



PLANNING COMMISSION

AGENDA REPORT

Item #2
Governor's Office of Planning & Research

AUG 03 2020

STATE CLEARINGHOUSE

August 6, 2020

COMMUNITY DEVELOPMENT

PREPARED BY: Lina Velasco, Community Development Director

SUBJECT: POINT MOLATE MIXED-USE DEVELOPMENT PROJECT, PLN20-057:
PRESENTATION of the Final Subsequent Environmental Impact Report
(SEIR)

LOCATION: 2100 Stenmark Drive (APN: 561-100-008)

APPLICANT: Winehaven Legacy LLC

OWNER: City of Richmond

ZONING: PR, Parks and Recreation, CG, Commercial General, IL, Industrial Light, RM-1, Medium Density Residential, RH, Hillside Residential OS, Open Space, and -L, Landmark Overlay

GENERAL PLAN: Hillside Residential, Medium Density Residential, Parks and Recreation, Business/Light Industrial, and Open Space

CEQA: The City of Richmond (City), acting as Lead Agency, has prepared a Subsequent Environmental Impact Report (SEIR) (State Clearinghouse #2019070447), consisting of a Draft Subsequent Environmental Impact Report and Responses to Comments document (collectively, Final SEIR), per CEQA Guidelines Section 15161 (further details and discussion are contained in the Environmental Review Section of this report) to analyze the potential environmental effects of the proposed Point Molate Mixed-Use Development Project (Project). The Draft SEIR was released for a 70-day public comment period on February 21, 2020. The public comment period ended at 5 PM on April 30, 2020. All comments, raising environmental issues, received on the Draft SEIR by the close of the comment period were responded to and addressed in the Response to Comment document, which was released on July 24, 2020.

RECOMMENDED ACTION:

1. RECEIVE a presentation of the Final Subsequent Environmental Impact Report (SEIR), consisting of the Draft SEIR and Responses to Comments for the Point Molate Mixed Use

Development Project. (This presentation is not a hearing on the Project, Project Entitlements, or certification of the Final SEIR. The intent of this presentation is to provide the Planning Commission and public with an overview of the Final SEIR. No action will be taken by the Planning Commission at this meeting.)

BACKGROUND:

The City of Richmond (City), acting as Lead Agency, prepared a draft Subsequent Environmental Impact Report (SEIR) to analyze the potential environmental impacts that could result from the proposed Point Molate Mixed-Use Development Project (Project).

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 the 480-foot hillsides of 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 and the Richmond-San Rafael Bridge, and has direct freeway access via Stenmark Drive. The Project Site also contains the Winehaven Historic District and the Point Molate Beach Park.

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). 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.

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 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. Thus, 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 sufficient time has passed and changes have occurred to require updated analysis. This SEIR compares the Modified Project's environmental impacts to the impact conclusions in the 2011 FEIR.

Project Description

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 City Council approvals, including the PA Plan, PA District zoning, and the SEIR.

The Modified Project identifies eight Planning Areas (Planning Areas A through H) 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 approximately 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 (1) increase the maximum permitted floor area ratio from 2 to 2.5 in the Winehaven District, (2) to permit greater heights and residential or commercial uses only with approval of a Planned Area District (PAD),

and (3) permit low-rise development with approval of a PAD. The Modified Project also proposes to modify the text describing Change Area 13 to make it consistent with the Modified Project. 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 PA District for the Project Site defines its development capacity as follows:

A. Residential Capacity: up to 2,040 residential units in eight planning areas as follows:

1. Planning Areas A and B: 408 new units
2. Planning Area C: 168 new units
3. Planning Area D: 66 new units
4. Planning Area E: 300 new units
5. Planning Areas F, G, and H: 625 new units and up to 473 units in the existing historic buildings

The PM-PAD allows up to a 20 percent increase in the residential development capacity of any planning area as long as the total number of residential dwelling units in the PM-PAD Plan area does not exceed 2,040.

B. Historic District: The development capacity in Planning Areas F, G, and H, which comprise the Winehaven Historic District, can be in the range of (1) 1,098 residential units and 40,000 square feet of general commercial space and (2) 318 residential units and 624,572 square feet of general commercial space.

C. Commercial Capacity:

1. Planning Areas F, G, and H: The PM-PAD Plan allows up to 624,572 square feet of general commercial space (which can include neighborhood-serving commercial spaces), of which 40,000 square feet can be high-trip commercial uses, such as regional-serving retail and restaurant uses.
2. Planning Areas A and E: The PM-PAD allows up to 15,000 square feet of neighborhood-serving commercial spaces.

D. Cultural and Civic Capacity: Planning Areas D, E, and F permit up to 10,000 new square feet of buildings for cultural and/or civic uses. Cultural and civic uses also are permitted in other planning areas as per the proposed PASD zoning. Up to 5,000 square feet can be refurbished (or if necessary constructed) in Planning Area E for a building to serve water transit uses.

Approximately 70 percent of the Site (approximately 193 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 contributing funds

toward the construction of an approximately 1.5-mile segment of the Bay Trail. The Project also would include new roads to serve the development within the Site, including widening Stenmark Drive from the Project Site to the I-580 ramps and construction of utility and infrastructure needed to support the Project.

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.

- The Modified Project proposes a mixed-use community that includes two options: Option 1 (Residential Heavy Option) and Option 2 (Commercial-Heavy Option). Both of these options would include the following components: Approximately 1,260 newly constructed residential units.
- 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.

Under Option 1, the approximately 374,572 square feet of rehabilitated historic buildings would contain 20,000 square feet of retail/restaurant uses and 473 residential units. The approximately 250,000 square feet of new construction would contain 20,000 square feet of restaurant/retail uses and 307 residential units.

Under Option 2, the approximately 374,572 square feet of rehabilitated historic buildings would contain 20,000 square feet of retail/restaurant uses and 354,572 square feet of other commercial uses. The approximately 250,000 square feet of new construction would contain 20,000 square feet of restaurant/retail uses and 230,000 square feet of other commercial uses.

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 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).

PROJECT PROPOSAL:

- Since publication of the Draft SEIR, the applicant has submitted a project application with minor refinements to the Modified Project (Refined Project proposing a mixed-use community that would include the following components and refinements: Approximately 1,452 residential units.
- Approximately 374,573 square feet of rehabilitated existing, historic structures and approximately 250,000 square feet of new construction for mixed-use development.
 - Out of this square footage, the Project includes approximately 423,774 square feet of commercial uses, including 40,000 square feet of regional retail, and 383,774 square feet of Office/R&D and/or Live/Work space. Another 15,000 square feet of neighborhood retail is proposed outside the Winehaven Historic District.
- Approximately 10,000 square feet for an onsite joint fire station and police substation and/or other community service uses.
- Approximately 70 percent of the total above-water Project Site area 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.
- Updating an existing building to act as 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.
- 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 for removal of the Marine Street Lift Station from the project design. As illustrated in Attachment 18, 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.

As affirmed in the Final SEIR, the above Project refinements are within the mix of land uses that would be authorized under the Planned Area Plan and Planned Area District zoning and do not alter the environmental analysis and conclusions in the Draft SEIR.

DISCUSSION:

The Project entitlements include the following:

- General Plan Amendment
- Zoning Map and Text Amendment for a Planned Area District with a Planned Area Plan, -H, Historic Overlay for the Winehaven District and -S, Shoreline Overlay for the Shoreline band

- Subsequent Environmental Impact Report (SEIR) Certification and adoption of the California Environmental Quality Act (CEQA) Findings of Fact and the Mitigation Monitoring and Reporting Program (MMRP) for the Project.
- Disposition and Development Agreement
- Development Agreement
- Large Lot Tentative Subdivision Map
- Historic District Overlay for the Winehaven Historic District
- Shoreline Overlay for area of the Project Site within 100-foot of the shoreline.
- Conditional Use Permit to construct shoreline park and Bay Trail extension in an area with an - S overlay (which is the area within 100-feet of the shoreline).
- Major Design Review for the PA Plan (including approval of the proposed Point Molate Design Guidelines)

ENVIRONMENTAL REVIEW:

On July 12, 2019, the City of Richmond (City) circulated a Notice of Preparation (NOP) to the public, local, State, and federal agencies, and other known interested parties for a 30-day public and agency review period, in accordance with CEQA Guidelines Section 15802. The purpose of the NOP was to provide notification that an SEIR for the Modified Project was being prepared, and to solicit public input on the scope and content of the document. Additionally, the NOP was sent to the State Clearinghouse.

Pursuant to CEQA Guidelines Section 15082, the City held a scoping meeting for the SEIR on July 29, 2019 at the City Council Chambers. Agencies and members of the public were invited to attend and provide input on the scope of the SEIR. Comments from agencies and the public provided at the scoping meeting and in written comments submitted in response to the NOP are included within Draft SEIR, Appendix B. Significant issues raised during the scoping process are summarized in Section 1.4.3 of the Draft SEIR.

The Draft SEIR was made available for public review and distributed to applicable local and state agencies for a period beginning on February 21, 2020 and closing on April 30, 2020. This public comment period was initially set to end on April 6, 2020. A public meeting was scheduled on March 19, 2020 to describe the Modified Project and the environmental review process and to receive written and oral comments on the Draft SEIR.

However, on March 17, 2020, the Contra Costa County Health Department issued a shelter-in-place public health order in response to the unique and public safety challenge presented by COVID-19. Under CEQA Guidelines section 15202(a), "[the California Environmental Quality Act ("CEQA")] does not require formal hearings at any stage of the environmental review process. Public comments may be restricted to written communication." Thus, in response to the public safety challenge presented by COVID-19 and public health orders limiting public gatherings, the City issued an updated Notice of Availability on March 17 to cancel the in-person meeting, which is not required under CEQA Guidelines section 15202(a) or the City's CEQA Guidelines, and to extend the comment period by 10 days to April 16, 2020. The City posted a video presentation¹ of

¹ Presentation is available for viewing at http://richmond.granicus.com/MediaPlayer.php?publish_id=d92014a9-7055-11ea-99b9-0050569183fa

the Modified Project and Draft SEIR findings on its website; this presentation contained the same information that would have been presented in the in-person meeting. The City also set up a hotline for submitting oral comments that could be transcribed and included in the Final SEIR.

On April 15, 2020, in response to public comments, the City issued another updated Notice of Availability to further extend the comment period by another two weeks until April 30, 2020, allowing the public and agencies a total of 70 days to submit comments. Accordingly, the City exercised its discretion under the law to cancel the public meeting to protect public health and safety, and provided a lengthier comment period than required by CEQA.

The Response to Comments document was published on July 24, 2020. The Response to Comments document contains the comments received on the Draft SEIR and responses to all timely submitted comments raising significant environmental issues regarding the Draft SEIR.

Revisions to the Draft EIR

None of the comments received on the Draft EIR constitute significant new information that warrants recirculation of the Draft EIR. Comments received do not identify new significant impacts or result in a substantial increase in the severity of impacts, nor do the comments include feasible project alternatives or mitigation measures that are considerably different from those analyzed in the Draft SEIR and/or which the applicant has refused to implement. In addition, the Draft SEIR was foundationally adequate and thorough in nature, thus promoting meaningful public review and comment. Therefore, recirculation is not required pursuant to Section 15088.5(a) of the CEQA Guidelines.

Summary of Project Description Refinements Since Publication of the Draft EIR

This section presents a description of minor refinements made to the Project since publication of the Draft SEIR.

Project Description

Since publication of the Draft 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, Historic Preservation Commission, other City departments, regulatory agencies, and the public regarding the design of the Modified Project. As described above, 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.

In response to comments received, the applicant submitted a project application for the Refined Project that incorporates the minor changes that have been made to the Modified Project since the circulation of the Draft SEIR. Project Proposal section above and Attachment 7 of the Response to Comments document describes the Refined Project. Attachment 7 of the Response to Comments document also 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. 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.

Results of Analyses Related to Refinements to Project Description

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, 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. An analysis of the environmental impacts of the Refined Project is provided in Attachment 7 of the Response to Comments Document.

Summary of Revisions to the Draft SEIR

Revisions to the Draft SEIR include both (1) revisions made in response to comments on the Draft SEIR as well as (2) staff-initiated text changes to correct inconsistencies, to add information or clarification, where appropriate, and to provide updated information where applicable. None of the revisions or corrections substantially change the analysis and conclusions presented in the Draft SEIR. Revisions to the Draft SEIR, which are detailed in the Response to Comments document, include:

- General
 - Throughout the Draft SEIR, the term “Project Proponent” was used but was never clearly defined. The Draft SEIR was revised to include a definition of “Project Proponent” in a footnote for every use of the term. “Project Proponent” shall include the landowner, applicant, or developer for that site or phase of development at the time the mitigation is due.
 - All references to the proposed East Bay Municipal Utility District (EBMUD) pumping facility, including in-text references and figures, were revised from “booster pump” to “pumping plant” in the Draft SEIR.
 - Language and figures throughout the Draft SEIR were revised to reflect the removal of the Marine Street Lift Station from the project design, as described above.
 - Several figures were revised to illustrate the location of the twin tanks.
- Section 2: Executive Summary
 - Draft SEIR Section 2, Table 2-1, is revised was revised to reflect the revisions to the mitigation measures described below for individual issue areas.
- Section 3: Project Description
 - Section 3.2.4 (page 3-8) of the Draft SEIR was revised to clarify ownership of existing water facilities.
 - Draft SEIR Section 3, page 3-22, is revised in response to comments to clarify the range of development proposed.
 - Section 3, page 3-35, was revised to clarify solid waste generation from the shoreline park and Terminal Building.
 - The amendment of the Bay Plan has been added to Table 3-4 - Permits and Approvals Required.

- Section 4.2: Air Quality and Greenhouse Gas Emissions
 - Section 4.2 (page 4.2-1) of the Draft SEIR was revised to summarize Executive Order B-55-18.
 - The discussion of sea level rise has been refined to include end of century sea level rise projections and 100-year flood risk scenarios.
 - Page 4.2-48 was revised to clarify the reason that no significant odor impact would result.
 - Tables and text throughout Section 4.2 were revised to update emission estimates consistent with the updated air quality and greenhouse gas modeling described below under Appendices.
 - Draft SEIR Section 4.2, page 4.2-56, Mitigation Measure 4.2-2 is corrected to maintain consistency with the City of Richmond's municipal code.
 - Mitigation Measure 4.2-5 has been modified to delete the line referencing the purchase of carbon offsets as a feasible mitigation measure. In addition, the text on page 4.2-52 of the Draft SEIR has been refined to further clarify why carbon credits do not currently meet the requirements of CEQA mitigation and are thus not required as mitigation.
- Section 4.3: Biological Resources
 - Section 4.3.2.2 (page 4.3-3) of the Draft SEIR has been refined to note that the SFBRWQCB regulates activities occurring up to the top of the stream bank and any riparian vegetation within this boundary that threatens discharges of waste to waters of the State.
 - The discussion of methods presented within Section 4.3.3.1 (page 4.3-12) of the Draft SEIR has been expanded to provide additional information on the procedures involved in the biological surveys completed on the Project Site since the 2011 FEIR, including a description of what a "pedestrian-level survey" entails.
 - Where current CDFW habitat classifications differ from those presented in Section 4.3.3.2 (page 4.3-13) of the Draft SEIR, the Draft SEIR has been refined to detail these current classifications.
 - Draft SEIR Section 4.3, page 4.3-19, is revised to clarify the amount of eelgrass habitat on the Project Site.
 - Draft SEIR Section 4.3.3.4 is revised to include occurrence probabilities for all of the special-status species described therein.
 - Draft SEIR Section 4.3, page 4.3-69, is revised to include the spread of White-Nose Syndrome (WNS), an emergent fungal disease, as a potentially significant impact to hibernating bats
 - Various mitigation measures have been refined to include further detail on the mitigation of habitats and species, as well as subsequent monitoring and responsible parties.
 - Figure 4.3-1 was revised to clarify habitat characterizations.
 - Figure 4.3-2 was revised to clarify sensitive biological resources.
- Section 4.4: Cultural Resources and Tribal Cultural Resources
 - Draft SEIR Section 4.4, Table 4.4-1, is revised to correct the name of Building Number 60 from the "Winemaker's Residence" to the "Winemaker's House."
 - Throughout Section 4.4 of the Draft SEIR, references to Confidential Reports were corrected from AES, 2011 to AES, 2009.

- Draft SEIR Section 4.4, page 4.4-18, is revised to clarify the research methods and results.
- Draft SEIR Section 4.4, is revised in several locations to clarify references to historic sites by converting their identification numbers to trinomial form, consistent with the historic documentation attached to the Draft SEIR.
- Since the publication of the Draft SEIR, the City has entered into discussions with other tribes, including the Wilton Rancheria and the Confederated Villages of Lisjan (Ohlone Tribe) regarding the Project Site. Text throughout Section 4.4, including several mitigation measures, has been refined as a result of this consultation.
- Draft SEIR Section 4.4, Mitigation Measures for the Construction of the Bay Trail, is corrected to add Mitigation Measures CUL-2 from the Bay Trail Initial Study/Mitigated Negative Declaration.
- Section 4.6: Geology, Soils, and Mineral Resources
 - Draft SEIR Section 4.6, page 4.6-13, is revised to clarify the likelihood of an impact.
- Section 4.7: Hazards, Hazardous Materials, and Wildfire
 - Section 4.7 was minimally revised to add clarification of drum lots and the likelihood of impacts.
- Section 4.8: Hydrology and Water Quality
 - Draft SEIR Section 4.8, page 4.8-28, is revised to clarify reason for the proposed wastewater treatment plant's peak capacity
 - Mitigation Measure 4.8-1 of the Draft SEIR was clarified to note that the containment boom and vessel is only required when there is work over the water associated with the pier.
 - The Draft SEIR was refined to include SFBRWQCB oversight in Mitigation Measure 4.8-2.
 - Draft SEIR Section 4.8 is revised to provide names for mitigation measures that were unnamed in the Draft SEIR.
- Section 4.9: Land Use and Planning
 - Draft SEIR Section 4.9, page 4.9-6, is revised to delete one iteration of a paragraph which was repeated twice in the Draft SEIR.
- Section 4.10: Noise
 - Draft SEIR Section 4.10 is revised to provide names for mitigation measures that were unnamed in the Draft SEIR.
 - Mitigation Measure 4.10-2 of the Draft SEIR was refined to clarify that maximum vibration levels will be established for each historical building and would not exceed 500 feet, because at that distance, vibration from common construction equipment would be below the threshold that could impact historic structures.
- Section 4.11: Population and Housing
 - Draft SEIR Section 4.11, page 4.11-11, is revised to discuss the City of Richmond's Housing Element Update.
- Section 4.13: Transportation
 - Section 4.13.2.2 (page 4.13-2) of the Draft SEIR has been refined to include the Contra Costa Countywide Bicycle and Pedestrian Plan (2018).
 - Impacts 4.13.3 and 4.13.9 and Mitigation Measure 4.13-2 of the Draft SEIR have been revised to acknowledge that payment of fees does not guarantee implementation of any of the STMP projects, and for the purposes of the SEIR

analysis, the STMP projects were not assumed to sufficiently mitigate any significant impacts from the Modified Project.

- Section 4.13.5.4 (page 4.13-39) and Section 4.13.5.5 (page 4.13-43) have been refined to explain what improvements would be required to reduce the Modified Project's contribution to significant cumulative impacts to less than cumulatively considerable and why those improvements are infeasible, including that they would be inconsistent with State and regional goals, including goals to reduce VMT.
- Section 4.13.5.5 (page 4.13-44) of the Draft SEIR was refined to describe the Applicant and the City's role in highway improvement projects.
- References to the previously planned San Pablo Interchange Project have been removed from Section 4.13.6 of the Draft SEIR.
- Mitigation of Measure 4.13-1 was revised to clarify the improvements resulting from the project's contribution to significant cumulative impacts.
- Section 4.14: Utilities and Services Systems
 - Section 4.14.3.2 (page 4.14-9) of the Draft SEIR was refined to reflect the source of the water that would be supplied to the Project Site; outdated references to EBMUD plans were deleted.
 - The Draft SEIR was refined in response to the request to clarify which existing water facilities are public and which are private as well as the request to clarify the reason that EBMUD will require replacement of the existing water system.
 - The text has been clarified to state that the two, 0.5-million gallon water tanks were a conservative estimate of tank needs, and the final size of the tanks would be determined once the design level details of the Modified Projects are developed.
 - Draft SEIR Section 4.14, Impact 4.14.7, is revised to clarify solid waste generation from the shoreline park and Terminal Building.
- Section 6: Alternatives
 - The Draft SEIR was refined to clarify that the replacement of the water system would occur under Alternative C.
 - Draft SEIR Section 6, page 6-22, was revised to clarify the extent to which rehabilitation and adaptive reuse of the Historic District would occur under Alternative D.
- Section 8: References
 - Draft SEIR Section 8 is revised to reflect updated in-text references included in the revisions for the individual issue areas described above.
- Revised Appendices:
 - Various appendices from the Draft SEIR were revised in response to comments received on the Draft SEIR and the updated versions were included as attachments to the Response to Comments document. Those appendices that were updated and the reason for the updates include the following:
 - Appendix K of the Draft SEIR was revised to maintain consistency with the revisions to mitigation measures as described for the individual resource areas above.
 - Appendix L of the Draft SEIR was minimally revised for clarify of the open space areas and the intention for the historic district rehabilitation.
 - Appendix J of the Draft SEIR was revised to correct typographical error.
 - Appendix M of Draft SEIR was revised as follows:

- Greenhouse Gas (GHG) Emissions from Utility Provider –The GHG Intensity inputs (CalEEMod runs) were updated to reflect updated Pacific Gas and Electric Company Renewable Portfolio Standard projections. This resulted in an overall reduction in GHG emissions from electricity use, water use, and energy use from wastewater treatment plant.
- Stationary Source Emissions – Stationary source emissions were updated to account for an increase in size and quantity of emergency generators across the project. The updated air quality tables also include multiple scenarios with generator configurations corresponding to Wastewater Treatment Variant A and Variant B.
- Solid Waste Emissions – Solid waste generation rates were updated to reflect the solid waste generation rate provided in the Project Description in the Draft SEIR (from CalRecycle). Previously, GHG emissions in the Draft SEIR were based on CalEEMod default waste generation rates.
- Wastewater Treatment Emissions – Emissions from the proposed wastewater treatment plant under Wastewater Treatment Variant A were updated to reflect refined process and emergency generator assumptions.
- Replacement of NG-powered water and space heaters with electric units – The updated air quality tables incorporate replacement of all natural gas-powered water and space heaters with electric-powered water and space heaters in the mitigated scenario.
- Added supporting tables to provide specific assumptions and calculation methods for evaluation of emergency generator operations, water and space heating energy use adjustments, EMFAC2017 model analysis, county-specific volatile organic compound emission factors, operational energy use rates, solid waste generation rates, and road silt loading factors.
 - Appendix E of the Draft SEIR was revised to correct the land uses assumed for the Modified Project in response to comments received. These revisions did not affect the impact conclusions presented in the Draft SEIR.
 - Appendix U of the Draft SEIR was revised to remove the lift station associated with Wastewater Treatment Variant B, as described above.

Summary of Comments Received on the Draft EIR

Agencies, tribes, organizations, and individuals submitted written comments on the Draft SEIR during the public review period. Two “Form” letters (identical letters but sent by multiple individuals) were submitted. Copies of the comments received on the Draft SEIR during the review period related to environmental effects of the Point Molate Mixed-Use Development Project (Modified Project) were included in the Response to Comments document. The California Environmental Quality Act (CEQA) Guidelines (14 California Code of Regulations [CCR] section 15000 et seq. “CEQA Guidelines”) indicate that a final SEIR should address comments on a draft SEIR. Therefore, responses to substantive comments were provided in the Response to Comments

document. Comments that state opinions about the overall merit of the Modified Project are included in the City of Richmond's (City) public record and will be taken into account by decision-makers (Richmond City Council) when they consider the Modified Project, and although not required by CEQA, are responded to generally in this Response to Comments document. Master responses were prepared for topics that were submitted by multiple commenters.

CONCLUSION:

This presentation is an opportunity for the Planning Commission and the public to hear about the analysis contained in the Final SEIR before the public hearing to consider a recommendation regarding certification of the Final SEIR and recommendation on the Project entitlements. The public hearing for the Project and Final SEIR is anticipated to be held on August 17, 2020.

DOCUMENTS ATTACHED:

Attachment 1: Final Subsequent Environmental Impact Report, consisting of the Draft Subsequent Environmental Impact Report and Response to Comments

LV

cc: Winehaven Legacy LLC
Orton Development
Point Richmond Neighborhood Council
Project List-serv

Attachment 1

Final Subsequent Environmental Impact Report (SEIR) (consisting of the Draft SEIR and Responses to Comments)

Distributed previously and also available online

[http://www.ci.richmond.ca.us/3757/Point-Molate-Mixed-
Use-Project](http://www.ci.richmond.ca.us/3757/Point-Molate-Mixed-Use-Project)