

ATTACHMENT 7

REFINED PROJECT ANALYSIS

POINT MOLATE MIXED-USE DEVELOPMENT PROJECT REFINED PROJECT ANALYSIS

1.0 INTRODUCTION

Since publication of the Draft Subsequent Environmental Impact Report (SEIR) on February 21, 2020 and the public review period, the Applicant has received input from the City of Richmond's (City) Design Review Board (DRB), Historic Preservation Commission, other City departments, regulatory agencies, and the public regarding the design of the Point Molate Mixed-Use Development Project (Modified Project). In response to comments received, minor changes have been made to the Modified Project since the circulation of the Draft SEIR. This memorandum describes the project that has been submitted through formal application to the City for approval, referred to herein as the "Refined Project" and provides an explanation of how the environmental impacts of the Refined Project have all been evaluated in the context of the Modified Project, and are within or less significant than those identified in the Draft SEIR for the Modified Project.

As part of the project entitlements, the Modified Project includes rezoning to a Planned Area ("PA") District and preparation of a PA Plan. The PA District zoning is an early-stage planning determination that facilitates "orderly development of larger sites in the City consistent with the General Plan, especially where a particular mix of uses or character is desired that can best be achieved through an integrated development plan." (Richmond Municipal Code, § 15.04.810.010.) The Applicant has submitted a Master Plan as a PA Plan, and this PA Plan will guide the future development of individual projects for the Project Site. The PA plan approval is part of the initial legislative (high-level policy) approvals phase for this project that must be approved by the City Council. Future projects within the PA District area would come back to the City for subsequent entitlements review using a Development Plan review and small-lot vesting tentative map approval process to determine if the project-level applications are consistent with the intent of all the City Council approvals.

Because the City is considering the Master Plan as a Planned Area Plan for the Project Site, the Draft SEIR for the Point Molate Mixed-Use Development analyzed a range of development Options (Option 1 and Option 2) that are allowed under the proposed Master Plan, in order to capture the full breadth of possible environmental impacts of the Modified Project. Option 1 is a residential-heavy development land use scenario and Option 2 is a commercial-heavy land use scenario. Section 3.2.1 of the Draft SEIR provides a detailed description of Option 1 and Option 2.

Since publication of the Draft SEIR, the City and the Project Applicant have received input from the City's DRB, Historic Preservation Commission, other City departments, and the public regarding the design of the Modified Project. Thus, the Applicant made refinements to the Modified Project and submitted a Refined Project in its final Project Application to the City. The Refined Project includes land uses that are entirely within the mix and envelope of land uses and environmental impacts analyzed in the Draft SEIR. Some of the refinements made to the Modified Project in the Refined Project include:

- The public expressed concern regarding the amount of housing proposed for the Modified Project based on 2,040 units analyzed in residential-heavy Option 1 of the Modified Project. Thus, the

Refined Project proposes 1,452 housing units, which is closer in range to the Commercial-Heavy Option 2 analyzed in the Draft SEIR.

- The DRB members and the public expressed concern regarding the amount of grading considered for the Modified Project. The Refined Project proposes to reduce the area of the Project Site being disturbed through grading, particularly in the hillside area.
- Several public and DRB members expressed the need to maximize public shoreline access on the Project Site. Accordingly, the Refined Project pulls back development from the shoreline area in comparison to the Modified Project, to allow greater shoreline access for the public.
- Several DRB members requested more multi-family units and fewer single-family units to reduce the development footprint. Accordingly, the Refined Project includes more multi-family units and fewer single-family units.
- Several Draft SEIR commenters raised concern regarding the lack of on-site amenities to serve future residents of the Project's residential development. To address this concern, the Refined Project includes an additional 15,000 square feet of retail/restaurant uses that would be small scale, neighborhood-level, locally serving amenities
- In response to the comments from the Historic Preservation Commissioners, the development proposal within the Winehaven District has been refined as part of the Refined Project to ensure protection of existing scenic vistas.

Because the Draft SEIR included environmental analysis in each issue area for the development option that would result in greater impacts in that issue area, and the Refined Project is a combination of those ranges of development, the Refined Project is fully within the scope of the analysis provided in the Draft SEIR. Therefore, as described in more detail below, the City has concluded that the environmental impacts of the Refined Project fall within the scope of environmental impacts analyzed, and the level of impacts are the same or lessened from the levels identified in the Draft SEIR for the Modified Project, and all mitigation measures identified in the Draft SEIR for the Modified Project would be applicable for the Refined Project. The Refined Project is described in more detail in subsequent sections.

2.0 DESCRIPTION OF REFINED PROJECT

As discussed in Section 1.1 of the Draft SEIR, the Modified Project made certain changes in land use and intensities to the project and alternatives analyzed in the 2011 FEIR for the Point Molate Mixed-Use Tribal Destination Resort and Casino Project. While the City certified the 2011 FEIR, the City did not approve a project at that time. The 2011 FEIR studied the environmental impacts of seven different project alternatives, including the Casino Project (Alternative A) as well as several other alternatives, including the "Preserve Building 6" Mixed Use Tribal Destination Resort and Casino with Residential Component (Alternative B1) and the Non-Trust Acquisition with Non-Gaming Mixed-Use Development Alternative (Alternative D). Alternatives B1 and D of the 2011 FEIR reflected the conceptual development pattern of the Base Reuse Plan that was also incorporated into the City's General Plan.

The Modified Project analyzed in the Draft SEIR proposed similar land uses as Alternative D of the 2011 FEIR, which entailed a mixed-use development of residential, commercial, and open space/recreation uses. However, rather than demolish a large portion of the historic buildings, the Modified Project

proposes to rehabilitate and/or provide adaptive reuse for all of the building contributors to the Historic District, similar to Alternative B1 of the 2011 FEIR.

Now, as discussed above, further refinements have been made to the uses proposed by the Modified Project in the form of Refined Project. Based on inputs from the City's DRB, Historic Preservation Commission, other City departments, and the public comments regarding the design of the Modified Project, refinements were made to the Modified Project. As set forth in the Modified Project evaluated in the Draft SEIR, the Refined Project also proposes a mixed-use community and the same land uses but with a distribution and configuration that has been adjusted within the identified planning areas.

A detailed comparison of the Refined Project and the Modified Project land use scenarios evaluated in the Draft SEIR is presented in **Table 1**. **Figure 1** depicts the Refined Project, which would include the following components:

- 1,452 residential units, comprised of the following unit types:
 - 185 single family homes
 - 241 townhomes
 - 1,026 apartments and condominiums
- 453,774 square feet of nonresidential uses:
 - 55,000 retail/restaurant uses (including 15,000 being neighborhood serving)
 - 10,000 square feet of civic uses, including a fire station and police substation
 - 5,000 square feet water transit service terminal
 - 383,774 square feet office/research and development

The Refined Project will include several neighborhoods, with two mixed-use residential areas that include neighborhood-serving commercial uses on the ground floor (**Figure 2**, **Figure 3a**, and **Figure 3b**). A third neighborhood is centered around the rehabilitation and renovation of the Winehaven Historic District (**Figure 3c**). Within the Winehaven Historic District, the Refined Project would rehabilitate approximately 374,572 square feet of existing historic buildings for reuse as offices or other commercial uses and/or residences. An additional 250,000 square feet of new buildings would be added to the Winehaven Historic District to complement the historic buildings and create a vibrant mixed-use village center.

Figure 4 illustrates the maximum grading boundaries of the Refined Project compared to the range of development analyzed in the Draft SEIR. As illustrated in **Figure 4**, the maximum areas under the Refined Project are largely consistent with those of the Modified Project. In most areas, the Refined Project has eliminated grading, including retreating from the hillsides on the northeast edge of the Project Site. In some areas, the grading footprint was expanded to accommodate anticipated infrastructure related to the development of project components; for example, the grading was expanded near Ridge Road to ensure the feasibility of the water tanks. Additionally, the grading for the Refined Project extends closer to the shoreline along the southwestern boundary of the Project Site in order to accommodate the Bay Trail and landscaping improvements in the existing Beach Park and proposed shoreline park area. The revisions to the maximum grading boundaries under the Refined Project are consistent with the analysis presented in the Draft SEIR and therefore do not alter the conclusions of the Draft SEIR.



Figure 1
Illustrative Master Plan



Figure 2
Land Use



Figure 3a
The Promenade Neighborhood



Figure 3b
The Point Neighborhood



Figure 3c
The Village Neighborhood



Figure 4
Refined Project Maximum Grading Boundaries

Constructed homes would include a range of sizes, from apartments to larger homes. These residences could consist of 152 single-family homes, 616 units of low-rise apartments and townhomes, and 492 units of mid-rise apartments and condominiums. Sixty-seven homes will be reserved onsite for families meeting the income requirements to qualify for affordable housing along with provisions for additional off site affordable units.

Approximately seventy percent of the Project Site (approximately 193.06 acres) would remain as public parks and natural open space, including miles of hiking and biking trails. The project will increase the shoreline access by extending and improving the existing shoreline park and completing an approximate 1.5-mile segment of the Bay Trail, running along the entire length of the shoreline on the Project Site. Further, the Refined Project will provide pier upgrades and amenities, including a 100-space parking lot that would accommodate a water taxi service between the Project Site, other nearby ferry terminals, and San Francisco. The public parking spaces that would serve the water transit riders could be used by weekend visitors looking to shop, dine, or enjoy the views and recreational opportunities offered by the hillside open space and the shoreline park. **Figure 5** illustrates the open space proposed under the Refined Project.

The Refined Project also would include new roads to serve the development within the Project Site, including widening Stenmark Drive from the Project Site to I-580 ramps, and construction of utility and infrastructure needed to support the proposed development.

3.0 ENVIRONMENTAL ANALYSIS

As described in **Section 1.0** and in the analysis below, because the Draft SEIR included environmental analysis for the most intensive range of developments allowed under the PAD, the Refined Project is within the range of developments contemplated (including alternatives) and is fully within the scope of the analysis provided in the Draft SEIR. This section discusses how the environmental analysis presented in the SEIR applies to the Refined Project.

3.1 AESTHETICS

Impacts associated with aesthetic resources under the Refined Project are within those described for the Modified Project and have been reduced further in response to agency and public comments expressing concern for aesthetic resources. As with the Modified Project, the Refined Project would not block views of the Bay from Stenmark Drive or other currently publicly accessible locations. As with the Modified Project, the Refined Project would adhere to Zoning Ordinance's General Site Regulations, which contain standards for visual development, including control of height, materials, and design; be consistent with proposed General Plan height and intensity/density restrictions on the Project Site; and be required to meet the design and lighting guidelines developed for the Plan Area. The Modified Project would not conflict with zoning and the Refined Project would result in less-than-significant impacts to aesthetic resources with the mitigation included in Section 4.1.6 of the Draft SEIR.

Exhibit 10a -Parks & Open Space Acreages

- 275.8 Acres Above Mean High Water
- 193 Acres of Publicly Accessible Parks & Open Space
 - 150 Acres of Conservation Lands
 - 37 Acres of Shoreline Park
 - 6 Acres of Park/Plaza/East-West Connections
 - 1.7 Miles of Publicly Accessible Shoreline



TABLE 1
COMPARISON OF REFINED PROJECT TO OPTION 1 AND OPTION 2

Planning Areas	Development Areas	Option 1 (Residential-Heavy Development)	Option 2 (Commercial-Heavy Development)	Refined Project
A, B	I, II	416 residential units: <ul style="list-style-type: none"> • 90 single family homes • 176 townhomes • 150 multi-family units 	416 residential units: <ul style="list-style-type: none"> • 90 single family homes • 176 townhomes • 150 multi-family units 	408 residential units: <ul style="list-style-type: none"> • 55 single-family homes • 213 townhomes • 140 multi-family units 5,000 square feet ground-floor commercial uses
C	III	199 residential units: <ul style="list-style-type: none"> • 129 single family homes • 70 multi-family units 	199 residential units: <ul style="list-style-type: none"> • 129 single family homes • 70 multi-family units 	168 residential units <ul style="list-style-type: none"> • 83 single-family units • 85 multi-family units
D	IV	35 residential units, all single-family homes	35 residential units, all single-family homes	66 residential units, all multi-family units
E	V	270 residential units, all multi-family units	270 residential units, all multi-family units	300 multi-family residential units 10,000 square feet ground-floor commercial uses
F, G, H	VI, VII	1,120 residential units <ul style="list-style-type: none"> • 1,100 multi-family units • 20 single-family homes 40,000 square feet retail/restaurant 10,000 square feet civic/community uses 5,000 square feet water transit terminal	340 residential units <ul style="list-style-type: none"> • 320 multi-family units • 20 single-family homes 40,000 square feet retail/restaurant 584,572 square feet office/R&D 10,000 square feet civic/community uses 5,000 square feet water transit terminal	510 residential units <ul style="list-style-type: none"> • 47 single-family homes • 28 townhomes • 435 multifamily units Approximately, 423,774 square feet commercial (including 40,000 retail/restaurant) 10,000 square feet civic/community uses 5,000 square feet water transit terminal

3.2 AIR QUALITY AND GREENHOUSE GAS EMISSIONS

3.2.1 Air Quality

Air quality emissions estimates were prepared for the Refined Project using the same methodology as the Modified Project (see Section 4.2.5.2 of the Draft SEIR) and are included as **Attachment 20** to the Response to Comment document. As shown in **Table 3**, the Refined Project has higher construction emissions than the land use scenarios analyzed in the Draft SEIR due to higher total square footage of the Refined Project. Nonetheless, construction emissions from the Refined Project would remain below the BAAQMD CEQA thresholds of significance. As shown in **Table 4** and **Table 5**, the Refined Project has lower operational emissions than the land use scenarios analyzed in the Draft SEIR. In summary, the Refined Project would result in no additional impacts to air quality emissions than identified in the Draft SEIR with the mitigation included in Section 4.2.6 of the Draft SEIR.

TABLE 3
COMPARISON OF CONSTRUCTION EMISSIONS

Category	Criteria Air Pollutants					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
	(lbs/day)					
Modified Project Option 1	15	30	51	0.20	0.26	0.24
Modified Project Option 2	13	30	48	0.19	0.25	0.23
Refined Project	14	37	55	0.23	0.27	0.25
<i>BAAQMD Threshold</i>	<i>54</i>	<i>54</i>	<i>-</i>	<i>-</i>	<i>82</i>	<i>54</i>
Notes: Including WWTP construction. Source: Attachment 20 of the Response to Comments document.						

TABLE 4
COMPARISON OF MODIFIED PROJECT OPERATIONAL EMISSIONS

Category	Modified Project Option 1						Modified Project Option 2					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
	(lbs/day)											
Area	45	0.71	0.31	0.0045	0.058	0.058	41	0.71	0.31	0.0045	0.058	0.058
Energy - Electricity	0	0	0	0	0	0	0	0	0	0	0	0
Energy - Natural Gas	0.84	7.2	3.5	0.046	0.58	0.58	1.0	9.1	5.6	0.056	0.71	0.71
Mobile	16	34	167	0.50	29	8.6	16	33	163	0.49	29	8.4
Stationary	0.19	0.50	3.3	0.0073	0.013	0.013	0.19	0.50	3.3	0.0073	0.013	0.013
Waste	0	0	0	0	0	0	0	0	0	0	0	0
Water	0	0	0	0	0	0	0	0	0	0	0	0
Ferry	3.3	23	14	0.015	0.83	0.83	3.3	23	14	0.015	0.83	0.83
WWTP	0.29	0.20	0.59	0.0022	0.11	0.034	0.29	0.20	0.59	0.0022	0.11	0.034
Total	65	65	189	0.57	31	10	61	66	187	0.57	30	10
Notes: Some totals may not add up exactly due to rounding. Source: Attachment 20 of the Response to Comments document.												

TABLE 5
REFINED PROJECT OPERATIONAL EMISSIONS

Category	Refined Project					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
	(lbs/day)					
Area	40	0.35	0.16	0.0022	0.029	0.029
Energy - Electricity	0	0	0	0	0	0
Energy - Natural Gas	1.0	8.8	5.1	0.055	0.69	0.69
Mobile	14	30	151	0.5	27	7.8
Stationary	0.19	0.50	3.3	0.0073	0.013	0.013
Waste	0	0	0	0	0	0
Water	0	0	0	0	0	0
Ferry	3.3	23	14	0.015	0.83	0.83
WWTP	0.29	0.20	0.59	0.0022	0.11	0.034
Total	59	63	175	0.53	28	9.4
Notes: Some totals may not add up exactly due to rounding. Source: Attachment 20 of the Response to Comments document.						

3.2.2 Greenhouse Gas Emissions

In accordance with Mitigation Measure 4.2-5, a Greenhouse Gas Reduction Plan (GHGRP) has been prepared for the Refined Project and is included as **Attachment 8** to the Response to Comment document. As part of the preparation of the GHGRP, air quality emissions from the Refined Project were modeled using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2, with the exception of mobile emissions. Mobile emissions were estimated by multiplying the anticipated VMT associated with the Refined Project with emission factors provided in the California Air Resources Board's (CARB's) Emission FACtor 2017 (EMFAC 2017) model. As shown in Table 6 of **Attachment 8** of the Response to Comments Document, the GHG emissions of the Refined Project without any GHG reduction measures would be approximately 12,707 MTCO₂e/year with the on-site WWTP and approximately 12,520 MTCO₂e/year without the on-site WWTP. Therefore, the Refined Project would result in less total unmitigated GHG emissions than those presented in both Options 1 (14,948 MTCO₂e/year) and 2 (14,982 MTCO₂e/year) of the Modified Project. GHG emissions associated with the Refined Project were further adjusted to account for implementation of Mitigation Measure 4.2-3 and Mitigation Measure 4.2-4, and are shown in Table 7 of **Attachment 8** of the Response to Comments Document. Section 3.2.4 of **Attachment 8** of the Response to Comments document further quantifies the GHG emissions reductions associated with Mitigation Measure 4.2-5 including:

- Requiring additional on-site solar energy production,
- Requiring commercial tenants to opt into a 100 percent carbon-free electricity provider option
- Requiring use of electrically powered landscape equipment
- Install EV chargers at multifamily residential buildings
- Installing additional EV chargers in single-family residences and commercial parking lots
- Providing additional residential and commercial bike parking

- Plant additional trees throughout the Project Site.
- Install light-emitting diode (LED) streetlights.
- Requiring Electric Fireplaces, Appliances, Water, and Space Heating in Residences

GHG emissions reductions associated with the implementation of Mitigation Measure 4.2-5 are shown in Table 8 of **Attachment 8** of the Response to Comments Document. Additional GHG emissions reduction measures shown here include the use of a zero emissions water taxi serving the Project Site and compliance with the City's 90 percent waste diversion target upon full buildout of the Refined Project.

In addition to the measures described above, the City has identified a local offset project which the Refined Project could support to reduce its GHG emissions further. A combined heat and power plant has been proposed at the HydroScience facility that would produce electricity and steam for the City by combusting a blend of biogas enriched with natural gas associated with operation of the facility's wastewater treatment plant. The project has two implementation options: a cogeneration plant with heat capture and without heat capture. The implementation of this project would result in GHG emission reductions of 1,452 MTCO₂e/year with heat capture, or 857 MTCO₂e/year without heat capture. As shown in Table 9 of **Attachment 8** of the Response to Comments Document, with the identified GHG reduction measures and identified local offset projects, GHG emissions would be reduced by approximately 48 percent to approximately 6,595 MTCO₂e/year with the on-site WWTP and approximately 49 percent to 6,408 MTCO₂e/year without the on-site WWTP. Stated differently, the Modified Project would result in 1.14 or 1.18 MT CO₂e/year/service population at buildout, depending on whether an onsite WWTP is constructed. This level of emissions is below the target of 6 MT CO₂e/year per capita by 2030 and 2 MT CO₂e/year per capita by 2050 that CARB recommends cities achieve. (2017 Scoping Plan, at 99.)

The Draft SEIR had contemplated that the Project Proponent may purchase carbon offset credits from a CARB-approved registry to meet the City's net zero GHG emission threshold. Since publication of the Draft SEIR, *Golden Door Properties, LLC v. County of San Diego*, Case No. D075328 (June 12, 2020) has clarified that credits purchased from registries may not meet CEQA's mitigation measure requirements because the emission reductions achieved from such credits may not be additional to existing requirements on a project and because a local jurisdiction may not be able to adequately ensure the stated emission reductions will not be reversed. In addition, the City has decided that out-of-jurisdiction GHG emission reductions do not meet its policy to focus on GHG reduction measures that provide co-benefits (CAP, at 1–2, 19–21) to the same degree as local offsets. For these reasons, the purchase of carbon offsets outside the City is no longer considered a feasible mitigation measure to reach the net zero GHG emissions.

As demonstrated in the GHGRP, it is currently infeasible for the Refined Project to result in net zero GHG emissions throughout the lifetime of the project through mitigation and supporting the local offset project. However, as described in Impact 4.2.7 of the Draft SEIR, City does not support the purchase of registry credits created by offset projects outside the City's control as mitigation. Accordingly, even with the significant reductions achieved through implementation of the GHGRP, as with the Modified Project in the Draft SEIR, this impact is being deemed significant and unavoidable—in an abundance of caution—due to the uncertainty regarding availability of local offset credits. Therefore, the Refined Project would result

in no additional impacts related to GHG emissions than identified in the Draft SEIR with the mitigation included in Section 4.2.6 of the Draft SEIR.

3.3 BIOLOGICAL RESOURCES

Impacts associated with biological resources under the Refined Project are within those described for the Modified Project, and have been reduced further in response to agency and public comments expressing concern for onsite habitats, species, and state and federal waters and wetlands. The Draft SEIR assumed the highest potential level of impacts to biological resources based on the options analyzed within the Draft SEIR. As stated within Section 4.3.5.2 of the Draft SEIR, “Under each potential construction scenario, impacts related to those thresholds of significance presented in **Section 4.3.5.1** would be similar. There would be no significant difference in construction and operation impacts, habitat conversion, and impacts to special-status species. Because no significant difference in impacts would occur to biological resources as a result of commercial mixed-use space compared to residential mixed-use space, the analysis presented herein is appropriate for either circumstance.” The Refined Project is a combination of the land use development scenarios evaluated in the Draft SEIR and therefore falls within the scope of analysis presented for biological resources within the Draft SEIR.

As with the Modified Project, the Refined Project avoids all known locations of special-status plants. Mitigation measures presented in Section 4.3.6 of the Draft SEIR are sufficient to mitigate for possible impacts to special-status species with the potential to occur on the Project Site. This includes impact avoidance, such as the installation of buffers around active bird nests for construction commencing during the nesting season, that would prevent take of special-status wildlife. The Refined Project would not impact wildlife corridors beyond that which is already analyzed in the Draft SEIR. No significant nursery sites occur on the Project Site that could be impacted by the Refined Project. The Refined Project, with incorporation of mitigation presented in Section 4.3.6 of the Draft SEIR, would be consistent with regulatory framework discussed within Section 4.3.2 of the Draft SEIR. There are no Conservation Plans that encompass the Project Site; therefore, the Refined Project would not cause conflict with a Conservation Plan.

Table 5 outlines the changes in acreage impacts by habitat type. **Figure 4** shows the extent of the grading area analyzed in the Draft SEIR compared to the grading area of the Refined Project.

Total acreage impacts of the Refined Project are less than that of the Modified Project. Acreage impacts to sensitive habitats, including coastal terrace prairie, coastal scrub, mixed riparian, seasonal wetlands, and ephemeral drainage, are less than that of the Modified Project. The minor changes in land uses in the Refined Project helped facilitate the above reductions in impacts, and would result in less-than-significant impacts to biological resources with the mitigation included in Section 4.3.6 of the Draft SEIR.

TABLE 5
COMPARISON OF IMPACTS BY HABITAT TYPE

Habitat Type	Acreage Impacts of from Draft SEIR	Acreage Impacts of the Refined Project
Terrestrial		
Ruderal/Developed	63.9	63.7
Annual Grassland	19.2	11.3
Coastal Terrace Prairie Grassland	4.5	4.0
Coastal Scrub	25.6	14.7
Invasive Scrub	13.1	9.6
Mixed Riparian	0.7	0.25
Eucalyptus Woodland	23.9	11.1
Beach Strand	0	0
Aquatic		
Navigable Waters	0	0
Eelgrass Bed	0	0
Seasonal Wetland	1.3	0.86
Ephemeral Drainage	0.3 (883.8 linear feet)	0.1 (335.5 linear feet)
Tidal Marsh	0	0
Total Impact Area	152.5	115.6

3.4 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

Impacts associated with cultural resources and tribal cultural resources under the Refined Project would be within those described for the Modified Project, and have been reduced further in response to agency and public comments expressing concern for cultural resources and tribal cultural resources. As described in **Section 1.2** and illustrated in **Figure 4**, the Revised Project would have similar maximum grading boundaries as the Modified Project. As with the Modified Project, the Refined Project does not propose the demolition of any buildings within the Winehaven Historic District and any new development would be consistent with the Secretary's Standards, HPC approvals, and project-specific design guidelines identified in Mitigation Measure 4.4-2 of the Draft SEIR. Mitigation in the Draft SEIR would require worker training, monitoring during ground disturbance activity, implementation of the Cultural Resources Data Recovery Plan included as **Attachment 19** of Response to Comments document, native plantings, and the construction of interpretive features to reduce potential impacts to historic and archaeological resources, human remains, and tribal cultural resources. As concluded in the Draft SEIR, the Refined Project would also result in less-than-significant impacts to cultural and tribal cultural resources with the mitigation included in Section 4.4.8 of the Draft SEIR.

3.5 ENERGY

Impacts associated with energy under the Refined Project would be within those described for the Modified Project in the Draft SEIR, and have been reduced further in response to agency and public

comments expressing concern for energy use. As with the Modified Project, the Refined Project would not conflict with a State or local plan for renewable energy or energy efficiency. Construction of the Modified Project would not result in inefficient, wasteful, or unnecessary consumption of fuel energy with Mitigation Measure 4.2-1(f) in the Draft SEIR. Similarly, construction of the Refined Project would use all Tier 4 Final off-road equipment, except for paving equipment, and reduce energy consumption by requiring the contractor to minimize equipment idling time. Operation of the Modified Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources with Mitigation Measures 4.2-2 and 4.13-6 in the Draft SEIR. The Refined Project would be required to adopt all energy conserving measures included in Mitigation Measure 4.2-2 and would include the implementation of a Transportation Demand Management (TDM) plan, as identified in Mitigation Measure 4.13-6, to reduce operational fuel consumption. As concluded in the Draft SEIR, the Refined Project would also result in less-than-significant impacts to energy resources with the mitigation included in Section 4.5.6 of the Draft SEIR.

3.6 GEOLOGY, SOILS, AND MINERAL RESOURCES

Impacts associated with geology, soils, and mineral resources under the Refined Project would be the same as, and within the footprint of those described for the Modified Project in the Draft SEIR. As with the Modified Project, the Refined Project would be subject to a grading permit from the City Building Official and all grading would be required to be consistent with the City's Excavation, Grading, and Earthwork Construction Ordinance. All buildings, existing and new, on the Project Site would comply with current industry standard geotechnical practices and seismic structural design according to the 2019 California Building Standards Code. Mitigation in the Draft SEIR that would also apply to the Refined Project, and would require a geotechnical evaluation of the Refined Project, temporary dewatering during underground construction, the inclusion of foundation subdrainage to all buildings, and methods to properly address the potential discovery of paleontological resources during construction-related earth-moving activities. As concluded in the Draft SEIR, the Refined Project would also result in less-than-significant impacts to geology, soils, and mineral resources with the mitigation included in Section 4.6.6 of the Draft SEIR.

3.7 HAZARDS, HAZARDOUS MATERIALS, AND WILDFIRE

Impacts associated with hazards, hazardous materials, and wildfire under the Refined Project would be within those described for the Modified Project in the Draft SEIR, and have been reduced further in response to agency and public comments expressing concern for hazards, hazardous materials, and wildfire. The handling of hazardous materials (including transportation, storage, use, disposal, and labeling) would be governed by federal and state regulations to ensure proper transport. Remediation of the Project Site would occur as described in the mitigation measures included in Section 4.7.6 of the Draft SEIR for the Refined Project as well. The Emergency Response Plan and the Wildfire Emergency Response Plan, included as **Attachment 9** and **Attachment 16**, respectively, of the Response to Comment document, have been prepared for the Refined Project pursuant to Mitigation Measures 4.7-1 and 4.7-3 of the Draft SEIR. Stenmark Drive would remain passable to through traffic, fuel reduction measures would be included in a site-specific open space plan, spark arresting measures would be applied to construction equipment, and a site-specific emergency response plan would be developed and implemented for the Refined Project. As concluded in the Draft SEIR, the Refined Project would also result in less-than-significant impacts to hazards, hazardous materials, and wildfire with the mitigation included in Section 4.7.6 of the Draft SEIR.

3.8 HYDROLOGY AND WATER QUALITY

Impacts associated with hydrology and water quality under the Refined Project would be within those described for the Modified Project in the Draft SEIR, and have been reduced further in response to agency and public comments expressing concern for hydrology and water quality. The Water and Wastewater Master Plan, included as Appendix E of the Draft SEIR, analyzed Option 1 (Residential-Heavy Option) because its impacts on hydrology and water quality would be greater than the impacts of Option 2, and thus represented a worst case. All land use development scenarios include the same number of newly developed residential units (1,260), the rehabilitation of the historic buildings for a mix of uses, and an additional 250,000 square feet of development in the Winehaven Historic District. As described in **Section 1.2**, the potential grading area for the Refined Project is less than what was analyzed for the Modified Project in the Draft SEIR. Therefore, the Refined Project would have lower probability of storm water runoff and impacts to hydrology and water quality resulting from implementation of the Refined Project would be less than those described in the Draft SEIR. As concluded in the Draft SEIR, the Refined Project would result in less-than-significant impacts to hydrology and water quality with the mitigation included in Section 4.8.6 of the Draft SEIR.

3.9 LAND USE AND PLANNING

Impacts associated with land use and planning under the Refined Project would be within those described for the Modified Project in the Draft SEIR as the Refined Project involves the similar mix and envelope of uses. As discussed in Section 3.0 of the Draft SEIR, the Modified Project also includes a General Plan Amendment and rezoning to change the Project Site General Plan land use designations and zoning designations to allow for the proposed development. The Refined Project fits within and is consistent with the proposed General Plan Amendment and rezoning. As with the Modified Project in the Draft SEIR, the Refined Project proposes a mixed-use community that would include both residential and commercial development which includes land uses that are a combination of those analyzed for Option 1 and Option 2 of the Modified Project, as illustrated in **Table 1**. As concluded in the Draft SEIR, the Refined Project would also result in less-than-significant impacts related to land use and planning.

3.10 NOISE

Impacts associated with noise under the Refined Project would be within those described for the Modified Project in the Draft SEIR. As described in **Section 1.2**, the Refined Project includes development within the footprint analyzed under the land use scenarios of the Modified Project in the Draft SEIR. No land uses which associated with high noise levels (such as outdoor amphitheaters) are being added as part of the Refined Project; therefore, as with the Modified Project, operation of the Refined Project would not result in noise levels exceeding applicable standards. As described in **Section 3.13** below, the Refined Project would result in fewer vehicle trips than analyzed for the Modified Project in the Draft SEIR. Therefore, off-site traffic noise impacts related to increases in traffic resulting from the Refined Project would remain less than significant. Due to the same square footage and residential units of new development, same rehabilitated square footage, and similar parcel boundaries, the Refined Project would require similar level of construction activities as the Modified Project analyzed in the Draft SEIR, and would also remain less-than-significant impacts from construction noise and vibration with the implementation of Mitigation Measures 4.10-1 and 4.10-2 included in Section 4.10.6 of the Draft SEIR.

Additionally, implementation of Mitigation Measures 4.10-3, 4.10-4, and 4.10-5 would ensure less-than-significant noise impacts at proposed sensitive receptors under the Refined Project.

3.11 POPULATION AND HOUSING

Impacts associated with population and housing under the Refined Project would be within those described for the Modified Project in the Draft SEIR because the overall amount of development would be similar or slightly less, given that the number of residential units proposed under the Refined Project is less than the number of residential units proposed under Option 1 and more than that proposed under Option 2 of the Modified Project. As with the Modified Project, the Refined Project would not require additional housing for construction workers because it is anticipated that sufficient labor exists within the area to construct the Refined Project. Additionally, the Refined Project would not directly induce substantial new population growth in the City because the City has planned for the redevelopment of Point Molate for years and the addition of residential units responds to existing demand, rather than creating unplanned, induced demand. On-Site and off-site infrastructure would be developed and sized to serve only the Refined Project, existing users, and planned future growth, and the Refined Project would not result in indirect population growth as a result of the extension of utilities or road improvement infrastructure to the Project Site. As concluded in the Draft SEIR, the Refined Project would also result in less-than-significant impacts related to population and housing.

3.12 PUBLIC SERVICES AND RECREATION

Impacts associated with public services and recreation under the Refined Project would be within those described for the Modified Project in the Draft SEIR, and have been reduced further in response to agency and public comments expressing concern for public services and recreation. As with the Modified Project, fire protection, police protection, and emergency medical services for the Refined Project would be provided by a new joint fire and police substation that would be located in the boundaries of the Winehaven Historic District, and any municipal impact fees resulting from implementation of the Refined Project would be paid by the Project Proponent. The Refined Project would adhere to the requirements of SB 50, and this would constitute full mitigation for impacts to school facilities caused by the increase in school enrollment in the West Contra Costa Unified School District from the Refined Project. As with the Modified Project in the Draft SEIR, Mitigation Measure 4.12-1 specified in Section 4.12.6 of the Draft SEIR would ensure that the Refined Project complies with the City's parkland ordinance (RMC section 15.04.708.030) by providing sufficient parkland or paying the City's in lieu fee to meet the City's parkland goals for its residents. As concluded in the Draft SEIR, the Refined Project would also result in less-than-significant impacts to public services and recreation with the mitigation included in Section 4.12.6 of the Draft SEIR.

3.13 TRANSPORTATION

Impacts associated with transportation under the Refined Project are within those described for the Modified Project in the Draft SEIR, and have been reduced further in response to agency and public comments expressing concern for transportation. **Attachment 17** of the Response to Comments document provides a comparison between the estimated vehicle trips for the Modified Project in the Draft SEIR and the reductions in estimated vehicles trips achieved with the minor changes in land uses

presented in the Refined Project, and **Attachment 11** of the Response to Comments document provides a preliminary transportation demand management plan for the Refined Project. The trip generation for the Refined Project were estimated using the same average rates and fitted curve equations as the revised trip generation for Option 2 of the Draft SEIR. In addition, the same trip reduction percentages are applied. In comparing the Refined Project trip generation to the Modified Project trip generation, the Refined Project would be expected to generate 390 fewer daily trips, 133 fewer AM peak hour trips, and 4 fewer PM peak hour trips. Therefore, the Refined Project would result in no additional impacts than those identified in the Draft SEIR for the AM peak hour and PM peak hour trips or increase the severity of already identified impacts in the Draft SEIR. The mitigation measures that apply to the Modified Project in the Draft SEIR will also apply to the Refined Project.

3.14 UTILITIES AND SERVICE SYSTEMS

Impacts associated with utilities and service systems under the Refined Project are within those described for the Modified Project in the Draft SEIR, and have been reduced further in response to agency and public comments expressing concern for utilities and service systems. As described in **Attachment 21** of the Response to Comments document, the Refined Project would use less water than assumed for the Modified Project. As described in **Attachment 18** of the Response to Comments document, Wastewater Treatment Variant B described in the Draft SEIR was reevaluated and adjusted to allow removal of the Marine Street Lift Station from the project design. However, the removal of the lift station on Marine Street from the project does not change the project analysis since additional flow at a point downstream on Tewksbury Avenue had also been analyzed, and the volume of flow is to remain the same. As illustrated in **Attachment 18** of the Response to Comments document, the refined route would maintain the majority of the original route while eliminating the branch of pipeline along Marine Street southwest of Western Drive. As with the Modified Project, the sewer force main included in Wastewater Treatment Variant B under the Refined Project would be located within the public right of way to the point of connection on Tewksbury Road. Mitigation Measure 4.14-1 specified in Section 4.14.6 of the Draft SEIR would ensure that the Refined Project would properly apply to connect to the RMSD for conveyance and treatment of wastewater generated at the Project Site and implement upgrades to the conveyance system to provide adequate conveyance and treatment capacity for wastewater on the Project Site, if necessary. The minor changes in land uses in the Refined Project help avoid or reduce the impacts of the Modified Project, and would also result in less-than-significant impacts to utilities and service systems with the mitigation included in Section 4.16.6 of the Draft SEIR.