at the time and location indicated below. The purposes of the Public Meeting are to describe the Modified Project and the environmental review process and to receive written and oral comments on the SEIR.

**Public Meeting:**

**March 19, 2020, 6:30 p.m.**

City of Richmond Council Chambers

440 Civic Center Plaza

Richmond, CA 94804

### D. PROJECT LOCATION

The Point Molate Site (or Project Site) is located on the San Pablo Peninsula within the City limits in Contra Costa County (County). The Project Site is bounded by the San Francisco Bay (Bay) to the west, open space parcels to the north and south, and the Chevron®-Richmond Refinery to the east, with Potrero Ridge separating the refinery from the Project Site. Approximately 136 acres of the approximately 412-acre Project Site are submerged in the Bay, leaving approximately 276 acres above water. The Project Site is approximately 1.5 miles north of Interstate 580 (I-580) and the Richmond-San Rafael Bridge, and has direct freeway access via Stenmark Drive, a City-owned roadway. The Assessor's Parcel Number of the Project Site is 561-100-008.

### E. BACKGROUND

A Draft Environmental Impact Statement/Environmental Impact Report (2009 DEIS/EIR) for the proposed Casino Project was released in July 2009. The 2009 DEIS/EIR fully analyzed five development alternatives for the Project Site, including one alternative that contained substantial commercial and residential components without a casino (Alternative D). Because the City prepared the 2009 DEIS/EIR jointly with the Bureau of Indian Affairs (BIA) to satisfy the National Environmental Policy Act (NEPA), it addressed all alternatives to the same level of detail as the proposed Casino Project, as required under NEPA (40 Code of Federal Regulations § 1502.14).

After the 2009 DEIS/EIR was completed and circulated for public review and comment, the City and the BIA decided to bifurcate the environmental review process and complete a Final EIS and Final EIR separately due to their differing internal procedures and timelines. For that reason, the City completed the 2011 FEIR under CEQA and independent of the NEPA process. Under CEQA, the level of analysis for alternatives need not be exhaustive (*Sierra Club v. City of Orange* [2008] 163 Cal.App.4th 523, 547). The 2011 FEIR analyzed the impacts of the Casino Project (Alternative A) as the Preferred Alternative and five development alternatives. In March 2011, the City Council certified the 2011 FEIR; however, after certification, the City Council discontinued consideration of the Casino Project. The Regional Water Quality Control Board (RWQCB) subsequently relied on the CEQA analysis in the 2011 FEIR to approve a Final Feasibility Study/Remedial Action Plan for remediation of the Project Site in June 2014.

The 2011 FEIR retains value for examining the impacts of the Modified Project, which is expected to have fewer, but generally similar environmental effects which can be mitigated in similar ways as those identified for Casino Project in the 2011 FEIR, but the City has determined that sufficient time has passed and changes have occurred to require updated analysis. This SEIR will compare

the Modified Project's environmental impacts to the impact conclusions in the 2011 FEIR.

## **F. PROJECT DESCRIPTION**

The Modified Project identifies eight Planning Areas within the Project Site that could be developed with the proposed mixed-use community. Potential developable areas within the Planning Areas (referred to herein as Development Areas) would be limited to no more than 30 percent of the total above-water Project Site area (approximately 82.74 acres) by the Modified Project's entitlements. Development within the Winehaven Historic District would include rehabilitation and reuse of the existing historic buildings. The Modified Project proposes to rehabilitate all of the contributors to the Historic District per the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Any structures located onsite that are not considered contributing elements of the Historic District may be demolished. Grading for hillside stability would be conducted in "Hillside Grading Areas" outside the Planning Areas, which would be revegetated and be Open Space after construction. No permanent structures would be located in the Hillside Grading Areas.

The Planning Areas within the Project Site would be assigned General Plan land use designations that exist in the current General Plan, consisting of Medium Intensity Mixed-Use and Low-Density Residential, and rezoned pursuant to a Planned Area Development Plan. The Modified Project would make minor text amendments to the Medium Intensity Mixed-Use designation to make it compatible with the existing historic buildings in the Historic District and to provide flexibility on the height limits. The Modified Project's zoning would further refine the development regulations proposed by its proposed General Plan land use designations. The hillside open space will be assigned a General Plan land use designation of Open Space and the shoreline open space would be designated as Parks and Recreation.

The Modified Project proposes a mixed-use community that would include the following components:

- Approximately 1,260 newly constructed residential units<sup>1</sup>.
- Approximately 374,572 square feet of rehabilitated existing structures and 250,000 square feet of new construction for mixed-use development that could include restaurant, retail, commercial, and/or residential uses.
- Approximately 10,000 square feet for an onsite joint fire and police substation and/or other community service uses.
- At least 70 percent of the total above-water Project Site area (approximately 193.06 acres) would remain as open space, including recreational areas, parks, trails (including an approximately 1.5-mile portion of the San Francisco Bay Trail along the shoreline), vista overlooks, and other similar spaces that are open to the public.
- A terminal on the existing pier that may be accessible to water transit options, such as ferries, water shuttles, and/or water taxis.
- New roads to serve the development within the Project Site; additionally, widening Stenmark Drive from the Project Site to I-580 Ramps.
- Utilities and infrastructure improvements that would be required to serve the new development.

From the completion of entitlement, the Applicant assumes approximately 18 to 24 months to complete design, final engineering, and environmental permitting required to begin construction. Construction of the Modified Project and all infrastructure improvements, onsite and offsite, would

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<sup>1</sup> In addition to these 1,260 units, the Modified Project may include 780 additional units in the proposed mixed use space for commercial and/or residential uses. Thus, the Modified Project may include a total of 2,040 units.

be built in a single development phase and is estimated to require a minimum of 7 to 9 years to complete. Development could be scheduled in a manner in which some Planning Areas are available for occupancy while others are being constructed (i.e., residents could possibly be living on Planning Area A while Planning Area B is being constructed).

## **G. REQUIRED DISCRETIONARY CITY APPROVALS**

Approvals required from the City of Richmond for the Modified Project may include, but are not limited to:

- General Plan Amendment
- Rezoning to Planned Area District
- Planned Area Plan
- Design Review
- Vesting Tentative Subdivision Map
- Certification of the SEIR

## **H. ENVIRONMENTAL IMPACTS**

The Draft SEIR found that impacts associated with the following issue areas would be less than significant or less than significant with mitigation: Aesthetics; Biological Resources; Cultural Resources and Tribal Cultural Resources; Energy; Geology, Soils, and Mineral Resources; Hazards, Hazardous Materials, and Wildfire; Hydrology and Water Quality; Land Use and Planning; Noise; Population and Housing; Public Services and Recreation; and Utilities and Service Systems. The Draft SEIR concludes that the Modified Project would have the following Significant and Unavoidable impacts: i) Emissions associated with operation of the Modified Project may exceed Bay Area Air Quality Management District CEQA thresholds of significance for reactive organic gases and nitrogen oxides, even after the implementation of mitigation; ii) Emissions associated with operation of the Modified Project would produce Greenhouse gas (GHG) emissions in excess of the zero GHG threshold, even with the implementation of all feasible mitigation measures; iii) Implementation of the Modified Project would increase the volume of traffic and would adversely impact various intersections during peak commute hours and exceed the level of service standards under existing and cumulative conditions, the identified mitigation would help to reduce impacts at these affected intersections, however as these intersections are not under the jurisdiction of the City, improvements to these intersections might not be achieved by the time the Modified Project begins full operations; iv) Implementation of the Modified Project would increase traffic on westbound I-580 during peak hours and increase the delay index which currently exceeds the Multi-Modal Transportation Service Objectives under existing and cumulative conditions, the identified mitigation would help to reduce impacts, however, since the City does not control the funding, improvements may not be achieved by the time the Modified Project begins full operations.