

CITY OF RICHMOND
Pt. Molate Community Advisory Committee
Monday, September 19, 2011 6:30 PM
Multi-Purpose Room, 440 Civic Center Plaza

AGENDA

Members:

Bruce Beyaert
Vice-Chair

Stephen M. Clark

Joan Garrett
Chair

Dorothy Gilbert

Susan Glendening

Robert W. Ham

Toni Hanna

David Helvarg

Jim Hite

Jeanne Kortz

Eduardo Martinez

Steven Rosing

Charles T. Smith

Nina G. Smith

Andres Soto

Pam Stello

Mary H. Sundance

Eileen Whitty

1. Call to Order (1 min.)

2. Roll Call (1 min.)

3. Welcome and Meeting Procedures (1 min.)

Individuals who would like to address the commission on matters not listed on the agenda may do so under Open Forum. Please file a speaker's card with the note taker prior to the commencement of Open Forum. Individuals who want to comment on an individual item, please file a speaker's card before the item is called. The standard amount of time for each speaker will be three minutes.

At 8:30 PM, any items remaining on the agenda that require immediate attention may be taken out of turn, as necessary. All other items will be continued to another or the following commission meeting in order to make fair and attentive decisions. This meeting adjourns at 9:00 PM. The meeting may be extended by a majority vote of the commissioners.

4. Agenda Review and Adoption (2 min.)

The order in which items will be heard may be adjusted at this time. In addition, items may be removed from or placed on the Consent Calendar at this time.

5. Announcements through the Chair (3 min.)

6. Open Forum (3 minutes per person limit)

7. Reports (40 min.)

- a. Presentation of 1997 Point Molate Reuse Plan adopted by City Council – Beyaert (10 min.)
- b. Discussion on San Pablo Peninsula Open Space Study - Beyaert (10 min.)
- c. Land Use Alternatives Evaluation Report – Dec.,2010 - Garrett (10 min.)
- d. BCDC Plan Recommendations – Pt. Molate, San Pablo Peninsula - Garrett (10 min.)

8. Presentations, Discussions & Action Items (50 min.)

Following discussion of each item, the Commission may vote to make recommendations to staff or to the City Council.

- a. Presentation of building emergency structural restabilization work – Joel Camacho (20 min.)
- b. PMCAC appointment review and recommendations (20 min.)
- c. Presentation on General Plan timelines, and current LUD for Change Area 13; Point Molate and the San Pablo Peninsula – Hector Rojas (10 min.)

CITY OF RICHMOND
Pt. Molate Community Advisory Committee

Monday, September 19, 2011 6:30 PM
Multi-Purpose Room, 440 Civic Center Plaza

AGENDA

Members:

Bruce Beyaert
Vice-Chair

Stephen M. Clark

Joan Garrett
Chair

Dorothy Gilbert

Susan Glendening

Robert W. Ham

Toni Hanna

David Helvarg

Jim Hite

Jeanne Kortz

Eduardo Martinez

Steven Rosing

Charles T. Smith

Nina G. Smith

Andres Soto

Pam Stello

Mary H. Sundance

Eileen Whitty

9. Consent Calendar (2 min.)

Items on the consent calendar are considered matters requiring little or no discussion and will be acted upon in one motion

- a. APPROVE – July 18, 2011 minutes
- August 15, 2011 minutes
- August 26, 2011 minutes
- September 12, 2011 minutes

10. Future Agenda Items (5 min.)

11. City Council Liaison Reports (10 min.)

- a. Report by Councilmember/Mayor McLaughlin regarding recent issues in Richmond relevant to the Advisory Committee.

12. Chair and Sub-Committee Reports (30 min.)

- a. By-Laws
- b. Clean-Up and Restoration
- c. Finance
- d. Legal

13. Adjournment

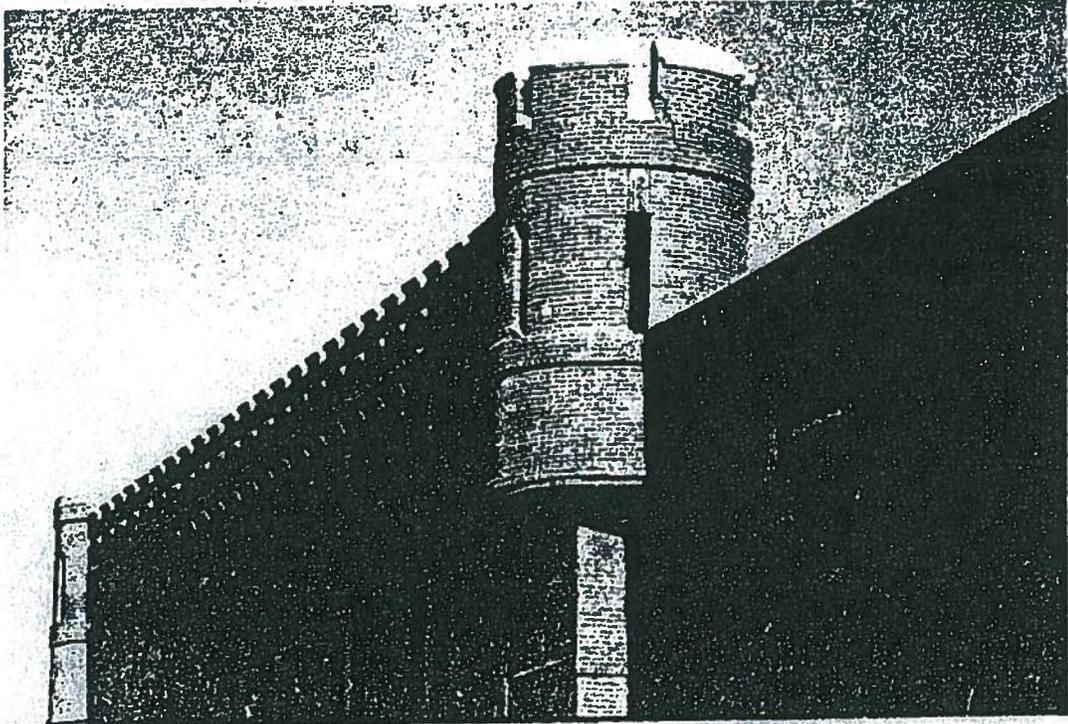
14. Scheduled Meetings

- a. Committee Meeting – Monday, October 17, 2011, 6:30 PM, Multi-Purpose Room, 440 Civic Center Plaza

This meeting is held in a building that is accessible to people with disabilities. Persons with disabilities, who require auxiliary aids of services using city facilities, services or programs or would like information of the city's compliance with the American Disabilities Act (ADA) of 1990, contact: Rochelle Monk, City of Richmond (510) 620-6511 (voice).

Pt. Molate Community Advisory Committee Staff Liaison Contact: Craig K. Murray (510) 307-8140, craig_murray@ci.richmond.ca.us. Agenda and minute information on the PMCAC can be found on the City Clerks web location: <http://ca-richmond2.civicplus.com/index.aspx?NID=2442>

POINT MOLATE REUSE PLAN



R I C H M O N D • C A L I F O R N I A

MARCH, 1997



POINT MOLATE REUSE PLAN
R I C H M O N D • C A L I F O R N I A

■ ■ ■

SUBMITTED TO THE :
CITY OF RICHMOND

PREPARED BY :
CITY OF RICHMOND
BRADY AND ASSOCIATES, INC.

SUBMITTED IN CONJUNCTION WITH :
DINWIDDIE & ASSOCIATES
BAY AREA ECONOMICS
MANNA CONSULTANTS, INC.
BUESCHER BIOLOGICAL CONSULTING
CHEUNG ENVIRONMENTAL
PITTMAN & HAMES ASSOCIATES
THE ENVIROSYSTEMS GROUP
ARCHITECTURAL RESOURCES GROUP

MARCH, 1997

BRADY AND ASSOCIATES, INC. PLANNERS AND LANDSCAPE ARCHITECTS





POINT MOLATE REUSE PLAN

City of Richmond

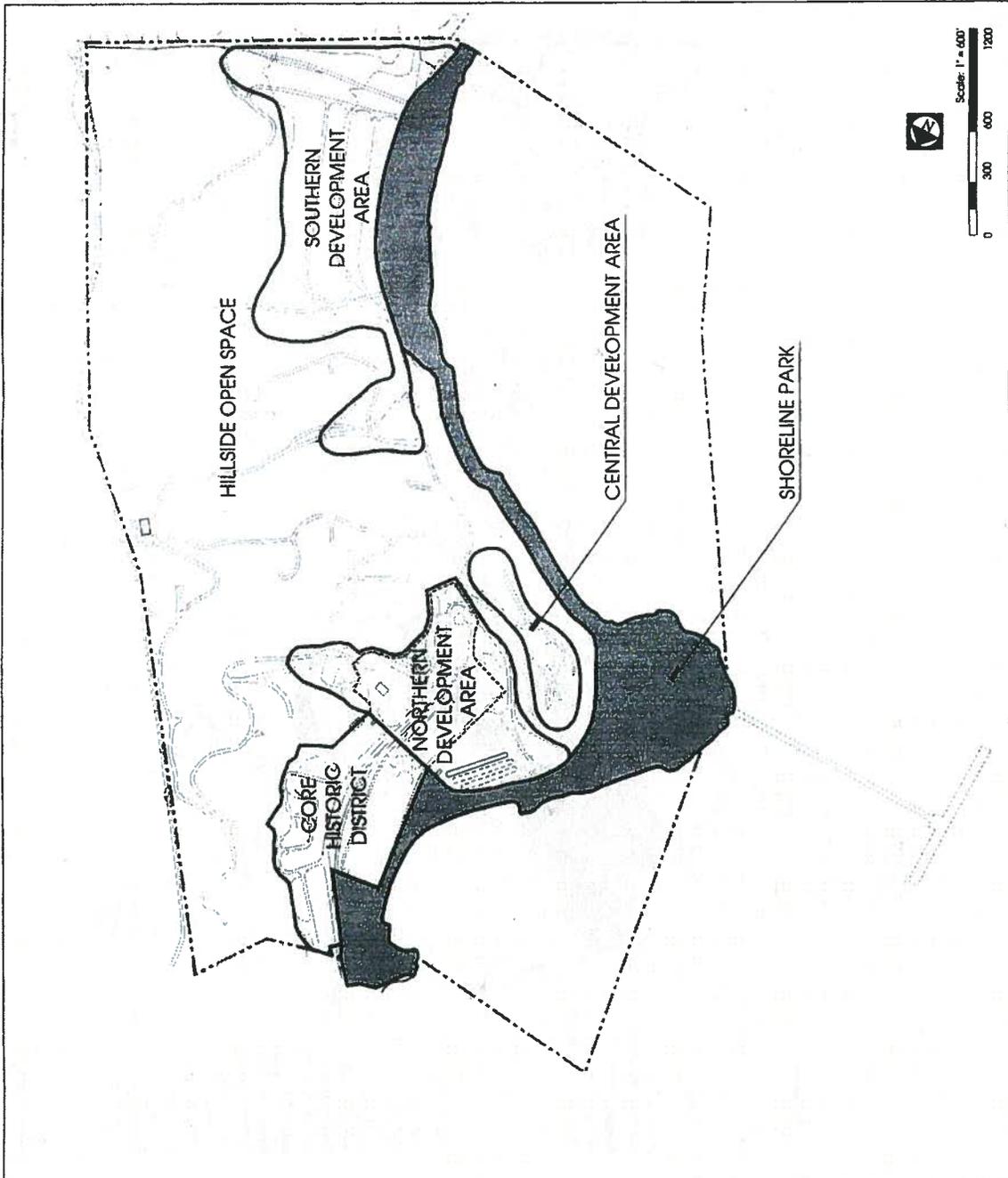


Figure 6:

Land Use Areas

— Development Area

- - - - Historic District Boundary
in Northern Development Area





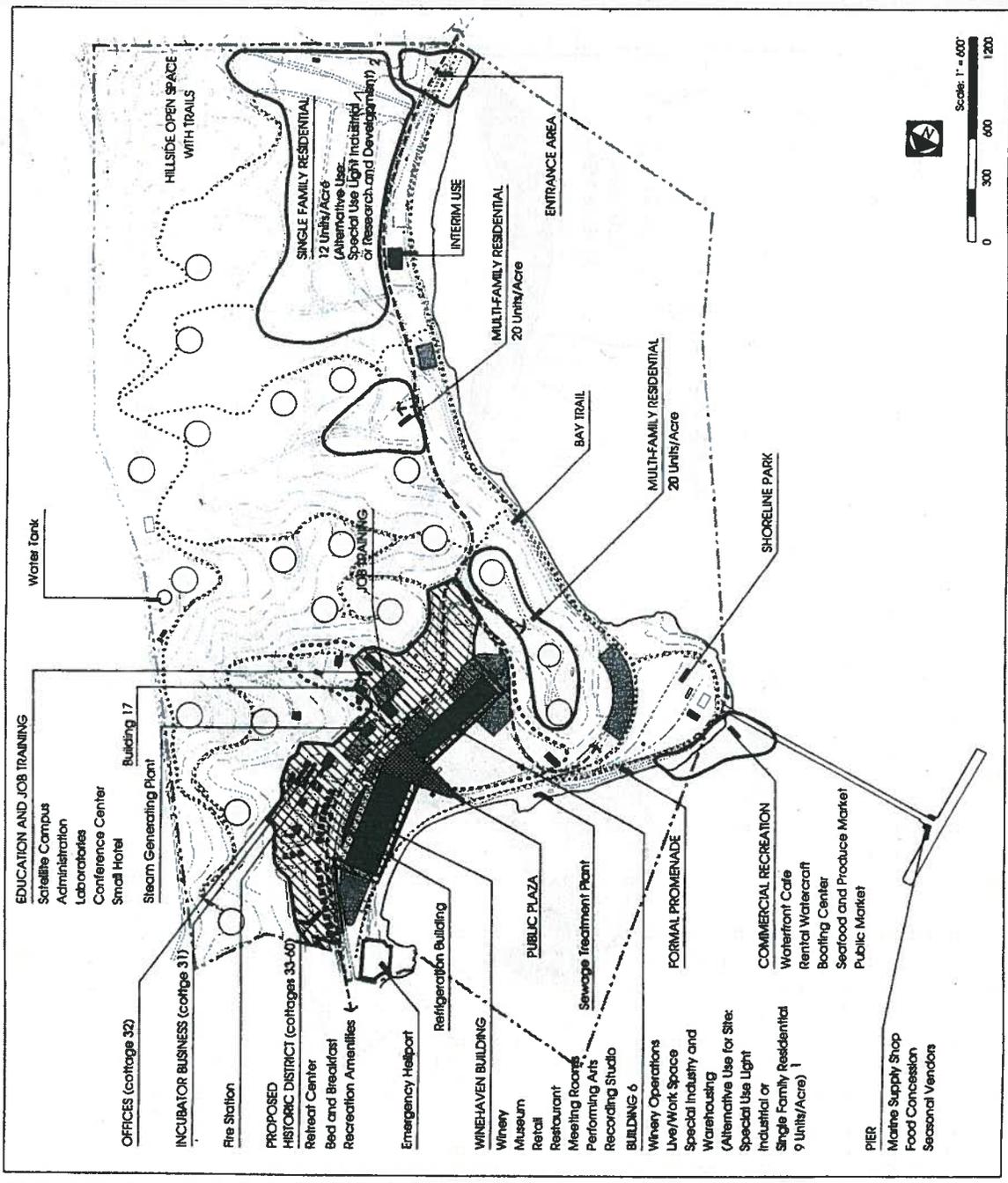
POINT MOLATE REUSE PLAN

City of Richmond

Figure 2:
Conceptual Land Use Plan

- Buildings to be Reused
- Proposed Parking
- Recommended Land Use
- Use of Area is Contingent on Building 6 Demolition
- Revised Historic District
- Roads to be Reused
- Proposed Trail
- Existing Underground Fuel Tank

1. Alternative use assumes demolition of building 6.
2. Special use light industry is recommended over single family residential if building 6 is demolished and light industry is not accommodated around the building.

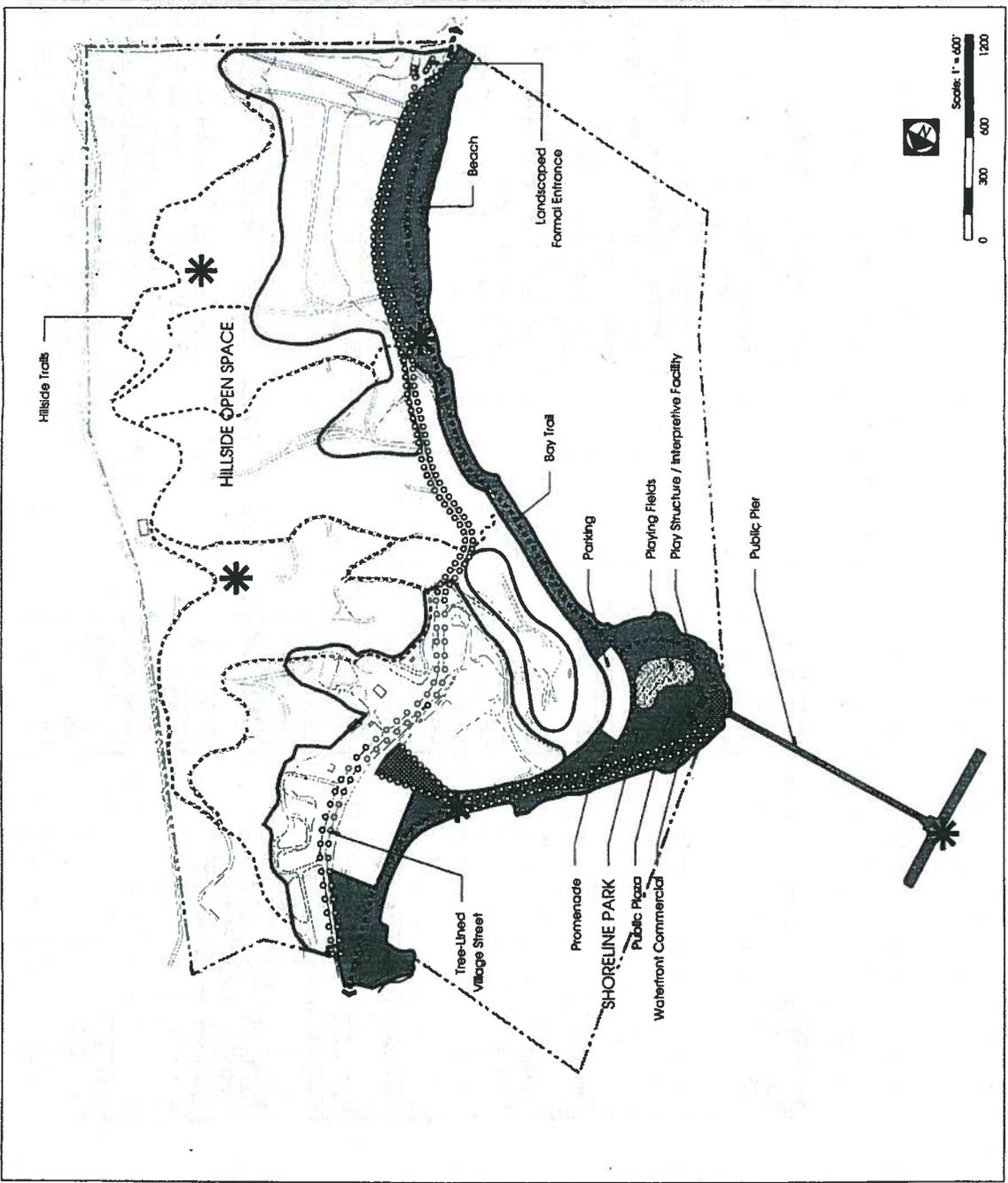




POINT MOLATE REUSE PLAN
City of Richmond

Figure 15:
Conceptual Open Space Plan

-  Formal Plaza Areas
-  Viewpoint Facilities
-  Bay Trail and Promenade
-  Tree-Lined Streets / Promenade



7A5

Table 2
LAND USE SPATIAL ALLOCATIONS

Area/Building	Proposed Uses	Potential Users/Developers	Acres/SF	Density	# Units	Estimated Parking
Historic District			17 AC			
Winchaven Building (1)	Winery Museum Retail Restaurant Meeting Rooms Performing Arts Recording Studio	Private Industry Non-Profit Organizations Private Industry Non-Profit Organization/Private Industry Non-Profit Organization/Private Industry Private Industry	198,885 SF			250
Cottage 31	Micropropogation	Orchidnet or similar Non-profit Organization	996 SF			7
Cottage 32	Office	Non-Profit Organization/Private Industry	996 SF			5
Cottages 33-59	Retreat Accommodations Bed and Breakfast Classrooms Labs Administration	City of Richmond Contra Costa College/West CCUSD	25,220 SF			45
Winemaster's Cottage (60)	Retreat Center Job Training	City of Richmond Contra Costa College/West CCUSD	2,097 SF			5
Fire Station	Fire Station	City of Richmond	4,236 SF			5
Steam Generating Plant (13)	Used Clothing Warehousing	Non-Profit Organization/Private Industry	5,067 SF			5
Refrigeration Building (10)	Micropropogation	Non-Profit Organization/Private Industry	18,864 SF			5
Northern Development Area			20 AC			
Administration Building (123)	Job Training	Non-Profit Organization/Private Industry	6,000 SF			15
Building 6'	Winery Live/Work Special Industry	Non-Profit Organization/Private Industry Non-Profit Organization/Private Industry Non-Profit Organization/Private Industry	116,196 SF			150
Building 17	Warehousing	Non-Profit Organization/Private Industry	2,016 SF			
Miscellaneous Buildings	Job Training Light Industrial/Single Family	Non-Profit Organization/Private Industry Non-Profit Organization/Private Industry	9,064 SF 14 AC	9	126	50 NA

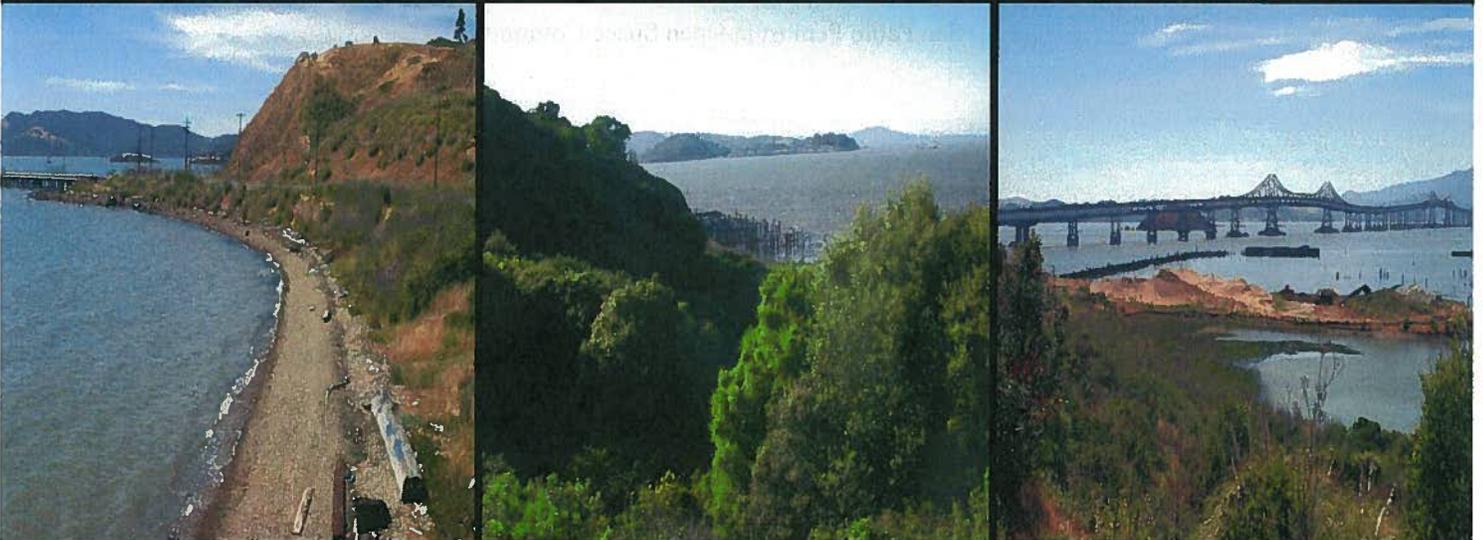
Table 2 continued

Area/Building	Proposed Uses	Potential Users/Developers	Acreage/SF	Density	# Units	Estimated Parking
Central Development Area			6 AC			
	Multi-Family Residential	Private Industry	6 AC	20	120	
Southern Development Area			35 AC			
	Single Family Residential/Light Industrial	Private Industry	27 AC	12	324	
	Multi-Family Residential	Private Industry	5 AC	20	100	
	Entrance Area	Private Industry	3 AC			
Open Space/Park			191 AC			
Hillside Open Space	Recreation	City of Richmond/EBRPD	156 AC			
Shoreline Open Space	Recreation	City of Richmond/EBRPD	14.4 AC			
Shoreline Park	Recreation	City of Richmond/EBRPD	20.9 AC			200
Total			275 AC		670	742

• May be demolished pending further investigation.

SAN PABLO PENINSULA OPEN SPACE STUDY

VOLUME I
RECOMMENDATIONS AND ALTERNATIVES ANALYSIS



SAN PABLO PENINSULA OPEN SPACE COMMITTEE

California State Coastal Conservancy
Chevron Texaco
City of Richmond
East Bay Regional Park District
Muir Heritage Land Trust
Trails for Richmond Action Committee

May 2005

**SAN PABLO PENINSULA
OPEN SPACE STUDY**

**VOLUME I
RECOMMENDATIONS AND ALTERNATIVES ANALYSIS
RICHMOND, CALIFORNIA**

Submitted to:

San Pablo Peninsula Open Space Committee

Funded by:

California State Coastal Conservancy
East Bay Regional Park District
Coastal Impact Assistance Program of the National Oceanic Atmospheric Agency

Prepared by:

LSA Associates, Inc.
Vallier Design Associates
Economic & Planning Systems
Charles I. Rauw Consulting Engineers

May 2005

7B2

TABLE OF CONTENTS

PREFACE	1
OVERVIEW.....	5
BACKGROUND	5
STUDY AREA	5
STUDY PRODUCTS	7
RECOMMENDATIONS AND CONCLUSIONS	9
LAND USE RECOMMENDATIONS	9
TRAILS.....	11
RECREATIONAL FACILITIES.....	11
CULTURAL AND HISTORICAL OPPORTUNITIES	11
SECURITY	12
LAND PRESERVATION AND OWNERSHIP ISSUES	12
NATURAL RESOURCES	13
TRANSPORTATION AND INFRASTRUCTURE	13
BAY CONSERVATION AND DEVELOPMENT COMMISSION	13
ALTERNATIVES ANALYSIS	15
INTRODUCTION	15
OPPORTUNITIES AND CONSTRAINTS.....	15
ALTERNATIVES ANALYSIS.....	22
SUMMARY	32
NEXT STEPS.....	33
TERMINAL 4.....	33
LAND PROGRAM.....	33
BAY TRAIL IMPLEMENTATION.....	33
RICHMOND GENERAL PLAN REVISIONS.....	33
ZONING DISTRICT BOUNDARIES.....	34
POINT MOLATE.....	34

RECOMMENDATIONS AND CONCLUSIONS

Recommendations and conclusions provide a solid basis for open space planning. The Committee chose not to adopt a specific alternative, but rather, determined that a range of open space futures were feasible. Decisions regarding the specific location and type of recreation facilities should be resolved with a Park Master Plan process to be initiated after the land rights to the area are secured. Site-specific decisions need to be made including public participation and understanding the financial obligations of the implementing agencies. Consequently, only the most important facility recommendations are included below.

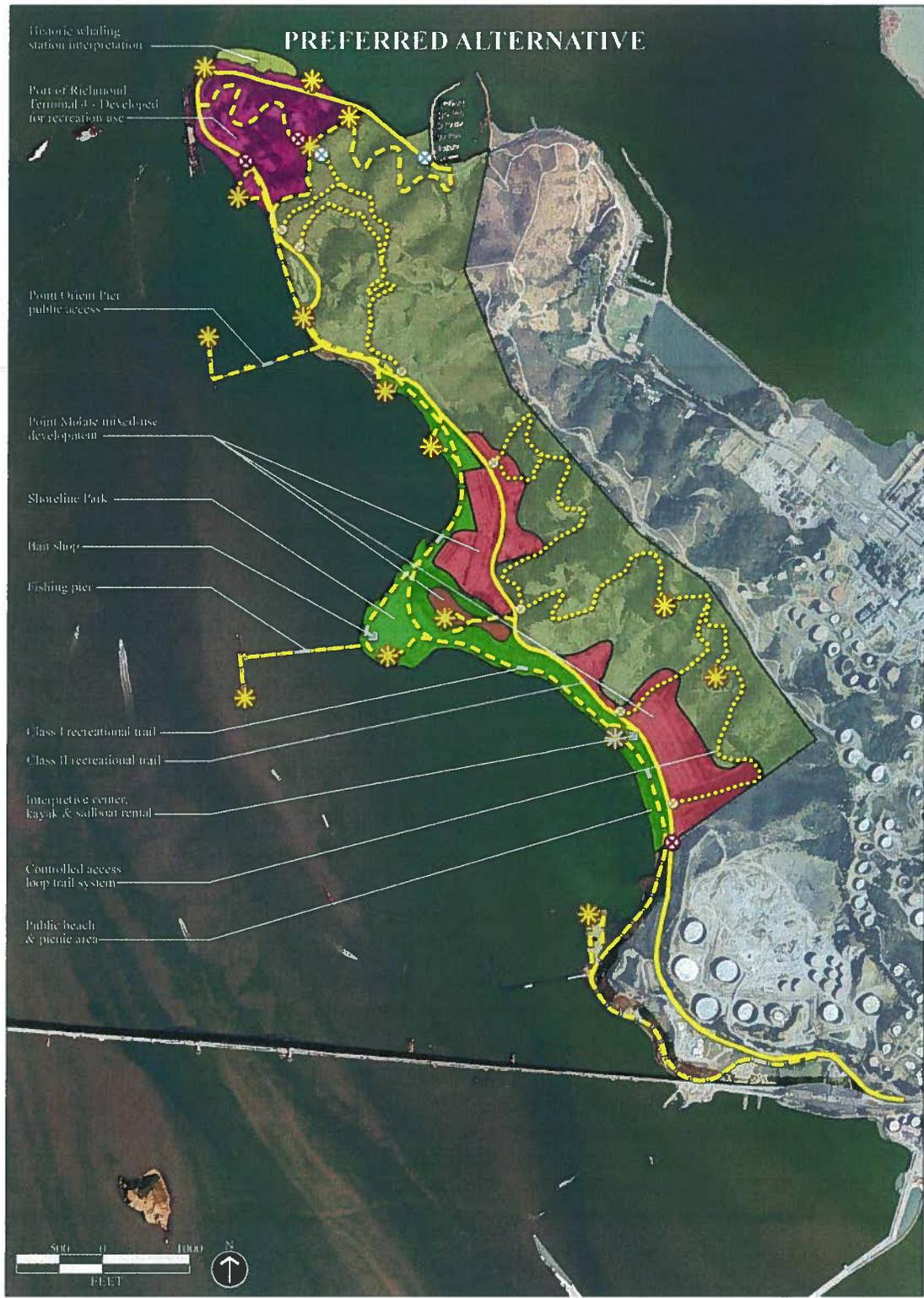
The recommendations are summarized in general categories and are not intended to be mutually exclusive. These recommendations focus on the Primary Study Area but refer to the adjacent Secondary Areas where appropriate.

VISION

A permanently protected open space and park facility on the San Pablo Peninsula is appropriate and desirable. The majority of the Primary Study area should be dedicated to open space and recreational uses, including portions of the Point Molate Development area and Point San Pablo (Terminal 4), as shown on Figure 4 and described below.

LAND USE RECOMMENDATIONS

- No new development on the western side of the Peninsula should occur except as provided on portions of Point Molate as described below.
- The 53 acres of scenic, but derelict, City of Richmond property commonly known as Terminal 4 is key to the success of an open space plan for the Peninsula, in light of other plans for adjacent properties. Terminal 4 offers panoramic views of the San Francisco Bay. If Terminal 4 has a similar use to the approved Development Agreement on Point Molate, it would be difficult to hold onto open space as a viable use for remaining areas of the Peninsula. Hikers, bikers, and small craft boaters would have the large-scale features of hotels and casino in the foreground to the entire open space experience. If Terminal 4 were to revert to industrial use then the public would not have access to the area for safety and security reasons. The BCDC Bay Plan (as amended 2002) notes that as this area is not needed for a marine terminal use it should be developed for recreational use.
- Commercial recreation uses can be consistent with a major park or open space facility on the Peninsula. Specifically, the San Pablo Yacht Harbor is an important recreational component in the area. Efforts to improve the facility are desirable.



LSA

FIGURE 4



San Pablo Peninsula
Open Space Study
Preferred Alternative

SOURCE: Vallier Design Associates 2005

P:\MUI430g\PrefAlt.cdr (5/03/05)

7BS

- On the Point Molate property the upper hillsides adjacent to the Refinery need to be protected as permanent open space and have restricted public access to ensure refinery safety.
- The land uses that are ultimately approved by the City for development areas at Point Molate should be designed to support and complement park and open space development within the Primary Study Area and should be integrated into that development.
- All remaining lands on the bay side of Western Drive should be protected as park lands.
- The core ridgeline along the Peninsula should emphasize passive open space uses (*i.e.* provide visual amenities but not necessarily be available for public access).

TRAILS

- The spur of the San Francisco Bay Trail from the Richmond San Rafael Bridge to the San Pablo Yacht Harbor should be expedited to resolve right-of-way issues, complete the final design, and initiate construction. The section within Point Molate should be completed when that area redevelops.
- Interior trails throughout the Primary Study Area need to be worked out between the implementing agency(ies), Chevron, and other affected agencies, to ensure that Refinery safety concerns are an integral factor in considering trail location.
- Access to hiking trails on the western facing slopes should be controlled for resource protection and the safety and security of the Refinery.

RECREATIONAL FACILITIES

- Small-scale picnic areas, benches, restrooms and related facilities should be focused along the Spur Bay Trail and at Point San Pablo (old Terminal 4).
- The existing Point Molate Beach Park should be redeveloped and reopened for public access as part of the Point Molate project. Operation and maintenance costs should be a responsibility of the Point Molate project since users of the new facilities would be the primary beneficiaries of this shoreline park.
- The Point Molate Pier with its tremendous views and unique access to the Bay should remain a public resource, not just to benefit private uses. The potential for ferry service to this pier should continue to be evaluated and encouraged if feasible over time. Reservation of space for future parking facilities associated with ferry service should be explored as part of the Point Molate planning and environmental review process. Public access to Point Orient Pier should also be considered, if feasible.

CULTURAL AND HISTORICAL OPPORTUNITIES

- The San Pablo Peninsula presents a tremendous opportunity to interpret a continuum of history for the East Bay: different periods of history, different priorities. Remnants of some of these periods still exist and should be protected. The interpretation of natural resources, the views of the Bay, the geologic history of the Bay formation, the tides, the eel grass provide other

opportunities for interpretation. The Bay Trail should include interpretive panels describing these features.

- Point Molate historical facilities are well documented in City of Richmond and Federal documents. Support for the preservation of these historic facilities, where feasible, should be a cornerstone to redeveloping Point Molate.

SECURITY

- All facilities and proposals should be reviewed for public safety concerns, whether from terrorism, normal law enforcement issues, fire safety or industrial emissions. Facilities needing special consideration include the Refinery and the Richmond-San Rafael Bridge.
- A public safety-policing program should be developed for the San Pablo Peninsula. With limited points of public access, a coordinated program by the City of Richmond, Chevron, the East Bay Regional Park District (assuming they will operate the Bay Trail), California Highway Patrol, Coast Guard, and the developers of Point Molate is essential and desirable.
- Environmental review for new project proposals should emphasize public safety issues to ensure that these issues are considered in the development of new facilities.

LAND PRESERVATION AND OWNERSHIP ISSUES

- Recognize that the Refinery has been a good steward of the non-refinery land owned by Chevron.
- Encourage research into ownership of railroad rights-of-way throughout the study area to facilitate anticipated construction of the Bay Trail alignment along the shoreline. If railroad right-of-way does not become available, adjacent land should be acquired to provide for the shoreline trail.
- Encourage Chevron to work with potential park operators (*e.g.* East Bay Regional Park District) to transfer lands on the shore side of Western Drive to a public entity for park and recreation purposes.
- Encourage Chevron to work with public agencies or land trusts to protect rare habitats (*e.g.*, coastal terrace prairie) on non-refinery lands using conservation easements to ensure long term open space protection.
- Consider the entire range of land holding options (*i.e.*, transfer and sale restrictions, easements, long term leases) for allowing limited recreation facilities and open space preservation.
- Secure conservation easements by the City of Richmond on all hillside open space and shoreline areas of Point Molate. A recreational use easement should extend over the approximately 40-acre Point Molate Beach Park.
- Support continued physical and visual access to East Brother Light Station.

NATURAL RESOURCES

- Significant natural resource areas (grasslands, eel grass beds, coastal brackish-marsh) should be managed for habitat protection. Specific protocols and plans should be developed to address the management of these sensitive areas and to provide guidance on potential habitat restoration and/or enhancement efforts (*i.e.*, invasive species eradication).
- Interpretive panels should be placed near or adjacent to natural communities to provide educational opportunities and foster stewardship of the land and its resources.

TRANSPORTATION AND INFRASTRUCTURE

- Large-scale reuse of the San Pablo Peninsula will require major reconstruction of traffic facilities consistent with modern traffic standards for safety, level of service and lane requirements.
- Industrial reuse of Terminal 4, especially truck traffic, would be inconsistent with efforts to upgrade the character of the area for uses being considered by the City for the Point Molate redevelopment.
- Point Molate's utility infrastructure is inconsistent with modern standards and should be upgraded.
- Obsolete and unused industrial tanks scattered throughout the Peninsula should be removed.
- Electrical lines should be put underground, where feasible.
- Extension of Western Drive as a shoreline scenic route beyond Terminal 4 to the San Pablo Yacht Harbor should be explored.
- The obsolete railroad line running from the Chevron-Texaco refinery toward Terminal 4 should be abandoned and considered for use as a Class I trail.

BAY CONSERVATION AND DEVELOPMENT COMMISSION

The San Francisco Bay Conservation and Development Commission (BCDC) Bay plan provides guidance for related to land planning issues along the shoreline.

The Bay Plan was adopted by BCDC in 1968, enacted by the California legislature in 1969, and revised in 1998. Since 1998 BCDC has adopted a series of maps for specific areas called the Bay Plan Maps. These Bay Plan Maps are based on the Bay Plan and show how to apply Bay Plan policies for specific areas. The Bay Plan Policies listed with each Bay Plan Map are enforceable policies.

Plan Map 4 Central Bay North (as amended 2002) is the relevant Bay Plan Map for this study area. This map designates the area north from Castro Point including Pt. Molate, as "Waterfront Park, Beach". The map also designates Point San Pablo, including Terminal 4, and the upland areas of the Peninsula as "Water-Related Industry." The inlet at Terminal 4 is designated as "Port". Finally, the map appears to show the entire shoreline to the whaling station as "Waterfront Park, Beach".

The accompanying Bay Plan Policies (as amended 2002), relevant to the San Pablo Peninsula are summarized below:

- As not needed for marine terminals, redevelop Point San Pablo for recreational uses (Bay Plan Policy #3)
- Preserve the Brothers Islands and Lighthouse. Access by boat only (Bay Plan Policy #4)
- From Point Molate to Point Richmond, develop the Bay Trail as a multi-use trail (Bay Plan Policy #5)
- Develop Naval Fuel Depot Point Molate for park use. Landward of Western Drive should be developed for recreation use. Provide a trail system linking shoreline park areas and vista points in hillside open space areas. Provide public access to historical district with interpretation of this resource. The Point Molate Pier should be re-used for water-oriented recreation and incidental commercial recreation. Encourage water-oriented recreation, including mooring facilities for transient recreation boats, excursion craft and small watercraft. Protect existing eelgrass beds. (Bay Plan Policy #6)

In 2003, BCDC amended the Seaport Plan to remove the Port of Richmond's Terminal No. 4, from the Port Priority Use areas of the Seaport Plan. Even though BCDC omitted Terminal 4 from Port designation in the Seaport Plan, the relevant Plan Map 4 Central Bay North (described above) has not yet been amended to redesignate Terminal 4 with a different use. **The removal of Terminal 4 from the Port Priority Use designation allows for consideration of alternative uses, such as recreation use in this area.**

Item 7.C Land Use Alternatives Evaluation Report – Dec.2010

Information can be found:

alternative plan workshop (Upstream's) results report from here:

Pt. Molate Alternative Evaluation reports and appendices

<http://www.ci.richmond.ca.us/index.aspx?NID=233>

Chair Garrett to present information.

San Francisco Bay Plan

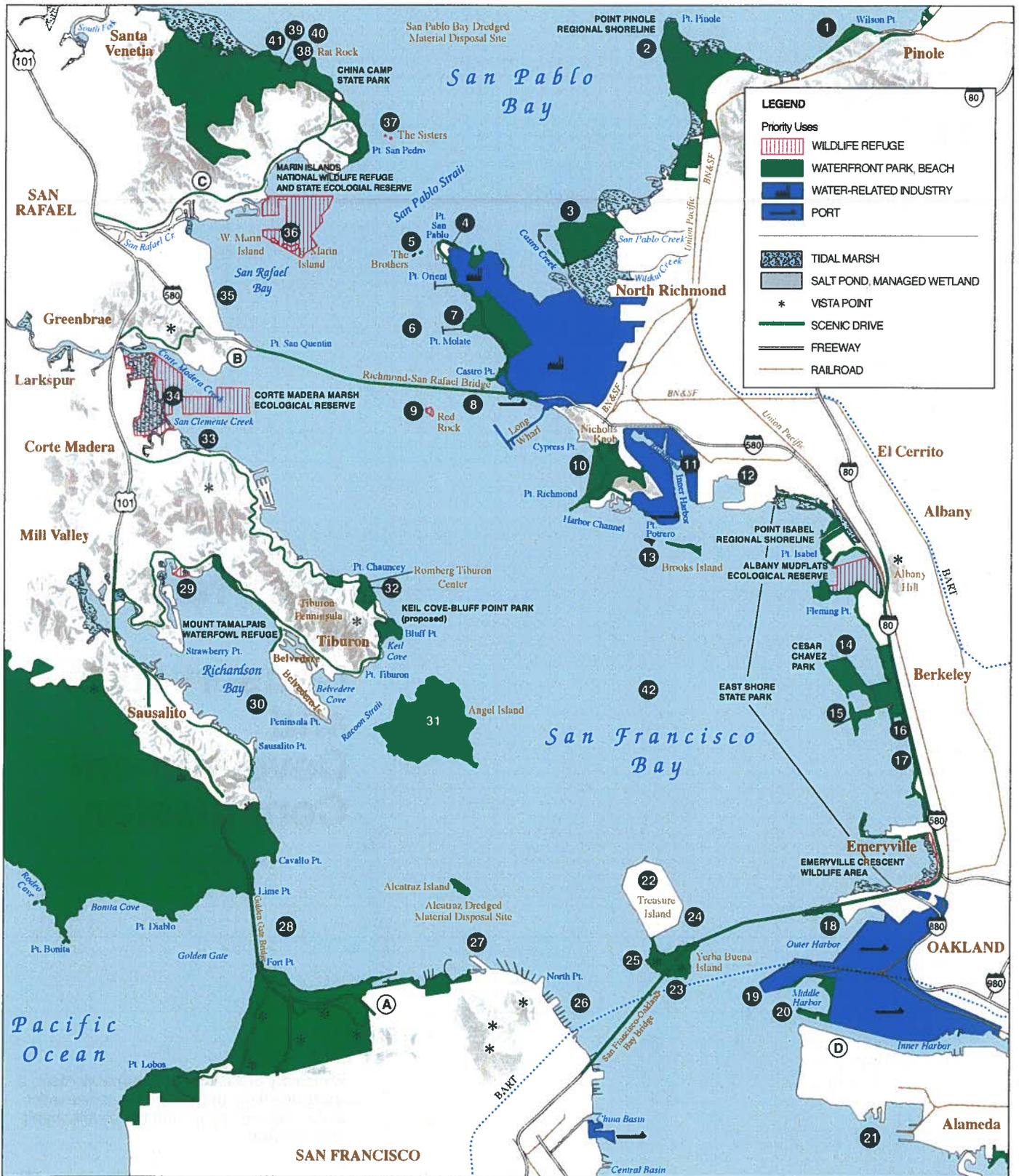
San Francisco Bay Conservation and Development Commission

In memory of Senator J. Eugene McAteer, a leader in efforts to plan for the conservation of San Francisco Bay and the development of its shoreline.

701

Plan Map 4

Central Bay North



LEGEND

Priority Uses

- WILDLIFE REFUGE
- WATERFRONT PARK, BEACH
- WATER-RELATED INDUSTRY
- PORT

- TIDAL MARSH
- SALT POND, MANAGED WETLAND
- VISTA POINT
- SCENIC DRIVE
- FREEWAY
- RAILROAD

702

Plan Map 4

Bay Plan Policies and Commission Suggestions

BAY PLAN POLICIES

- 1 **Wilson Point Beach and Park** - Preserve rugged character of point. Provide safe, easy pedestrian access. Some fill may be needed. Protect and provide public access to shellfish areas.
- 2 **Point Pinole Regional Shoreline** - Preserve regional park, trails, fishing pier, picnic facilities, transit access, active play areas, historical and cultural resources and wetlands. Provide wildlife compatible recreation. Potential water trail campsite. Preserve and interpret natural features and cultural and historic resources. Allow improvement of Goodrick Avenue that is compatible with recreation and conservation for access to inland development.
- 3 **West Contra Costa Sanitary Landfill** - Proposed Park. Give consideration to beach development. Some fill may be needed. Preserve wildlife and habitat values. Complete Bay Trail.
- 4 **Point San Pablo Peninsula** - Create a regional open space and park facility. Limited commercial development at Point Molate should be compatible with proposed regional park.
- 5 **The Brothers** - Preserve islands and lighthouse. Access by boat only.
- 6 **Point San Pablo Yacht Harbor to Point Richmond** - Develop the Bay Trail as a multi-use trail.
- 7 **Former Naval Fuel Depot Point Molate** - Develop for park use. Landward of Western Drive should be developed consistent with recreation policy 4-b. Provide trail system linking shoreline park areas and vista points in hillside open space areas. Provide public access to historical district with interpretation of this resource. The Point Molate Pier should be re-used for water-oriented recreation and incidental commercial recreation. Encourage water-oriented recreation, including mooring facilities for transient recreational boats, excursion craft and small water craft. Protect existing eelgrass beds.
- 8 **Castro Rocks** - Protect harbor seal haul-out and pupping site where harbor seals rest, give birth and nurse their young.
- 9 **Red Rock** - Protect wildlife values.
- 10 **Miller/Knox Regional Shoreline** - Preserve vistas, picnic areas, trails, wildlife values, Ferry Point Pier and Keller Beach. Protect and provide public access to shellfish beds offshore. Provide signage regarding fish consumption advisories for anglers.
- 11 **Port of Richmond** - See Seaport Plan. Some fill may be needed.
- 12 **South Richmond Shoreline Special Area Plan** - See special area plan for detailed planning guidelines for the shoreline between Shipyard Three and the southeastern border of the City of Richmond.
- 13 **Brooks Island Regional Preserve** - Preserve island character. Access by boat only. Protect wildlife values.
- 14 Protect and provide public access to shellfish areas offshore.
- 15 **Berkeley Waterfront - Cesar Chavez Park** - Preserve marina, beach, small boat launch, windsurfing access, fishing pier, interpretive center and multi-use trails. Possible ferry terminal. Allow if compatible with park and marina use: serve with bus public transit to reduce traffic and parking needs. Provide signage regarding fish consumption advisories for anglers.
- 16 **Eastshore State Park** - Develop park from Bay Bridge to Marina Bay in Richmond for multiple uses, including recreation, wildlife and aquatic life protection. Protect wildlife and aquatic life values at sites such as Emeryville Crescent, Hoffman Marsh and Albany Mudflats. Provide signage regarding fish consumption advisories for anglers.
- 17 No roadway in Bay west of present shoreline.
- 18 **Gateway Shoreline Park** - Develop gateway park at Bay Bridge touchdown with gracious access to the Bay Bridge. Incorporate viewing, picnicking, non-motorized small boat launching and interpretation of current and historic transportation infrastructure and natural and cultural factors. Protect eelgrass beds and nearby endangered species habitats. Provide signage regarding fish consumption advisories for anglers.
- 19 **Oakland Port Area** - See Seaport Plan. Redevelop Outer, Middle, and Inner Harbors for modern marine terminals. Some fill may be needed. No fill that would impair ship navigation should be allowed in any area needed for such navigation.
- 20 **Middle Harbor Shoreline Park** - Preserve industrial character of park. Preserve fishing access, picnic facilities, beach, historic features and community gathering and entertainment venues. Provide interpretation of port operations, historic and cultural factors. Provide non-motorized small boat access. Protect eelgrass beds. Provide health and safety information to anglers. Preserve vistas. Provide signage regarding fish consumption advisories for anglers.
- 21 **Harbor Seal Haul-Out** - Protect harbor seal haul-out and pupping site where harbor seals rest, give birth and nurse their young. Projects allowed only if protective of harbor seals and other sensitive wildlife.
- 22 **Treasure Island** - When no longer owned or controlled by the federal government, redevelop for public use. Provide continuous public access to Bay in a manner protective of sensitive wildlife. Provide parking and water access for users of non-motorized small boats, including at north end of the Island. Develop a system of linked open spaces, including a large open space at the northern end of the island.

Goal ED8:

A Thriving Mixed-Use Neighborhood along the Southern Shoreline

Transform the Southern Shoreline into a model mixed-use neighborhood characterized by green development, a fully developed university research and development campus, new employment centers, attractive residential communities, a connection to regional ferry services, an accessible shoreline and a modern port. Incorporate a range of commercial uses including industrial activities, high-technology and professional firms and a local-serving retail, as well as medium to higher-density housing outside of the Harbour Way-Marina Way South Industrial Buffer Zone and other designated buffers. Expand public improvements along the Southern Shoreline to offer access to the Richmond waterfront for recreational activities which take advantage of impressive Bay views.

Goal ED9:

A Regional Recreational Destination on the San Pablo Peninsula

Transform the San Pablo Peninsula into a major regional open space, parks and recreation resource, offering public access to the shoreline, regional entertainment, retail, lodging and dining opportunities. Contribute to this mix by encouraging residential development which takes advantage of the areas' spectacular Bay views.

1 Economic Development

802

GOAL ED9

A Regional Recreational Destination on the San Pablo Peninsula

Policy ED9.1

A Mix of Land Uses

Promote a mix of uses to create a complete community in the San Pablo Peninsula area. Develop lodging and visitor-serving concessions (such as cafes, bike and kayak rental kiosks) to elevate the San Pablo Peninsula as a local and regional destination and complement its potential development as a resort and entertainment center. Residential uses should also be explored for the area to add to its 24-hour vitality and to capitalize on Bay views.

Policy ED9.2

Public Access to the Shoreline

Improve public access to the Bay. Expand trails, viewpoints, parking, interpretive signs, restrooms and other supporting infrastructure to allow visitors easy access to green space, the shoreline and Winhaven. The San Pablo Peninsula should also offer indoor/outdoor recreation opportunities including active and passive open space (such as sports fields, trails, picnic areas and campsites) as well as family-oriented museums and interactive visitor centers. Fully improved, this area has the potential to become a valuable amenity for the community as well as a regional destination.

GOAL ED9

A Regional Recreational Destination on the San Pablo Peninsula

Action ED9.A

Point Molate Redevelopment Plan

Continue to pursue redevelopment of the ex-Point Molate Fuel Station, the ex-Red Rock Marina, Terminal #4, and improve conditions at the San Pablo Yacht Harbor. Identify and incorporate opportunities for public open space and recreational facilities. Integrate previous planning efforts including the Point Molate Reuse Plan and San Pablo Peninsula Open Space Study.

See also: LU4.E



Aerial of San Pablo Peninsula area

CA-13: San Pablo Peninsula Area

The San Pablo Peninsula Area includes Point San Pablo and Point Molate. The area is characterized by vacant and underutilized land adjacent to a mix of heavy and light industrial uses, open spaces and the Point San Pablo Yacht Harbor.

The overall character of the peninsula is defined by a natural undulating hillside topography. Large groves of eucalyptus trees on steep slopes further contribute to the natural character of the area. The built environment varies dramatically. Architecturally-distinctive buildings including the historic Winehaven complex and the East Brothers Lighthouse add to the overall sense of history in the area. The scale and design of these buildings signal a sharp contrast to the industrial tanks on the southwestern end of the peninsula. There is very limited infrastructure and access to this area and the vast open space. The only publicly accessible road to the

peninsula is via an off-ramp from Interstate 580 that connects to Western Drive.

General Plan Land Use

The San Pablo Peninsula Area is envisioned as a place characterized by development that augments and respects the site's historic resources and natural features. The built and open space fabric should elevate San Pablo Peninsula's role as a unique destination in the Bay Area. Specific land uses in this change area are described below.

- The former Point Molate Navy Fuel Depot area is designated as a combination of Business/Light Industrial, Medium-Density Residential, Low-Density Residential, Open Space and Parks and Recreation to reflect the conceptual land uses in the adopted 1997 Point Molate Reuse Plan.
- The shoreline areas of Point San Pablo are designated as Parks and Recreation whereas the uplands are designated for Marine and Waterfront Commercial specifically to encourage uses that serve the general public such as food service, lodging, recreational services and recreational equipment rental. An overlook park should be provided in the uplands above Point San Pablo.
- The yacht harbor east of Point San Pablo is designated as Marine and Waterfront Commercial to promote recreational and water-oriented retail and commercial uses.
- The remaining areas could include open space and ecologically sensitive development to protect natural areas for recreation and habitat.

Desired Urban Form

In the former Point Molate Navy Fuel Depot area, improvements to public areas should be guided by the 1997 Point Molate Reuse Plan. In general, improvements to public areas should connect the varied open and built spaces through a new network of intimate curvilinear streets and pedestrian and bicycle paths. Where possible, these new connections should build upon existing underutilized paths to minimize impacts on the natural environment. Connections should emphasize pedestrian and bicycle access along shared roadways and trails. Natural sanctuaries including the many groves of trees should remain undisturbed and become part of a larger open space preserve. Incorporating public gathering spaces at major destinations such as vista points and trailheads would further accentuate the unique natural environment. New landscaping should integrate the existing native planting palette with the peninsula's unique character.

In the former Point Molate Navy Fuel Depot area, adaptive reuse of historic buildings and new development should seek to reinforce the original rural village character of the area. New buildings should keep a small-scale to reinforce the sense of a hillside town. In general, variety of building uses are encouraged in the private areas including entertainment, lodging and waterfront commercial. All development should respect the natural topographic context. New buildings should blend into the natural and cultural landscape. Sustainable design practices and elements should be an intrinsic part of new buildings.

GOAL LU4

Enhanced Environmental Quality

Action LU4.E

Point Molate Redevelopment Plan

Continue to pursue redevelopment of the ex-Point Molate Fuel Station, the ex-Red Rock Marina, Terminal #4, and improve conditions at the San Pablo Yacht Harbor. Identify and incorporate opportunities for public open space and recreational facilities. Integrate previous planning efforts including the Point Molate Reuse Plan and San Pablo Peninsula Open Space Study.

See also: ED9.A

GOAL LUS

Balanced and Compatible Uses

Policy LUS.2

A Mixed-Use Waterfront

Continue to create a dynamic mixed-use waterfront that includes amenities and attractions for residents and visitors. There are a number of different uses, features and assets along Richmond's shoreline that can be enhanced to create a series of distinct places along the waterfront.

The San Pablo Peninsula is characterized by large natural open spaces, shoreline parks and beaches, sweeping views of the San Francisco Bay Area and historic structures. The City will support development on the Peninsula as a regional recreation destination that is well connected to rest of the City and accessible to the greater community. Disturbed sites such as the Winehaven complex at Point Molate and the Terminal 4 site at Point San Pablo will be remediated and redeveloped into mixed-use activity centers to serve a broad range of visitors and provide long-term revenue to the City.

The Richmond Port (public and private) is recognized as a productive and important component of the community's economy and identity. Many of the adjacent industries embrace high standards and provide high-wage, local jobs. Creative transitions should be developed between port related activities and potential mixed-used neighborhoods along the waterfront to provide strong connections, design cohesion and effective buffers where necessary.

The Ford Peninsula in Marina Bay is a gateway to Richmond and an integral part of the City where people work, live and recreate. The Peninsula's historic Ford Assembly Plant, open space, connection to the Bay Trail and convenient freeway access present great potential for developing the eastern portion of the area as an active mixed-use neighborhood that will attract visitors from around the Bay. In February 2006 the City Council passed Resolution No. 15-06 to support and promote the location of the proposed ferry terminal. Ferry transit to San Francisco will enhance the Southern Shoreline's appeal to residents and businesses.

GOAL PR1**An Integrated System of Parks, Green Streets and Trails****Action PRI.E****Shoreline Parks Plan**

Within the framework of the Parks Master Plan, coordinate with other agencies and community groups to explore the potential for creating new parks and facilities particularly along the San Pablo Peninsula. Trails and greenways along the scenic shoreline should be enhanced to provide recreational opportunities and circulation access and to develop the shoreline as a visitor destination. Whenever possible, expand shoreline access and the development of both land and water sports and recreation activities along Richmond's waterfront and shoreline (including creating a shoreline visitor water shuttle in partnership with the National Park Service) while respecting natural resources and considering impacts on the environment.

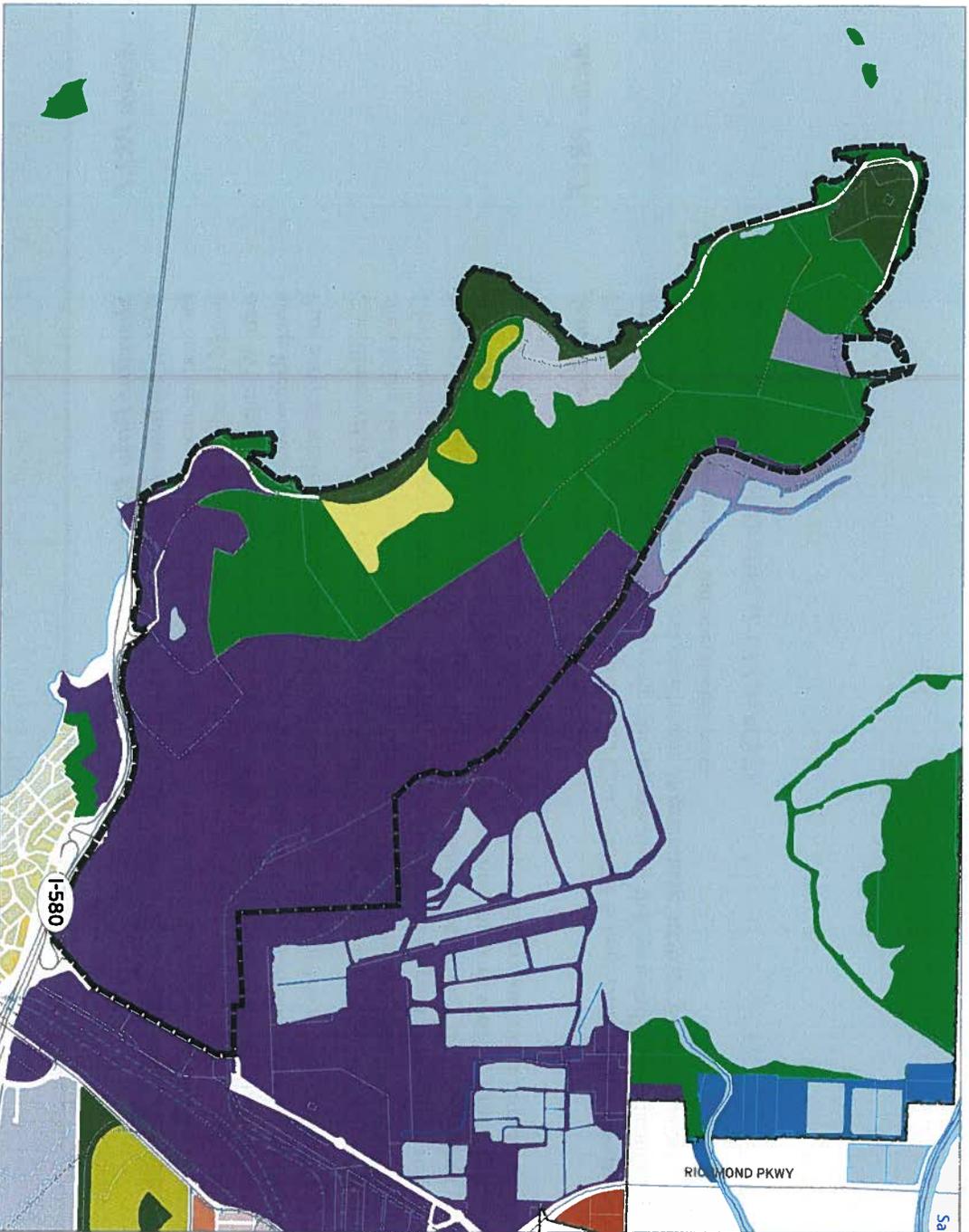
Coordinate efforts with community groups, property owners, and the BCDCC to analyze gaps and identify opportunity sites for completing the Bay Trail; identification of routes and improvements needed to connect the shoreline with core urban areas of the City; bicycle and pedestrian trails to provide local connections between the waterfront and surrounding neighborhoods; and provisions to complete planned regional trails including the San Francisco Bay Trail, Richmond Greenway and Wildcat Creek Regional Trail. The Shoreline Parks Plan will be developed in coordination with specific plans for the waterfront. The Plan will also consider state and federal security requirements for the Chevron refinery and other important industries.

Action PRI.F**Joint-Use Agreements**

Pursue joint-use agreements with West Contra Costa Unified School District, East Bay Regional Parks District, neighboring cities, public agencies, private entities and nonprofit organizations that own and operate facilities within the City. In addition to providing more space for recreational and enrichment programming, strategic partnerships can provide the benefit of shared renovation, development, maintenance and operational costs.

See also: *ED1.E; EH1.D; HW1.G; CF2.A; AC1.D.*

807



- Map 3.15
Change Area 13
 San Pablo Peninsula
- City of Richmond
 - Residential Neighborhoods**
 - Hillside Residential
 - Low-Density Residential
 - Medium Density Residential
 - Neighborhood Mixed-Use
 - Key Corridors**
 - Medium Density Mixed-Use (Residential Emphasis)
 - Medium Intensity Mixed-Use (Commercial Emphasis)
 - Activity Centers**
 - Medium Intensity Mixed-Use (Gateway and/or Community Node)
 - High Intensity Mixed-Use (Major Activity Center)
 - Regional Commercial Mixed-Use
 - Business and Industry**
 - Light/Work
 - Business/Light Industrial
 - Marine and Waterfront Commercial
 - Industrial
 - Port
 - Community**
 - Agriculture
 - Open Space
 - Parks and Recreation
 - Public, Cultural and Institutional

1/4 MILE

Table 3.1 Residential Neighborhood Land Use Classifications

Land Use Classification	Ranges	Character
<p>Hillside Residential Includes attached and detached single-family housing on subdivided parcels and clustered multi-family residential on developable portions of hillside parcels below the 400-foot elevation. Hillside development should address key environmental challenges and constraints such as steep slopes and soil erosion. Neighborhood mixed-use development is allowed at neighborhood nodes.</p>	<p>Density: Up to 5 du/acre Intensity: Not applicable Height: Up to 35 feet</p>	
<p>Low-Density Residential Includes attached and detached single-family residential development in level to moderately sloped areas. Neighborhood mixed-use development is allowed at neighborhood nodes. Existing multi-family residential structures may remain and may be improved without increasing densities, or may revert to single-family residential uses.</p>	<p>Density: 5 to 15 du/acre Intensity: Not applicable Height: Up to 35 ft.</p>	
<p>Medium-Density Residential Includes single and multi-family housing types such as one to three-story garden apartments, historic bungalows and cottages on small lots, townhouses and stacked flats. Neighborhood mixed-use development is allowed at neighborhood nodes.</p>	<p>Density: 10 to 40 du/acre Intensity: Not applicable Height: Up to 35 ft.</p>	
<p>Neighborhood Mixed-Use Includes residential and neighborhood-serving retail uses such as shops, markets, professional offices, boutiques, barber shops, beauty salons and restaurants. Residential development above ground floor commercial is strongly encouraged. Development is emphasized at neighborhood nodes.</p>	<p>Density: 10 to 30 du/acre Intensity: 0.25 to 0.5 FAR Height: Up to 45 feet</p>	

Notes:

- Dwelling units per acre (du/acre) describes residential building density.
- Floor area ratio (FAR) denotes building intensity for non-residential uses.

Table 3.2 Key Corridor Land Use Classifications

Land Use Classification	Ranges	Character
<p>Medium-Density Mixed-Use (Residential Emphasis) Includes mixed-use development with commercial uses encouraged at street-level along corridors. However, residential-only development is allowed and may include condominiums, townhouses or apartments. Commercial-only development is not allowed. Projects with commercial components must also include a residential component. New development is required to have a pedestrian-oriented building design with minimal setbacks and parking located to the sides or rear of buildings.</p>	<p>Density: 15 to 50 du/ac Intensity: Up to 0.5 FAR Height: Up to 45 feet</p>	
<p>Medium-Intensity Mixed-Use (Commercial Emphasis) Includes mixed-use development with commercial or office/light industrial uses encouraged at street-level along corridors*. This classification is distinguished from the Medium-Density Mixed-Use (Residential Emphasis) land use classification in that it allows residential-only or commercial-only development. Residential uses may include condominiums, townhouses or apartments and commercial uses may include small to large-scale retail or office. New development must have a pedestrian-oriented building design with minimal setbacks and parking located to the sides or rear of buildings preferred.</p>	<p>Density: Up to 50 du/ac Intensity: 0.25 to 2.0 FAR Height: 15 to 55 feet</p>	

Notes:

- Dwelling units per acre (du/ac) describes residential building density.
- Floor area ratio (FAR) denotes building intensity for non-residential uses.
- Pursuant to Ordinance No. 1808, residential uses are prohibited within the Transition Zone Overlay District (TZOD) as referenced on General Plan Map 3.2: General Plan Land Use.

8010

Table 3.3 Activity Center Land Use Classifications

Land Use Classification	Ranges	Character
<p>Medium-Intensity Mixed-Use (Community Nodes and Gateways) Includes mid-rise mixed-use development at key community nodes and gateways with commercial uses strongly encouraged at street-level. Commercial development must have a pedestrian-oriented building design with setbacks allowing for public amenities and parking located behind buildings.</p>	<p>Density: Up to 75 du/ac Intensity: 0.5 to 2.0 FAR Height: 15 to 55 feet.</p>	
<p>High-Intensity Mixed-Use (Major Activity Center) Includes mid and high-rise mixed-use development at major activity centers to serve the community and region. Office, retail, entertainment and residential uses are allowed. Areas with this designation are characterized by streets with minimal setbacks, wide sidewalks and public spaces that cater to pedestrians and transit riders. Medium-Intensity Mixed-Use (Commercial Emphasis) is allowed within this land use designation.</p>	<p>Density: Up to 125 du/ac Intensity: 1.0 to 5.0 FAR Height: 15 to 135 feet</p>	
<p>Regional Commercial Mixed-Use Includes mid-rise mixed-use development characterized by compact and pedestrian-friendly environments. Office, retail and residential uses are allowed in mid-rise buildings.</p>	<p>Density: Up to 50 du/ac Intensity: 0.5 to 2.0 FAR Height: 15 to 55 feet</p>	

Notes:

- Dwelling units per acre (du/ac) describes residential building density.
- Floor area ratio (FAR) denotes building intensity for non-residential uses.
- Pursuant to Ordinance No. 1808, residential uses are prohibited within the Transition Zone Overlay District (TZOD) as referenced on General Plan Map 3.2: General Plan Land Use.

Table 3.4 Business and Industry Land Use Classifications

Land Use Classification		Ranges	Character
<p>Live/Work Includes lofts and apartments connected to small-scale production spaces as well as office and storefront retail in transitional areas where it can be demonstrated that the use does not conflict with adjacent uses.</p>		<p>Density: 15 to 50 du/ac Intensity: 0.25 to 0.5 FAR Height: Up to 55 feet</p>	
<p>Business/Light Industrial Includes commercial and institutional uses such as a large-scale research and development campus, light industrial, industrially-related storage and distribution, and office uses.</p>		<p>Density: Not applicable Intensity: 0.25 to 3.0 FAR Height: Up to 55 feet</p>	
<p>Marine and Waterfront Commercial Includes water-oriented uses such as boat repair, recreation equipment rentals, water transit, marinas, services, restaurants and water-related storage and office uses. Development character should complement shoreline natural resources.</p>		<p>Density: Not applicable Intensity: 0.25 to 1.0 FAR Height: Up to 100 feet</p>	
<p>Industrial Includes uses such as manufacturing and assembly in areas near freeways and freight rail. Office and warehousing are allowed.</p>		<p>Density: Not applicable Intensity: 0.25 to 2.0 FAR Height: Up to 55 feet</p>	
<p>Port Includes working waterfront uses such as private and publicly-owned port terminals, warehousing, commercial fishing, ship repair and related office uses.</p>		<p>Density: Not applicable Intensity: 0.25 to 1.0 FAR Height: Up to 100 feet</p>	

BC12

Table 3.5 Community Area Land Use Classifications

Land Use Classification	Ranges	Character
<p>Open Space Includes wetlands, mudflats, creek corridors and other natural preservation areas, as well as private lands deed-restricted for open space preservation. Public access should be allowed where appropriate. Except in delineated wetlands and other resource preservation areas, uses permitted in the Parks and Recreation designation are allowed.</p>	<p>Density: Not applicable Intensity: Up to 0.5 FAR Height: Up to 35 feet</p>	
<p>Parks and Recreation Includes publicly owned local and regional parks as well as privately owned recreational facilities such as golf courses. Small-scale recreation-supporting uses such as rental shops, bike repair facilities, small restaurants, interpretation centers and museums are also permitted.</p>	<p>Density: Not applicable Intensity: Up to 0.5 FAR Height: Up to 35 feet</p>	
<p>Public, Cultural and Institutional Includes public, semi-public and educational uses such as civic facilities, community centers, libraries, museums, national park facilities, hospitals and schools.</p>	<p>Density: Not applicable Intensity: Up to 1.0 FAR Height: Up to 45 feet</p>	
<p>Agriculture Includes agricultural uses such as grazing, crop production, farming, community gardens and ancillary residential uses.</p>	<p>Density: Up to 0.20 du/ac Intensity: Not applicable Height: Up to 35 feet</p>	

Notes:

- Dwelling units per acre (du/ac) describes residential building density.
- Floor area ratio (FAR) denotes building intensity for non-residential uses.

Craig Murray

From: Hector Rojas
Sent: Tuesday, September 13, 2011 3:59 PM
To: Craig Murray; Lina Velasco
Cc: Richard Mitchell
Subject: RE: PMCAC 9/19 6:30pm GP

Please inform the PMCAC that the Planning Commission will be considering a recommendation to City Council to certify the General Plan EIR and adopt the General Plan at its October 6th meeting. The PMCAC is welcome to attend the meeting to get an update on the final draft of the General Plan.

|| ✓

Hector J. Rojas, LEED® AP

Associate Planner
City of Richmond Planning & Building Services
450 Civic Center Plaza, Richmond, CA 94804
Tel: 510.620.6662 | Fax: 510.620.6858
Web: www.ci.richmond.ca.us/planning | [E-News Signup](#)
Follow us:   

 Please consider the trees before printing this email

From: Craig Murray
Sent: Tuesday, September 13, 2011 1:41 PM
To: Hector Rojas; Lina Velasco
Subject: PMCAC 9/19 6:30pm GP

Hector
Lina

The Point Molate Community Advisory Committee has the following agenda for subject meeting:

“Presentation on General Plan timelines, and current LUD for Change Area 13; Point Molate and the San Pablo Peninsula – Hector Rojas (10 min.)”

Please advise if you can participate & what written documents you would like included in the Committee Agenda packet.

Thanks.

Craig K. Murray, SR/WA
Development Project Manager II
Richmond Community Redevelopment Agency
440 Civic Center Plaza, 2nd Floor
Richmond, CA 94804-1630
510-307-8140
510-307-8188 direct
510-307-8149 fax

8c14

9/16/2011

City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Multi-Purpose Room
440 CIVIC CENTER PLAZA

PROPOSED MINUTES MONDAY, July 18, 2011, 6:30 PM

1. CALL TO ORDER

Garrett called the meeting to order at 6:34 p.m.

2. ROLL CALL

Present: Committee Members Beyaert, Clark, Garrett, Glendening, Gordon, Ham, Hanna, Hite, Kortz (6:37pm), Rosing, Smith, C., Smith, N., Soto (8:31pm), Sundance and Whitty.

Absent: Committee Members Gilbert, Helvarg, Martinez, Stello

Staff Present: Gayle McLaughlin, Mayor; Marilyn Langlois, Community Advocate, Mayor's Office; Craig K. Murray, Staff Liaison/Development Project Manager II, Community & Economic Development Department/Redevelopment; Carlos Privat, Deputy City Attorney, Ed Medina, Deputy Chief of Police, Chris Chamberlain, Parks Superintendent, La Shonda Wilson, Management Analyst, City Manager's Office.

3. WELCOME AND MEETING PROCEDURES

Garrett welcomed audience, explained meeting procedures and discussed the Speaker Card process.

4. AGENDA REVIEW AND ADOPTION

Garrett agreed with Beyaert's suggestion that item 6.3, of the June 20 Meeting Minutes could be corrected to remove the inconsistent "and end at 8:30 PM" while leaving approval of the minutes on the consent calendar. Beyaert then moved to accept the agenda amended as recommended by Chair Garrett to hear item 8.a as the first presentation. C.Smith seconded. Passed unanimously.

5. ANNOUNCEMENTS THROUGH THE CHAIR

NONE

6. OPEN FORUM

Don Gosney, Richmond resident – commented on the choice of meeting venue, trouble recording meeting due to the room and side conversations and request to start meeting on time so speakers will not lose any time.

7. PRESENTATIONS, DISCUSSIONS & ACTION ITEMS

Item 8a on Rosenbergs Rules was heard first and information was presented by Privat. Privat answered questions and noted that Roberts Rules of Order are complex and work well for Parliament but in Richmond Rosenberg Rules are used by various public bodies such as the City Council, Planning Commission and Design Review Board. C.Smith moved to accept the presentation, Ham seconded and passed unanimously.

A. Establish Day, Time for posting PMCAC meeting agenda/packet

Ham indicated that Friday am rather than Friday noon would be better. Beyaert moved that agenda packet be available as early as possible on the Friday prior to each meeting but no later than noon, Ham seconded and passed unanimously.

B. Establish the following Sub-Committees: 1. By-Laws; 2. Clean-Up and Restoration; 3. Finance and Legal

Beyaert moved to establish 4 Sub-Committees: 1. By-Laws; 2. Clean-Up and Restoration; 3. Finance and 4. Legal, C.Smith seconded and passed unanimously.

- C. Assignments to Sub-Committees: 1. By-Laws; 2. Clean-Up and Restoration; 3. Finance and 4. Legal. Garrett checked with Committee members and general discussion to establish the following assignments to each of the four Sub-Committees: 1. By-Laws: Ham, Helvarg and Soto; 2. Clean-Up and Restoration: Gordon, Hanna, Glendening, Rosing, Clark, Kortz, Whitty, Beyaert, Sundance; 3. Finance: Ham, Glendening, Martinez; 4. Legal: Garrett, N.Smith, Stello.

D. Water Board Update on Site Clean-Up

George Leyva of the California State Regional Water Quality Control Board presented an update on Point Molate from US Navy efforts to current. Leyva introduced his new Supervisor Alec Naugle. Naugle replaces the retired John Kaiser. Leyva advised the Committee that a new Water Board Order for the adoption of the Site Cleanup Requirements is forthcoming and encouraged the Committee to participate in its review and comment. Leyva discussed the various IR sites at Pt Molate, received questions and expressed that the Water Board is working with Terraphase in regards a clean-up methodology.

E. Site Clean-Up Presentation – Terraphase Engineering

William Carson of Terraphase detailed clean-up process and methodology for each Pt Molate site. Carson responded to questions from audience and Committee members.

8. STAFF REPORTS

B. PRESENTATION BY CITY MANAGERS OFFICE REGARDING OPERATING BUDGET

1. LaShonda Wilson presented Operating, Receivables/Payables and Source of Funds Budget detail. Wilson noted that \$1.75 million in revenue have been received to date.
2. Kortz inquired of \$577,895. Morrison Forester contract for legal services. Wilson explained expenditures are for EIR, Land Use and Development Assistance to City Staff and for remediation
3. Garrett inquired about internal service fund being used for City staffing. Wilson explained yes and did not want costs to come out of general fund.
4. Wilson explained that Remediation budget is summarized in packet and details are provided to and reviewed by Project Manager Steve Duran. Wilson explained that Escrow fund is established with First American and the account details the costs
5. Wilson pointed out that \$5,765,460 has been paid to date for remediation and about \$22.85 million of the \$28.5M remains.
6. Beyaert inquired about Upstream & City administrative costs of \$800,000 in six months. Wilson explained that much of this expenditure is for work performed prior to obtaining the \$28.5 million and further information may be available from Legal,
7. Glendening indicated that Legal sounds like a lot of work at \$500,000/year and City expending another \$600-\$700,000/year.
8. Soto inquired about \$6 million spent on clean-up. Wilson explained that \$4 million of it is for insurance.
9. Mayor inquired about insurance costs if actual costs do go beyond \$28.5 million and who pays for the \$4.1M insurance. Mayor indicated that she thought Upstream would pay this amount.
10. Kortz inquired if \$4.1 million is additional cost just for insurance. Mayor stated yes.
11. Hanna inquired if the City and Upstream administrative costs for remediation can be reviewed. Garrett indicated that Legal SubCommittee can ask for and get to in the future.
12. Garrett inquired if operating at a \$500,000. deficit with \$1.6 million received and \$2.1 million spent. Wilson clarified that \$1.7 million received and \$1.6 million spent.

13. Beyaert inquired if Upstream is no longer paying for security and maintainance and anything not out of remediation that being paid out of by City General Fund. Wilson explained that expenditures is from last years budget but additional expenses will come out of general fund.

C. REPORT ON POINT MOLATE BEACH PARK

1. Chris Chamberlain, Park Superintendent, discussed his written report and observations of current state of Pt Molate Beach Park. Chamberlain indicated that basic vegetation maintenance principally for fire requirements are being performed and indicated that he does not have budget to perform improvements necessary to re-open park.
2. Deputy Police Chief Ed Medina provided a report regarding the public safety aspect to current Pt Molate Beach Park. Medina indicated that the remote location and difficult one way and vehicle parking/access poses problems for not only Police but fire and medical. Medina indicated that Beach Park area is patrolled but not a priority and necessity for private security on Point San Pablo Peninsula.
3. Beyaert stated park closed 10 years ago to cut costs when the City was in dire financial straits.
4. C.Smith stated that twenty-five years ago park was enjoyable place for families with kids with steam engine line accessing park and inquired if Park Supt. Knows of special nature of park
5. Chamberlain explained he knows of special nature of park being on bay shoreline and that there are few others in City. Chamberlain expressed interest in opening & operating park if there was budget and advised Committee of difficulties of closing a park and then trying to bring back to operational status.
6. Hanna inquired about redevelopment for project improvements.
7. Chamberlain indicated that there are significant American with Disabilities Act needs and has a number of deferred maintenance capital improvement items.
8. Soto referenced a Park Conditions Survey conducted by the West County HEAL Project.
9. Medina indicated that a survey should include Lighting
10. Ham inquired if the gate is closed at nightfall. Medina stated gate is used.
11. Garrett inquired how far off the beaten path is Pt Molate Beach Park. Medina stated that in is included in Beat 1.
12. Clark stated that he lives at Pt San Pablo Yacht Harbor and questions the cost of RPD versus DP Security. Medina stated cost for one RPD officer is a lot more and provided certain areas for analysis such as vehicle, officer, benefits, and a standard 8 hour shift would be in the \$200,000./year range.
13. Public Speaker Don Gosney indicated that in late 90's there were Rave Parties called Geek Fests. Nature of parties were described and break-ins to various buildings occurred and RPD response times took up to 15 minutes.
14. Beyaert addressed security concerns by comparing the small Pt. Molate Beach Park with EBRPD's 2,315-acre Point Pinole Regional Shoreline. Like Pt. Molate, there is only one entrance to Pt Pinole, and none of Pt. Pinole can be seen from any public road whereas Western Drive parallels Pt.Molate Beach closely. Also, when the gate is closed, the presence of a car parked on Western Drive is a clear sign that someone is visiting Pt.Molate Beach. He pointed our that DP Security could easily keep an eye on the beach park as part of their job to patrol the former Naval Fuel Depot 24/7.

15. Beyaert indicated that he would like to see the Park open and motioned that the Parks Superintendent in next month or two bring forward a proposal to open park as-is and open park with enhancements. Soto seconded with friendly amendment to take this to the Park & Recreation Commission first. Beyaert indicated that he would rather not. Beyaert provided photos of park & comparison of other parks regarding motion. Hanna seconded. Passed with Sundance in opposition.

9. CONSENT CALENDAR

1. Minutes of June 20, 2011 were approved unanimously and Committee moves extending meeting to 9:30pm.

10. FUTURE AGENDA ITEMS

1. Garrett discussed: 1. Update on General Plan; 2. LDA; 3. City Manager office clarification on \$800,000 administration costs; 4. Parks & Landscape re-presentation of costs to open park; 5. Clean-Up Committee report. Beyaert emphasized the importance of the LDA topic based on Upstream's decision regarding an alternative development proposal.

11. CITY COUNCIL LIAISON REPORTS

- a. Report by Mayor McLaughlin that Developer has not yet submitted an alternative proposal and was provided 120 days that ends approximately August 3. Additional information provided on building stabilization, City consultant Nichols Engineering reviewing work and inquiry regarding insurance funds as part of the \$28.5M allocation.

12. CHAIR AND SUB-COMMITTEE REPORTS

(Item continued to next regularly scheduled meeting of July 18)

13. Adjournment

Chair Garrett moved to adjourn meeting at 9:31pm. Whitty seconded. Passed unanimously.

14. SCHEDULED MEETINGS

Committee Meeting –

Monday, September 19, 2011, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza.

Minutes respectfully submitted by:

Craig K. Murray, PMCAC Staff Liaison

City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Multi-Purpose Room
440 CIVIC CENTER PLAZA

PROPOSED MINUTES MONDAY, August 15, 2011, 6:30 PM

1. CALL TO ORDER

Garrett called the meeting to order at 6:36 p.m.

2. ROLL CALL

Present: Committee Members Beyaert, Clark, Garrett, Gilbert (6:39pm), Glendening, Ham, Hanna, Hite, Kortz, Martinez (6:41), Rosing, Smith, C., Smith, N., Soto, Stello, Sundance and Whitty.

Absent: Committee Members Gordon, Helvarg, Hite

Staff Present: Gayle McLaughlin, Mayor; Marilyn Langlois, Community Advocate, Mayor's Office; Craig K. Murray, Staff Liaison/Development Project Manager II, Community & Economic Development Department/Redevelopment

3. WELCOME AND MEETING PROCEDURES

Garrett welcomed audience, explained meeting procedures, and discussed the Speaker Card process.

4. AGENDA REVIEW AND ADOPTION

Garrett reviewed Agenda items and suggested to move item 12b to follow item 7b. Beyaert suggested friendly amendment that Committee receive item 8a City Staff Report as part of 7b and continue July minutes to August meeting. Stello then moved to accept the agenda amended as recommended by Chair Garrett. C. Smith seconded. Passed unanimously.

5. ANNOUNCEMENTS THROUGH THE CHAIR

Garrett announced resignations that were received from Committee Member Jon Gordon from the Clean Up and Restoration Sub Committee and from the PMCAC itself and from Committee Member Toni Hanna from the Clean Up and Restoration Sub Committee. Soto announced that on Saturday October 8, 2011, 10am-5pm, there will be the North Shoreline Festival at Pt Pinole Park as sponsored by the North Richmond Shoreline Open Space Alliance.

6. OPEN FORUM

Don Gosney, Richmond resident – commented on the meetings and that they are public, and speakers choice of meeting venue, trouble recording meeting due to the room and side conversations, and placement of Agenda on web.

7. PRESENTATIONS, DISCUSSIONS & ACTION ITEMS

A. Establish Day, Time for tour of certain Pt Molate grounds and facilities (20 min.)

Murray presented information on Pt Molate Tours and Committee discussed possible dates. Murray to forward survey to Committee for consideration of two tour dates.

B. Tentative Order for adoption of Site Cleanup Requirements – CA Regional Water Quality Control Board (40 Min.)

George Leyva and Alec Naugle of the State Regional Water Quality Control Board attended meeting to provide information based on Committee and audience questions to the draft Tentative Clean-Up Order. Leyva presented the Tentative Order (Order) as found in the Agenda packet and Order states the problem and provides a plan on how to work with it. Leyva can help guide your consultants on the scope of work. Plan is due in February, 2012. Committee presented questions:

1. Glendening questioned what type of EIR is used to satisfy the Order & the Cortese list. Leyva indicated in 2008 an exemption was issued but later for Pt Molate Water Board indicated that yes it is a military site but only small amount of TCE existed on site even though it was not on the Cortese list and subsequently asked consultant putting EIR together to list what other needed mitigations and to include the Order as part of the project. Leyva indicated that did wait for EIR for this project & used it to satisfy the CEQA requirement and clarified that a separate environmental report is not needed for the Order.
2. Glendening asked if this is why it took so long for the revised Tentative Order to be issued. Leyva indicated yes and issued and time to process and get to attorneys and necessary steps to get out door on July 26.
3. Glendening indicated that written comments due by Sept.9 doesn't give much time. Leyva indicated that it is a very simple order and February is a reasonable time and necessary to get report in Spring to do work in Summer, an optimal time to do digging and not suspend until another year.
4. Soto asked about Site 1 on page 3 , number 11 Site A Landfill monitoring as clean-up order. Leyva described process and site dates back to 1940's and tests and recent 5-year review of ROD shows it is still relatively clean. ROD under CERCLA is legal document that it is authorized to clean-up.
5. Soto asked if could dig up. Leyva said could but expensive and leave it there with not causing impact or send to landfill and Beyaert mentioned Deed restriction not to damage the cap.
6. Garrett inquired to Water Board letter to US Navy regarding cap in December, 2007 that monitoring is of questionable quality. Leyva explained that Navy installed an additional well and that concern was petroleum at site and need to have well that would screen across the water table as it should be. Leyva is comfortable that monitoring is adequate.
7. Whitty questioned amount of time of monitoring. Bill Carson indicated quarterly. Leyva confirmed that monitoring would be indefinite period of time.
8. Beyaert had three inquiries including: 1) changes to the new Order. Leyva discussed previously and discussion from Upstream to break out Site 3, 4 remediation and how reports will be submitted. 2) With uncertainty of development, how is that built in. Leyva indicated saturated zone clean up criteria with primarily Site 3 and described Navy dig out limits originally only down to 10 feet. This plan asks City on what concentrations on zone that hasn't been touched and deal with mobile product if it will migrate to Bay. Whitty indicated can be found on Page 4 B on top of Order. Leyva wanted a decision document but it won't be now that is flowing oil. Beyaert 3) With amount of funds flowing on other items, apparently Site 3 is restarting without any groundwater or soil to be cleaned. Leyva confirmed a lot of consultant work on site performed but need to decide how much to clean it up to and it doesn't help on what concentration can be left behind and therefore Water Board wants a decision document. Leyva indicated working hard not to retread old steps.
9. Whitty in regards to how much clean up with Site 2 and 4 to residential standards. Leyva referred to use map for residential, but Navy cleaned to commercial. Leyva indicated that it is up to City and tell Water Board that clean up will meet residential standard and can be found in the FS-RAP. Whitty asked when will Water Board be told. Leyva indicated that February 3 is date.
10. Glendening inquired about clean up goals and items in EIR are flexible and don't want to see clean-up that will restrict for future land use opportunities. Leyva indicated if not in EIR then City will need to amend, but doesn't prevent Water Board from issuing Order to clean it up.
11. Whitty reviewed development options and questioned if level of clean-up is there because in the CEQA document. Leyva says order doesn't say have to put Residential here, but how are you going to clean up. Leyva has certified environmental project You could request different clean up but it would be different.
12. Beyaert questioned 5c inconsistent with Alt. D residential and why in FEIR Navy allowed to clean up to different standard. Leyva indicated it was Navy and Navy needed to be given opportunity because still RP but couldn't force to clean up to residential standards just commercial/industrial.
13. Garrett indicated that Water Board has used an EIR with low validity and suggest rolling back time tables about an additional four months for PMCAC and public review. Leyva indicated that current Order still shows clean up two years out. Alec Naugle pointed out that Order only requires clean-up plans with redevelopment and being told that the plan can be done. Bill Carson provided information about IR Site 3. Leyva indicated 1995, 1997 and 2003 attempts made to clean up. Mayor indicated points raised by Committee members are valid and main use, a Casino Use, has been rejected by Council. Mayor indicated

- a n extreme change has occurred since 1997 and can time be extended for clean up for use and for safety of those visiting the site. Leyva indicated that Water Board has provided additional time and asked comments to be stated in writing by Sept. 9. Naugle indicated that would consider that and hearing that uses presented in EIR are not the uses and don't know who will figure that out perhaps the City.
14. Garrett indicated that published 2008 and rescinded in 2009 and inquired why know sudden rush and only three week comment period without knowing what use will be. Leyva accept that and please put in writing.
 15. Soto inquired about hotel placement would be temporary standards and therefore not residential. Leyva confirmed hotel is commercial.
 16. Soto inquired about fault lines and treatment area threats. Leyva indicated want extraction trench taken out and there has been some geologic assumptions and don't expect seismic failure there. Bill Carson of Terraphase responded that extraction trench failure that far from seismic area would not be seen but would see things such as power failure and if so there would be catastrophic events in entire Bay Area. IR Site 3 meets multi-family residential and with cost estimates from Navy and if you want to go beyond that in clean up then there is not the amount of money the Navy has provided.
 17. Soto inquired about chemical process. Leyva and Carson responded.
 18. Whitty inquired on TO on a CEQA document based on EIR that has changed and need a new TO. Leyva indicated don't get involved in Land Use decisions. Naugle indicated that clean up plan needs to be redone if wanted residential and said commercial. Leyva confirmed plan needs to be redone but not the TO.
 19. C. Smith suggested to clean up to higher standard now. Leyva agreed that plan needs to be adjusted if this is case. Naugle indicated that it is whatever is negotiated to that level and monies that are available. Carson indicated that it is a FS-RAP and what is standard and beyond and could go back to re-do RAP to look at variety of alternatives. Leyva indicated that the FS-RAP is a City document and if City wanted to clean up to an example such as a school then City has to decide if it wants to come up with additional funding and City needs to go through that process.
 20. Glendening indicated that Water Board should put information in Order that there are some unknowns about the EIR and not just one project highlighted. Leyva indicated whole idea of EIR and Water Board should know sooner than later.
 21. Garrett summarized and wrapped up documents with EIR and assumptions in Order and a need for time. Leyva indicated that as long as stay in bounds of clean up. Naugle indicated in 2008 Order was remanded because of a technical exemption because it was not a Cortese site and indicated what the Water Board could have used and confirmed that there is no project and Water Board is not writing a plan. Naugle provided likely scenarios to get to what is required for Order and three years ago didn't know information in FS-RAP.
 22. Soto inquired if there should be a formal request for an extension of time. Beyaert indicated that the Sub Committee will be asking for more time.
 23. Rosing thanked Water Board for their work here and indicated that we don't know what will happen on that property in the future and with a few more months to ensure process due to long nature of its reuse. Leyva asked for comments in writing.
 24. Leyva asked if Order is too complicated the way it was written. Garrett responded that there are many documents to be reviewed in relation to it by September 9. Leyva indicated that date is only necessary to put comments together and a written response and Order won't be heard until October 12 but may receive comments by October 1 but may not be able to address them but could address verbally to Board so technically there is more time.

C. Presentation of General Plan timelines, and current LUD for Change Area 13; Point Molate and the San Pablo Peninsula (10 Min.)

9.7

Written information was provided by the City of Richmond Planning Department. Soto advised Committee as a Planning Commissioner that Commission envisioned that there would not be enough time so commencing September 1 that additional time may be provided to submit something on proposed land uses to Planning Commission. Beyaert indicated that Reuse Plan was adopted in 1997 and what is there to discuss. Soto and Garrett indicated that there is a lot to discuss and recommend that this item be put over to future meeting along with item 8a. No objections.

8. STAFF REPORTS

A. DISCUSSION ON ADMINISTRATIVE EXPENDITURE/REMEDATION BY CITY/UPSTREAM

9. CONSENT CALENDAR

1. Minutes of July 18, 2011 were discussed with Soto proposing change on an item and Garrett suggested to carry minutes over to next meeting. Whitty moved item, Soto seconded and approved unanimously.

10. FUTURE AGENDA ITEMS

Beyaert commented that he would like to hear from Upstream on their new development plan. Soto indicated that he would like discussion on what community would like to see there. N.Smith asked if the City Attorney's Office could present information on the legal status of Upstream. Ham presented that a draft of the PMCAC By Laws should be ready by next meeting.

11. CITY COUNCIL LIAISON REPORTS

- a. Report by Mayor McLaughlin that Developer Upstream has provided correspondence to the City and that this correspondence is currently being reviewed by City Attorney's Office and outside legal counsel. Mayor indicated that as soon as information is available that she will forward that to this Committee.

12. CHAIR AND SUB-COMMITTEE REPORTS

- a. By-Laws: Ham indicated that the By Laws are in rough draft and currently in the Sub Committee process. Ham indicated that he would like to run the draft copy through the City Attorney's Office.
- b. Clean Up and Restoration: Glendening reported that she is Chair and Beyaert is Vice Chair and that communication via emails on Tentative Order and Committee met today and have many questions. Beyaert motioned Sub Committee comments to Committee that correspondence to City including not sufficient time and a total of six items of concern regarding property and clean-up criteria and task and compliance dates. Exception of Site 1 with deed restriction prohibiting residential, all sites be cleaned to residential and require Navy to clean up to residential use based on residential uses stated in FEIR and Reuse Plan. Garrett proposed alt. proposal to reject TO based on lack of time and date extended to time allowed to PMCAC and City and referred to Sub Committee to determine amount of time needed. Soto seconded. Beyaert indicated bad idea to delay TO/Clean Up and potential contamination to Bay. General comments on clean up standard consensus and concerns if get anything else from Navy in 90 days. Call to Vote. PMCAC in favor with exceptions of voting No: Beyaert, Whitty & Sundance.
- c. Finance: Ham reported no action.
- d. Legal: N.Smith reported that she is Chair and indicated that Sub Committee has two issues: 1) Status of LDA such as is it in effect and does it expire this Thursday; 2) On the Insurance Policy, what it actually covers and Sub Committee hasn't received it yet.

13. Adjournment

Soto moved to adjourn meeting at 8:48pm. Sundance seconded. Passed unanimously.

14. SCHEDULED MEETINGS

Committee Meeting –

Friday, August 26, 2011, 3:00 p.m., Point Molate, Bldg.123, 2100 Western Drive

Monday, September 12, 2011, 1:00 p.m., Point Molate, Bldg.123, 2100 Western Drive

Monday, September 19, 2011, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza.

Minutes respectfully submitted by:

Craig K. Murray, PMCAC Staff Liaison

City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Special Meeting

POINT MOLATE, BUILDING 123, 2100 WESTERN DRIVE

PROPOSED MINUTES

FRIDAY, August 26, 2011, 3:00 PM

1. CALL TO ORDER

Beyaert called the meeting to order at 3:00 p.m.

2. ROLL CALL

Present: Committee Members Beyaert, Clark, Gilbert, Hanna, Helvarg, Martinez, Rosing, Smith, C., Smith, N., Soto and Sundance.

Others Present: Tom Butt, Don Gosney, Dennis Miller and Maria Salvador.

3. WELCOME AND MEETING PROCEDURES

Beyaert welcomed audience, explained tour procedures, and explained tour schedule of the grounds and buildings of Pt. Molate.

4. TOUR OF VARIOUS BUILDINGS AND GROUNDS OF PT MOLATE

Committee members and public toured Buildings and Grounds of Pt. Molate (facility) for purposes of viewing specific Pt. Molate buildings and grounds in relation to their construction, their location, their condition, relation to other components of Pt. Molate and special and unique features of the facility. Committee members generally followed the following tour agenda:

- | | |
|--|-------------|
| 1. Check-In, Introductions | 3:00 – 3:10 |
| 2. Area 11/Bldg.123,44, 21 & 85 | 3:10 – 3:30 |
| 3. Area 2/Bldg.6/Admin.Bldg. | 3:30 – 3:50 |
| 4. Area 2/Bldg.1/Warehouse aka "Winehaven" | 3:50 – 4:15 |
| 5. Area 13,3/Bldg.132, Drum Lot 1, Pier | 4:15 - 4:30 |
| 6. Area 5/4 Bldg.87, Beach Park, Main Gate | 4:30 – 4:50 |
| 7. Area 2 /Bldg.63 Fire House, Cottages | 4:50 – 5:00 |

5. ADJOURNMENT

Beyaert called for adjournment of special meeting at 5:30pm with second and approval of attending Committee Members.

6. SCHEDULED MEETINGS

- a. Pt. Molate Tour, Bldg.123, 2100 Western Drive, Monday, September 12, 2011, 1:00-3:30pm
- b. Committee Meeting, Monday, September 19, 2011, 6:30pm, Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:

Craig K. Murray, PMCAC Staff Liaison

City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE

Special Meeting

POINT MOLATE, BUILDING 123, 2100 WESTERN DRIVE

PROPOSED MINUTES

MONDAY, September 12, 2011, 1:00 PM

1. CALL TO ORDER

Beyaert called the meeting to order at 1:00 p.m.

2. ROLL CALL

Present: Committee Members Beyaert, Garrett, Hite, Kortz, Stello.

Staff Present: Marilyn Langlois, Craig Murray

Others Present: Tom Butt, Don Gosney, Gayle McLaughlin and Carole Woodrow.

3. WELCOME AND MEETING PROCEDURES

Beyaert welcomed audience, explained tour procedures, and explained tour schedule of the grounds and buildings of Pt. Molate.

4. TOUR OF VARIOUS BUILDINGS AND GROUNDS OF PT MOLATE

Committee members and public toured Buildings and Grounds of Pt. Molate (facility) for purposes of viewing specific Pt. Molate buildings and grounds in relation to their construction, their location, their condition, relation to other components of Pt. Molate and special and unique features of the facility. Committee members generally followed the following tour agenda:

- | | |
|--|-------------|
| 1. Check-In, Introductions | 1:00 – 1:10 |
| 2. Area 11/Bldg.123,44, 21 & 85 | 1:10 – 1:30 |
| 3. Area 2/Bldg.6/Admin.Bldg. | 1:30 – 1:50 |
| 4. Area 2/Bldg.1/Warehouse aka "Winehaven" | 1:50 – 2:15 |
| 5. Area 13,3/Bldg.132, Drum Lot 1, Pier | 2:15 - 2:30 |
| 6. Area 5/4 Bldg.87, Beach Park, Main Gate | 2:30 – 2:50 |
| 7. Area 2 /Bldg.63 Fire House, Cottages | 2:50 – 3:00 |
| 8. Area 1/F Road to Range Rd. to C,D Rd. | 3:00 - 4:00 |

5. ADJOURNMENT

Beyaert called for adjournment of special meeting at 4:06pm with second and approval of attending Committee Members.

6. SCHEDULED MEETINGS

- a. Committee Meeting, Monday, September 19, 2011, 6:30pm, Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:

Craig K. Murray, PMCAC Staff Liaison

9.11

BYLAWS

INTRODUCTION

These by-laws have been adopted by the Point Molate Citizens Advisory Committee (PMCAC).

Section 1: Purpose and Duties of the PMCAC

The PMCAC is citizens body appointed by the Mayor and ratified by the city council created for the purpose of advising city government and staff on matters pertaining to the clean up and development of the city owned former Naval Fuel Depot at Point Molate.

Section 2: Meetings

2.1: Regular Meetings

Regular meetings of the PMCAC will be held in the Multi Purpose room at City hall on the third Monday of every month.

2.2: Cancellation of Regular Meetings

A future regular meeting can be canceled or rescheduled by a majority present at any meeting if:

- a) If there is no business scheduled,
- b) If the future meeting falls on a public holiday
- c) If there is other good reason for cancellation.

the event of an emergency, any meeting or session can be canceled by the Chair Person or, if the Chair Person is unavailable, the Vice Chair Person. Any matters which were to be heard at the canceled meeting will be moved to the top of the agenda for the next regular meeting unless set for hearing on another date by the committee.

2.3: Change of Location or Starting Time of Regular Meetings

The location or starting time of a regular meeting may be changed from time to time by providing the new starting time and/or location in the notice and agenda distributed by city staff in advance of the meeting or session in accordance with the governing law. In addition, the location of the meeting may be changed due to an emergency or pre-emption of the regular meeting location by other government business, In such event, the new location of the meeting

shall be posted on the door of the regular site of the meeting at least one-half hour before the meeting time.

2.4: Special Meetings

Special meetings and hearings of the Board may be called by the Chairperson or by any three (3) members of the Board and shall be held within the City of Richmond. Written notices of special meetings of the Board shall be given in accordance with governing law and, in accordance with law, the Board may not consider any business at the special meeting other than that which appears in the notice.

2.5: Committee Retreats and Workshops

At the direction of the Committee, city staff will arrange retreats for the Board at either a special or a regular meeting of the Board. The purpose of a retreat shall be generally to provide the Committee with education and in-depth orientation on planning, procedures and guidelines. At a retreat, the Committee shall not discuss decisions on specific projects then pending before the Committee or which will come before the Committee in the future.

2.6: Public Nature of Meetings

All meetings of the Point Molate Citizens Advisory Committee shall be open to the public.

2.7: Quorum

A majority of the Committee present shall constitute a quorum for the conduct of business and if a quorum is present, a majority of votes cast is sufficient to carry any motion that is in order unless otherwise required by law or these by-laws. Committee members who expect to be absent from a regular meeting shall notify the city staff or the Chair Person at the earliest opportunity. City staff shall notify the Chairperson in the event the projected absences will result in a lack of a quorum.

2.8: No Quorum

Whenever less than a quorum attends a regular or special meeting of the Board, the Chairperson (or acting chairperson) shall adjourn the meeting to the next regular meeting unless, following a motion, a majority of those present vote to adjourn the meeting to some other specific time: Other than the foregoing, no business shall be conducted when no quorum is present.

2.9: Agenda

The Planning Department shall deliver a copy of the agenda for each regular meeting of the Board to each member not later than seventy-two (72) hours prior to such meeting.

2.10: Consent Calendar

Prior to consideration of the consent calendar by the committee, the Chairperson shall ask if any Committee member, staff member or member of the public wishes to remove any item or items from the consent calendar. All requests for removal of an item from the consent calendar for purposes of

discussion shall result in the item removed being heard and acted upon in its regular numerical order on the agenda.

After all requests for removal have been honored, any Committee member may move that the remaining consent calendar items be adopted. The Committee's adoption of the consent calendar means that those items have been acted upon by the Committee collectively by a single motion adopting the Planning Department recommendations. Any requirement for a public hearing shall be deemed satisfied by this process so long as no one has requested to speak on the item prior to the adoption of the consent calendar.

2.11: Order of Business

The order of business for regular meetings of the Board shall be as follows except that, with the consent of a majority of the Board, matters may be taken out of order:

- a. Call to Order
- b. Roll Call
- c. Approval of Agenda
- d. Approval of Minutes
- e. Consent Calendar
- f. Held Over items
- g. New Items
- h. Other
- i. Reports of Officers, Committees and Staff
- j. Brown Act Forum
- k. Adjournment

2.12: Rules of Order

Rosenberg's Rules of Order shall govern the Committee in all cases. The Chair shall act as the parliamentarian for the Committee and his or her ruling shall be deemed final.

2.13: Manner of Voting and Reporting on Votes

The vote on all questions coming before the Committee shall be by roll call or by vote tabulator and the yeas, nays and abstentions shall be entered upon the minutes of the meeting and set forth in any reports to the City Council on any action taken by the Committee.

2.14: Motion To Continue a Portion of the Agenda

At any time during a regular meeting of the Committee, any Committee member may move to continue a portion of the agenda to the next regular meeting of the Committee or to a special meeting of the Committee, based upon their estimation that the Committee will not have sufficient time in which to complete the entire agenda at a reasonable hour. Approval by a two-thirds majority of members present shall be necessary to adopt such a motion. The motion shall: 1) identify the numbers of the agenda items proposed to be heard at the current meeting; 2) specify the numbers of the agenda items to be continued; and 3) propose that public hearings to be continued be opened and then continued to a specific future meeting of the Committee where they will be given priority as "Held Over" items. The purpose of this motion is to benefit members of the public attending or viewing the meeting by providing information, as early as possible in the evening, as to what matters will be continued to a later date

2.15: Adjournment

The Committee shall adjourn regular or special meeting a forum, reports of officers, committees staff and any other remaining agenda items deemed compelling. Any unfinished items of business appearing on the agenda which have not been acted upon shall be continued to the next regular meeting. Upon adjourning with unfinished items on the agenda, the Chairperson or acting chairperson shall announce to the public the date and place to which said unfinished agenda items are continued.

SECTION 3: PUBLIC HEARINGS

3.1: Function

The function of a public hearing is to enable the public to present information and opinions which are relevant to the items under consideration by the Committee. Hearings shall be conducted in an orderly and impartial manner which brings out the pertinent viewpoints. In addition, it is the purpose of the public hearing to inform the interested public about the specific details of the proposal under consideration.

3.2: Notice

Hearings conducted by the Board shall be held at such times and places as shall be fixed by the Board and shall be called, noticed, conducted and reported as required by law. A hearing before the Board which, for any reason, cannot be completed at the time and place originally noticed, may be continued to a later date and the announcement at the hearing of the time and place to which such hearing is continued shall constitute a sufficient notice to all parties concerned.

3.3: Time Limits

Time limits shall be published before the hearing begins in accordance with law. The Chairperson may request groups to select a representative to present the viewpoint of the group.

3.4: Public Hearing Procedures

Public hearings before the Committee shall be conducted in accordance with the procedure and rules set forth on each agenda prior to Commencing the first public hearing on the agenda the Chairperson shall refer the public to the information on public hearings on the agenda. In conducting each hearing, the Board shall: (a) provide interested or affected individuals or organizations a fair opportunity to be heard; (b) hear comments with an open mind; (c) discuss Board observations and the facts and opinions presented; (d) ask questions to solicit additional needed information; (e) be guided in reaching a decision by the public interest and the purposes of the proposal; and (f) discourage all comments that are off the record or off the subject.

3.5: Findings

In order to establish specific reasons upon which the Board bases its decision, written findings shall be made in the consideration of each matter before the Board. Findings shall be established by consensus or, in case of doubt, by an actual vote of the Board, and shall be based upon evaluation of plans, materials, testimony and information presented at the hearing including staff reports and statements.

3.6: Action Upon Matters Heard

The following rules apply:

- a) After a public hearing has been closed, the matter heard may be decided and ruled upon at that time or may be taken under advisement for decision at a subsequent meeting within 60 days
- b) In case of a tie vote, the motion fails.

SECTION 4: MEMBERSHIP

4.1: Appointment

Members shall be appointed by the Mayor with the approval of the City Council for a term of two years. No member shall serve for more than four consecutive terms.

4.2: Automatic Resignation

The absence of any member from more than three(3) regularly scheduled meetings in a one year period shall constitute an automatic resignation from the committee. Nonattendance due to requirements of other City business shall not constitute an absence.

4.3: Duties of Committee Members

It is the duty of members to become informed to the best of their ability on each item that comes before the Board for action, to form an opinion on every question that is brought to and vote and to express this opinion by his or her vote unless the member has a possible conflict of interest or other justifiable basis.

4.4: Conflict of Interest

No member of the committee shall participate in discussion or vote upon any matter with respect to which he or she may have a conflict of interest, as defined by applicable California law. Instead, the member shall excuse himself or herself from the proceedings, stating for the minutes the basis for doing so, and shall leave the room while the matter is being discussed and/or acted upon.

If a member of the committee is challenged in regard to a conflict of interest in a particular matter and does not choose to excuse himself/herself from the proceedings, the Chairperson shall ask the Board's legal counsel for a ruling. If the Board's legal counsel determines that there appears to be a conflict of interest, the challenged member shall refrain from participating on that particular item in compliance with the conflict of interest provisions of these Procedural Rules. If a member does not comply with this requirement after a ruling by the Board's legal counsel, the City Council shall be so advised by the City Attorney's Office.

4.5: Staff Assistance

The committee may call upon city staff for technical or clerical assistance in connection with the committee's performance of its duties. The committee may also request a written report from an expert consultant in matters pertaining to the committees work.

SECTION 5: SUBCOMMITTEES

5.1: Subcommittees

The Chairperson of the Board may create sub committees, define their powers and duties, and appoint the members and chairs thereof.

5.2: Nominating Subcommittee

The Nominating Subcommittee shall be comprised of five (5) members of the committee. The Nominating Subcommittee shall formulate a slate of officers for the Committee, which shall be presented to the committee at least ten (10) days prior to the date of the annual election of officers.

5.3: Terms of Subcommittee Members

Subcommittee members shall serve a term of one year on each committee to which they are appointed.

SECTION 6: OFFICERS

6.1: Designation of Officers

The officers of the committee shall consist of a Chairperson and Vice Chairperson

6.2: Election of Officers

Officers shall be elected by a majority of a committee quorum present. In the event of more than two candidates for officer positions and no candidate receives a majority of the quorum present, then a runoff vote will be held between the two top vote getters.

6.3: Terms of Officers and Removal of Officers

Officers shall serve a term of one year. Officers may not serve more than one consecutive term. Officers may be removed from office with a two thirds vote of the committee at a regular or special meeting.

6.4: Special Election of Officers

If any vacancy occurs in any office by reason of death, resignation, removal of any officer or other reason, such vacancy shall be promptly filled from the ranks of the Committee by means of a special election conducted by the members of the Committee. At the request of the Chairperson of the Committee, the Nominating Subcommittee shall meet and recommend a candidate to fill the open officer position. In addition, any member of the Committee may nominate any member of the Committee for the vacant office at or prior to the special election.

6.5: Powers and Duties of Officers

a) Chairperson. The Chairperson shall preside at all meetings of the Committee, shall appoint all subcommittees and subcommittee chairs, and shall have all the powers and duties conferred by law, and shall perform such other duties as may from time to time be prescribed by the Board.

b) Vice Chairperson. The Vice Chairperson shall have all of the powers and perform all of the duties of the Chairperson in the case of the Chairperson's absence or inability of the Chairperson so to act. The Vice Chairperson shall have all the powers and duties conferred by law, and shall perform such other duties as may from time to time be prescribed by the Committee.

c) Acting Chairperson. In the absence of the Chairperson and Vice Chairperson, then the members of the Board present at the meeting shall elect an Acting Chairperson who shall preside over and conduct the meeting if there is a quorum present or who shall set a date for continuing the agenda if there is not a quorum present.

6.6: Additional Officers and Personnel

The Board may from time to time by resolution appoint such additional officers or assistant officers as it may deem necessary or desirable and may define their duties.

SECTION 7: AMMENDMENTS

These Procedural Rules may be adopted, amended or repealed by the affirmative vote of two-thirds of the total members of the Committee at any regular or special meeting, provided that any proposed amendment to be voted on shall be included in the notice of the meeting. Such amendments must be in conformity with the general intent specified in the basic enabling legislation and applicable provisions of state law.



September 9, 2011

George Leyva
Groundwater Protection Division
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

sent via: email

Subject: Comments on Point Molate Tentative Order

Dear Ms. Leyva:

On behalf of Upstream and the City of Richmond, Terraphase Engineering Inc. (Terraphase) is submitting the following comment on the following entitled document that is published at http://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2011/October/Molate/TO.pdf

TENTATIVE ORDER

UPDATED SITE CLEANUP REQUIREMENTS AND RECISSION OF ORDER Nos. 95-235, 97-124 and 97-125 FOR: CITY OF RICHMOND AND UNITED STATES DEPARTMENT OF DEFENSE, DEPARTMENT OF THE NAVY

For the:

FORMER POINT MOLATE NAVAL FUEL DEPOT, LOCATED AT 1009 WESTERN DRIVE, RICHMOND, CONTRA COSTA COUNTY

We request that the following existing text from page 8:

The tidal marsh habitat and wetland habitats on-site shall be completely avoided. A setback of 50 feet shall be established around the tidal marsh and any wetland area as a means of preventing any impacts to it from the remediation.

be amended to read as follows:

The tidal marsh habitat and wetland habitats on-site shall be completely avoided unless encroachment on these areas is required to implement site remediation work, and

resultant impacts to the affected habitat are mitigated through a plan approved by the RWQCB.

Thank you for your consideration.

For Terraphase Engineering Inc.



William Carson, P.E. (60735)
President and Principal Engineer

Cc: Steve Duran, City of Richmond
Bruce Goodmiller, City of Richmond
Jim Levine, Upstream Point Molate

Bruce Beyaert

75 Belvedere Ave Richmond, CA 94801

Tel: 510 235-2835 Fax: 510 235-2835 beyaert@earthblink.net

August 17, 2011

Mr. George V. Leyva, P.G., Project Manager
Groundwater Protection Division
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear Mr. Leyva:

I was a member of the Navy's Restoration Advisory Board for the former Point Molate Naval Fuel Depot (NFD) and before that chaired the Environmental Subcommittee of the Blue Ribbon Advisory Committee which developed the 1997 Reuse Plan adopted by the Richmond City Council. Currently, I serve as Vice Chair of the City of Richmond's Point Molate Community Advisory Committee. With this background, please consider the following personal comments regarding the proposed Tentative Order (TO) for site cleanup of former Point Molate NFD.

Page 1, item 1 Site Location: On shore, the facility is bordered entirely by property owned by Chevron — not as stated on the northern side by City of Richmond lands. Chevron lands lie between the facility and the City's former Terminal 1 at Point San Pablo.

Page 2, item 5 Named Dischargers: The last sentence of item 5c requires the Navy to prepare a cleanup plan consistent with only "proposed commercial and industrial re-use" in the event that the City fails to comply with the order. Referring to the attached Figure 7, this is inconsistent with the City of Richmond's mixed use Reuse Plan. The Navy's cleanup plan under item 5c should be consistent with the Reuse Plan.

Page 3, item 8 Site Geology: The last sentence should state that filling has occurred over the last 105 years, rather than the last 50 years. Filling started with the establishment of Winehaven in 1906, if not earlier.

Pages 4 & 8 Site 3 Saturated Zone Soil Cleanup Criteria: The last sentence of item 11b. on page 4 describes Task 1 development of saturated zone soil cleanup criteria **for IR Site 3**. For clarity, I suggest moving Task 1 Saturated Zone Soil Cleanup Criteria to become a sub-task under Task 3 for IR Site 3. In any event, the language of Task 1 should be amended to make it clear that this task is limited to IR Site 3. No justification is presented for developing or applying these criteria to other locations on the former NFD.

I urge the RWQCB to expedite issuance of a TO after taking into account all comments, especially those of the City of Richmond with regard to feasibility of compliance dates in the face of uncertainty regarding the nature and location of future land uses. Cleanup of this contaminated land has been delayed for too long.

Sincerely,



Bruce Beyaert

Attachment: Point Molate Reuse Plan Figure 7

1283

From: Susan Glendening <sglending@gmail.com>
To: George Leyva <GLeyva@waterboards.ca.gov>
Date: 9/12/2011 10:50 AM
Subject: Pt. Molate comments - slight editorial change

Dear George,
I'm resending my comments to you.
The paragraph highlighted in gray is part of the comments I borrowed from Joan Garrett.
In the prior version, I had inserted it before the reference to Joan's comments.
Thank you - Susan

Dear Mr. Leyva,

This email is to provide comments to you and the Water Board on the **"Tentative Order: Updated Site Cleanup Requirements for the Former Point Molate Naval Fuel Depot"**

*
*

(TENTATIVE ORDER UPDATED SITE CLEANUP REQUIREMENTS AND RECISSION OF ORDER Nos. 95-235, 97-124 and 97-125 FOR: **CITY OF RICHMOND AND UNITED STATES DEPARTMENT OF DEFENSE, DEPARTMENT OF THE NAVY

For the: **FORMER POINT MOLATE NAVAL FUEL DEPOT, LOCATED AT 1009 WESTERN DRIVE, RICHMOND, CONTRA COSTA COUNTY)

My comments are contained within this email.

My husband and I have owned a home and been raising our family in Richmond for 11 years. In spring 2011 I joined the Point Molate Community Advisory Committee (PMCAC) although my comments are my own and not meant to represent those of the entire committee.

Project Has Yet to be Defined

I urge the San Francisco Bay Water Quality Control Board to postpone its consideration to adopt the Tentative Order (T.O.) because the T.O. is based on an Environmental Impact Report (EIR) for a project that is not going to take place. As you are aware, the city of Richmond, as the lead agency, certified the EIR for a mega-casino project.

Not only is the formerly-proposed casino project in nonconformance with the Indian Gaming Regulatory Act as ruled by the U.S. Department of the Interior (September 2, 2011), it has very little public support including that of the Richmond voters, and other stakeholders including the neighboring city of San Pablo.

Without an approved project, the footprint and design of future redevelopment at the site are unknown. The approach that the T.O. uses in which the footprint and designs of a mega-casino project guide the cleanup decisions does not make sense.

A new EIR or amended EIR needs to take place for the city of Richmond to fulfill its CEQA requirements for the site as well as for the Water Board to fulfill its CEQA obligations. Without a new or amended EIR, the Water Board should not adopt this T.O.

This issue is particularly relevant in Paragraph 20, which states "Furthermore, with respect to environmental impacts within the Regional Water Board's jurisdiction, the Board finds that the impacts of those parts of the Point Molate NFD redevelopment project it approves, have been mitigated to less than significant levels." This statement

12 B 5

embodies the crux of the problem with relying on an EIR for a project that is now moot.

Cleanup Schedule

Regarding the T.O. comment period and Site Cleanup Requirements adoption schedule, the cleanup schedule in the T.O. and thus the public comment period is structured on meeting a planned cleanup and construction schedule to begin in 2012 for a project that is not going to take place. Because there is no approved project for the site to date, the Water Board's urgency to adopt a site cleanup plan should be alleviated and more time should be given for the stakeholders to be able to fully understand the implications of a proposed cleanup plan. A cleanup plan that would rely on the future redevelopment design should not be adopted before the project is delineated or properly vetted in the CEQA process.

Public Outreach

Water Board staff Mr. George Leyva stated in a PMCAC meeting on 18-July-11 that the Water Board hopes to facilitate public participation for site cleanup decision-making. However, public outreach for the T.O. has been minimal, to my knowledge; it has consisted of a presentation at the July PMCAC meeting, before the T.O. was released, and at the 15-Aug-11 PMCAC meeting Mr. Leyva fielded questions about the T.O. from the PMCAC. While these sessions were very helpful in providing for clarification about the project and the T.O., I would need more time, at least four months after September, to gather and review all of the related documents to be able to fully understand the implications of a site cleanup requirements tentative order. I therefore urge the Water Board to postpone consideration of adopting the T.O. so that the public can be better informed about the project, site cleanup goals, and the implications of a site cleanup requirements put forth in a future T.O.

The following comments are taken directly from an email I received from Richmond resident Joan Garrett. I share the same opinions and have inserted her text almost verbatim. (I don't know if she's submitting comments as well.)

The PMCAC has not been provided with adequate documentation as of yet, nor enough time to provide a learned opinion on the adequacy of the proposed remediation measures. Specifically, the PMCAC has not yet been provided a copy of the environmental remediation insurance policy, nor has it been provided information regarding the specifics of how and where the \$28M contributed to the City of Richmond by the Navy as part of the Early Transfer Agreement is to be spent.

Under Item 11d on Page 5 of the draft TO for instance, it is noted that provisions were made in the ETCA to fund the closure of all remaining UST's. Is this where the \$28M is earmarked? Or is it earmarked for a series of remediation steps, across cleanup sites.

***B1*, Tasks and Compliance Dates.**

The water board is dependent upon Feasibility Studies and a Soil and Groundwater Management Plan emanating from the consultant Terraphase, who specifically has targeted areas to be put in use under the Tribal Destination Resort Project, vs. the Point

Molate site as a whole, and is under contract to Upstream. The City of Richmond as discharger, must ensure that the Feasibility Studies and Soil and Groundwater Management Plan reflect intended use of the property, or in an absence of a stated intended use, must ensure that the entire property is covered by Feasibility Studies and a Soil and Groundwater

Management Plan - a task that would be expensive, and wasteful. This issue further reinforces the need for the future project to be better defined and delineated so that cleanup can be conducted efficiently and strategically.

B2 states that the Soil and Groundwater Management Plan be consistent with and incorporate all mitigation measures as set forth in the certified Tribal Destination Resort EIR, a document that is now moot.

B3a, the remedial action plan for Site-3 specifically states that the remediation must address all land use cleanup goals. We don't have an approved land use for Site-3, and thus cannot have appropriate cleanup goals. Further, historic documentation indicates that the trench is inadequate as a long term solution, and a trench improvement is what is advocated in the FEIR/EIS for the Tribal Destination Project.

B3b, a Final Remedial Action Completion Report is required by 2/3/2014 for Site-3, but again is dependant on the FS/RAP that is produced. Refer to items B2 and B3a above.

B4 continues with a calendar supposing the use of FS/RAPs based on the FEIS/EIR of the Tribal Destination Resort.

B8 requires submission of LUC's after an acceptable cleanup has been implemented, however as per items above, developing a remediation plan against a now moot FEIR/EIS will serve no purpose.

Thank you for the opportunity to comment on the "Updated Point Molate Site Cleanup Requirements" Tentative Order.

Regards,
Susan Glendening
34 Montana Street
Richmond, CA 94801

