

CITY OF RICHMOND  
**Pt. Molate Community Advisory Committee**  
Monday, April 16, 2012 6:30 PM  
Multi-Purpose Room, 440 Civic Center Plaza

**AGENDA**

**Members:**

**Bruce Beyaert**  
Vice-Chair

**Otheree Christian**

**Stephen M. Clark**

**Joan Garrett**  
Chair

**Dorothy Gilbert**

**Toni Hanna**

**David Helvarg**

**Jim Hite**

**Jeanne Kortz**

**Eduardo Martinez**

**Joseph Puleo**

**Steven Rosing**

**Rod Satre**

**Charles T. Smith**

**Nina G. Smith**

**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 committee 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 committee 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 committee.*

**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.)**

- April 12 City Council meeting to consider 2030 General Plan
- Earth Day cleanup at Pt. Molate Beach: April 21

**6. Open Forum (3 minutes per person limit)**

**7. Presentations, Discussion & Action Items (24 min.)**

- a. Call for volunteers and seating of Grant Development sub-committee (8 min.)
- b. Call for volunteers and seating of Community Outreach sub-committee (8 min.)
- c. Update on process of allocation of funds from Cosco Busan award to Richmond – Beyaert/Garrett (5 min.)
- d. Summary Review of scrum update from March 19 – Garrett (3 min.)

**8. Staff Reports (15 min.)**

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

- a. Update on accessibility/availability of documents for PMCAC - (5 min.)
- b. Committee Log for PMCAC inquiries to staff, contractors - (5 min.)

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**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 – March 19, 2012 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. (5 min.)  
b. PMCAC appointment status – Staff TBD (5 min.)

**12. Chair and Sub-Committee Reports (45 min.)**

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

- a. Clean-Up and Restoration (40 min.)
- Summary of proposed comments on FS/RAP for IR Site 3
  - Summary of proposed comments on interim workplan for IR Site 4, Drumlot 2
  - Summary of Terraphase March 2012 monthly report
- b. Finance
- c. Legal (5 min.)
- Summary of case status of Petition for Declaratory Relief

**13. Adjournment**

**14. Scheduled Meetings**

- a. Committee Meeting – Monday, May 21, 2012, 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](mailto:craig_murray@ci.richmond.ca.us). Agenda and minute information on the PMCAC can be found on the City Clerk's web location: <http://ca-richmond2.civicplus.com/index.aspx?NID=2442>

PMCAC Repository Information is available at: <https://docs.google.com/open?id=0B9WXrZeb-72MzVkZWQ1ZDQtNWlwNC00ZjE4LTgxYjctOTQyMDk4Y2FjNDYw>

# Point Molate Community Advisory Committee

April 12, 2012

Via e-Mail

City Council  
City of Richmond  
450 Civic Center Plaza  
Richmond, CA. 94804

Attn: Mayor Gayle McLaughlin  
Vice Mayor Jim Rogers  
Councilmember Nathaniel Bates  
Councilmember Jovanka Beckles  
Councilmember Corky Boozé  
Councilmember Tom Butt  
Councilmember Jeff Ritterman

Cc: Marilyn Langlois, Liaison to PMCAC  
Craig Murray, PMCAC Operational support

Re: Richmond General Plan 2030, Change Area 13: San Pablo Peninsula, Proposed Land Use Designations

Dear Mayor and City Councilmembers,

The Point Molate Community Advisory Committee (PMCAC) was instituted via City resolution on 1/18/11 and seated in June of 2011. PMCAC is chartered with the responsibility to work with City Council, City Staff, Citizen's Organizations and Commissions within the City of Richmond to provide advice and input on all matters related to Pt. Molate, and to provide oversight of the cleanup and restoration of Pt. Molate, development budgets, sustainable development and use of Pt. Molate. PMCAC is a successor to the previous Pt. Molate Restoration Advisory Board (RAB),

During a special PMCAC meeting called for September 26, 2011, the proposed final language for the 2030 Richmond General Plan was reviewed, with a specific eye towards recommendations for the San Pablo Peninsula of which Pt. Molate is part. PMCAC committee members reviewed the various elements of the General Plan along with associated goals, policies and actions, and also reviewed specific changes recommended for Change Area 13 – the San Pablo Peninsula.

Subsequent to the study session and discussion, PMCAC put forward a motion to submit a recommendation to the Planning Commission to change the areas within the San Pablo Peninsula Area 13, designated as *residential* – specifically within the former NFD Pt. Molate property - to an LUD of *open space*, and to de-designate Change Area 13 as a *community node*. On December 20, 2011 during PMCAC's regularly scheduled meeting, a motion was passed to provide the same recommendation to the City Council. The reasons for recommendation of the reclassification of the current 3 areas within the Pt. Molate property currently slated with LUD designations of *residential* to *open space* follow:

**Establishment of a residential area within the former NFD Pt. Molate property on the San Pablo Peninsula is not in keeping with the scope and intent of the 2030 General Plan's goals and policies.**

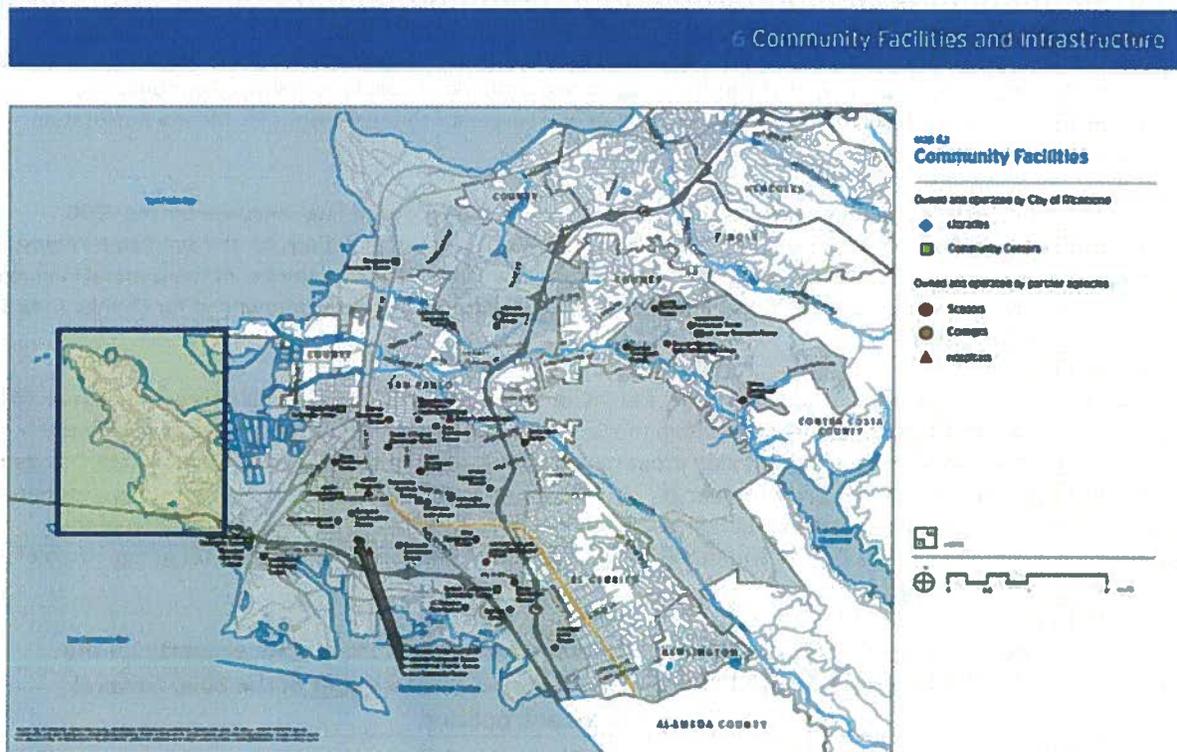
The proposed 2030 General Plan presents goals and policies for contributory elements to the General Plan. The goals and policies of the various elements coalesce around a variety of principles that include: preservation of open space, a focus on infill development, a focus on community and neighborhood development around transportation nodes and in areas that can provide adequate amenities, infrastructure, and access to community services. These goals and policies are reflected in the Economic Development Element as stated in the following goals:

- Goal ED4, A Revitalized Downtown
- Goal ED5, Mixed Uses Along Key Corridors
- Goal ED6, A Regional Destination at Hilltop Mall
- Goal ED7, Mixed Uses Along the Richmond Parkway
- Goal ED8, A Thriving Mixed Use Neighborhood Along the Southern Shore, which includes a policy to establish better connections and linkages to transportation and services

However GOAL ED9, *A Regional Recreational Destination on the San Pablo Peninsula* whose policies call for a mix of land uses and public access to the shoreline, along with a Point Molate Redevelopment Plan that calls for integration of a variety of planning efforts, is crafted upon a single plan for Pt. Molate that includes a residential component, and that was crafted 15 years ago prior to the turnover of the former Navy Fuel Depot to the City of Richmond. While the majority of aspects of the 1997 Base Reuse Plan - which formed Goal ED9 - are viable, and provide economic opportunity while preserving shoreline access and historic resources, the residential component is either in direct conflict with, or not considered by, other goals and policies included in other elements of the General Plan.

Element 2 provides goals and policies for Education and Human Services, however no population at Pt. Molate was considered or foreseen within this element, nor are any schools contemplated at Pt. Molate.

Element 6 covers goals and policies for Community Facilities and Infrastructure; a key component of liveable neighborhoods, however there are no community facilities at Pt. Molate as can be seen below.



Previously developed residential areas within the city continue to work to improve the availability of community services for their neighborhoods, as in several cases developments have occurred prior to considering community facilities within proximity of residential developments. Further, existing infrastructure at Pt. Molate is inadequate to support a residential component, specifically waste water treatment which routes to the Richmond Wastewater Treatment District in Pt. Richmond, and a single, narrow access road to the proposed residential component areas at Pt. Molate that would require extensive improvements.

Element 7 presents goals and policies for Conservation, Natural Resources, and Open Space, including:

- Goal CN1: Preserve and Restore Natural Habitat and Biodiversity
- Work with local and state agencies to identify areas for special protection, protect wetlands from direct and indirect impacts of new and existing development
- Goal CN2: Conserve Open Space
  - Conserve, protect and enhance natural and cultural resources along the Richmond shoreline with policies calling for a mix of residential and recreation used in the Southern Shoreline, and Marina Bay.
  - Improve access to large scale natural areas located in the City
  - Identify and protect priority conservation areas
  - Implement a special status species protection plan
  - Develop and Open Space plan.

Priority protection areas that include significant biological resources as outlined by organizations and agencies such as the Dept. of Fish and Game, California Native Plant Society, and Golden Gate Audubon Society indicate that large portions of the San Pablo Peninsula including the former NFD property at Pt. Molate, are areas that contain significant plant and animal species.

Element 8 Discusses Energy and Climate Change Goals and Policies with goal EC4 specifically calling for infill development, and encouraging the construction of high-density, mixed use projects around existing public transit infrastructure, schools, parks, and other neighborhood services. Likewise, Element 9: Growth Management, calls for focusing development in the city's core, and Element 11, Health and Wellness calls for walkable neighborhoods and park access.

Element 10, Parks and Recreation presents goals and policies for park land allocation and park types throughout the city and specifically calls for a Shoreline Park Plan within the framework of the Parks Master Plan with an action item to co-ordinate with other agencies to explore the potential of creating new parkland along the San Pablo Peninsula.

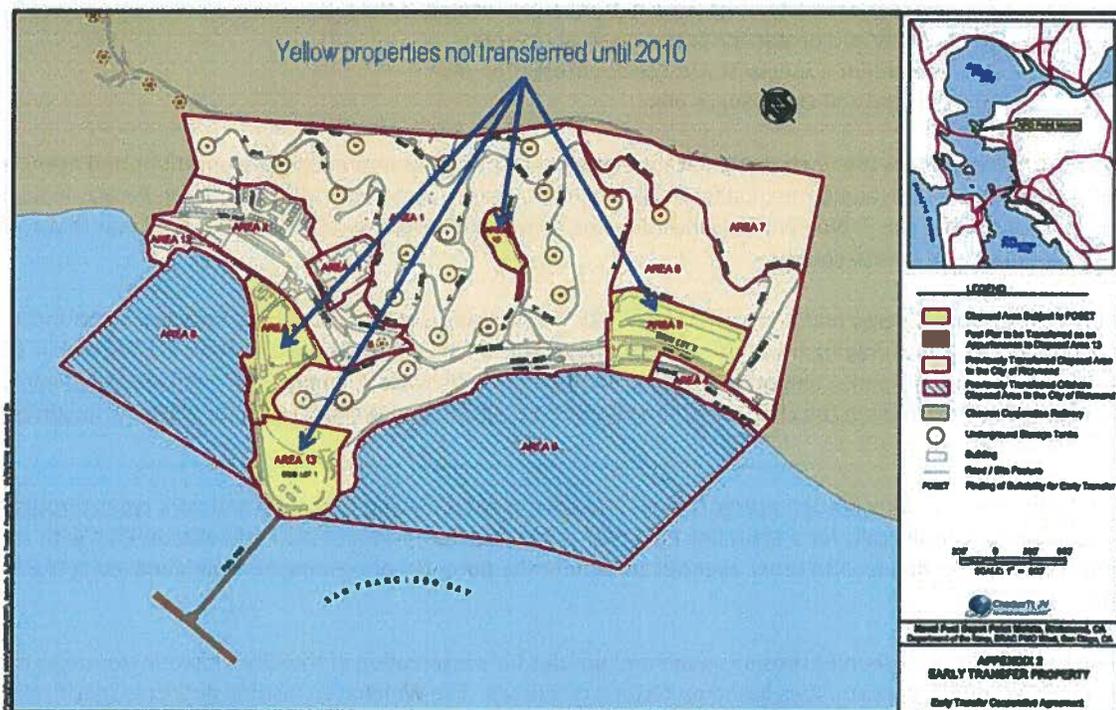
Element 14, Historic Resources presents goals and policies for preservation of the City's historic resources and expanded economic opportunities based on historic resources. The Winehaven historic district is specifically called out in this element, noting that the NPS recognized in 2000 that Richmond has one of the largest collections of WWII sites, of which the former NFD at Pt. Molate is one. Additionally, Pt. Molate is home to an historic Chinese shrimp camp, and notably is the site of one of the last functioning whaling stations in the U.S.

In reviewing the development goals and policies contained within the various General Plan elements, it is clear that the spirit of the goals and policies for residential development is focused on development in and around transportation, infrastructure, cultural and retail facilities and on infill development, while areas of the city that contain invaluable biological resources should be protected. While redevelopment of the historic Winehaven District would accomplish several economic development goals and historic preservation goals, a residential grouping in close proximity to a commercial/industrial district is incompatible.

**Terms of the Deed for the former NFD property at Pt. Molate conveyed to the City of Richmond prohibit residential use on any area of the property until the property has been remediated to human habitation standards and all currently limiting covenants are lifted.**

The terms of transfer of the former Navy property at Pt. Molate to the City of Richmond anticipated a future use of commercial/industrial for previously developed footprint and open space for previously undeveloped footprint. It was based upon this future land use assumption that the remediation budget and allocation by the Navy of \$28.5M was developed for the remaining toxic sites.

In 2003, 313 acres of the former NFD were transferred to the City under a Finding of Suitability for Transfer (FOST), while the remaining 41 acres, representing the most environmentally compromised sites were transferred in 2010 under a Finding of Suitability for Early Transfer (FOSET). The FOST and FOSET properties are depicted below:



The location of proposed residential use as outlined in the 1997 Base Reuse Plan and location of the proposed residential LUDs for Point Molate are partially located at areas that have very limited capacity to be mitigated to residential standards.



The northernmost area of the two areas demarcated as medium density residential in the proposed LUDs in the General Plan sits atop 3 underground storage tanks UST's. The southernmost area of the two demarcated as medium density lies downstream of IR Site 1 (See Area 10 in previous map depicting FOST and FOSET properties). IR Site 1 is a land fill of a variety of toxic wastes and construction wastes which was soil capped and in which methane vents have been installed as well as a french drain system around the perimeter of the land fill to carry rain and stormwater downstream. A Record of Decision (ROD) was reached in 1996 by the Navy indicating that the site would be considered closed for regulatory purposes and require long term monitoring.

The area depicted in the draft General Plan demarcated as low density residential, sits upon a former drum lot (Area 5 in the previous map depicting FOST and FOSET properties). This area has a small and very localized area of TOCs that require mitigation.

Under terms of the consolidated Deed (the FOST and FOSET properties) registered in 2010, the following Covenants to Restrict Use of the Property (CRUPs) are included in the Deed and apply to the entire former NFD property at Pt. Molate:

- No existing dwellings may be occupied for residential use, or child occupied facilities
  - (CRUP) can be released by Water Board upon their satisfaction of appropriate cleanup (LBP, Asbestos, etc.)
- Permission must be granted by the Water Board to excavate soil deeper than 2 feet
- Permission must be granted and Water Board order approved for any dewatering on all areas of the property
- Groundwater may not be used for any land use type without Water Board approval and order
- Groundwater monitors must remain in tact, unless permission granted by and approval from Water Board
- No residential dwelling either permanent or temporary, no hospital, no school for people under the age of 21 and no child care facility can be built or accommodated on any of the property transferred (except areas 7 and 4 as depicted in the previous map of the FOST and FOSET properties)
  - Transient lodging facilities are allowed however
  - Variance can be granted with permission of the Water Board upon satisfactory remediation to appropriate levels
- Access, disturbance, or use of any UST's disallowed. Nothing can be placed on top.

- Variances can be sought with appropriate local authority approval and structural engineer's report.

**The 1997 Base Reuse Plan upon which the 2030 proposed General Plan LUDs for Change Area 13 are modeled, was developed prior to the finalization of the environmental baseline standards and approved remediation levels and grant funding for same, as outlined in the FOSET and ETCA issued by the Navy as part of the 2010 property transfer, and prior to issuance of final remediation plans for Pt. Molate - which are still in the process of development.**

The 1997 Base Reuse Plan was shaped and crafted in the 1995/1996 time frame in response to an administrative requirement to produce a Reuse Plan prior to the transfer of the initial former NFD properties (transferred in 2003). At the time of its crafting, it was unknown what remediation level recommendations would be recommended and approved by the Navy for the 2003 transfer. It was also unknown what remediation level recommendations and funding for same would be approved and granted by the Navy for the 2010 transfer.

In 2010 both the 2003 property deeds and 2010 property deeds were merged into one deed, all carrying the same CRUPs for land use. As part of the 2010 transfer, the Navy authorized a remediation grant of \$28.5M to remediate to levels as outlined in the FOSET and the 2010 deed.

**The \$28.5M of funding is inadequate to remediate any areas of the former NFD Pt. Molate property to human habitation levels.**

Recent submissions for a proposed Remediation Action Plan by Terraphase for IR Site 3 which falls outside of the 1997 Base Reuse Plan area designation levels for residential, indicate remediation cost estimates for IR Site 3 at \$33M. The estimates for remediation of IR Site 4 where all of the 1997 Base Reuse Plan residential areas are located as are the residential LUDs for Change Area 13 in the proposed 2030 General Plan have yet to be provided a final estimate of costs to remediate. To remediate IR Site 3 and IR Site 4 to residential levels would likely involve 10's of millions of dollars in remediation costs over the Navy grant of \$28.5.

Because of the incompatibility between the remediation levels agreed to within the FOSET and ETCA, and the associated remediation fund grant, and because of the incompatibility of residential use at the former NFD property at Pt. Molate with both the terms of the property Deed's CRUPs and the various goals and policies within the General Plan that seek to promote:

- Infill development, particularly in the city's core
- Place based development evolution, including walkable neighborhoods and neighborhoods serviced by schools, public transportation, infrastructure and amenities
- Preservation of open space, particularly areas of critical species habitat
- A shoreline plan that would foster mixed use and residential uses in Marina Bay and the South Shoreline, but not the San Pablo Peninsula
- The San Pablo Peninsula is not located near the City's Activity Centers or Key Corridors

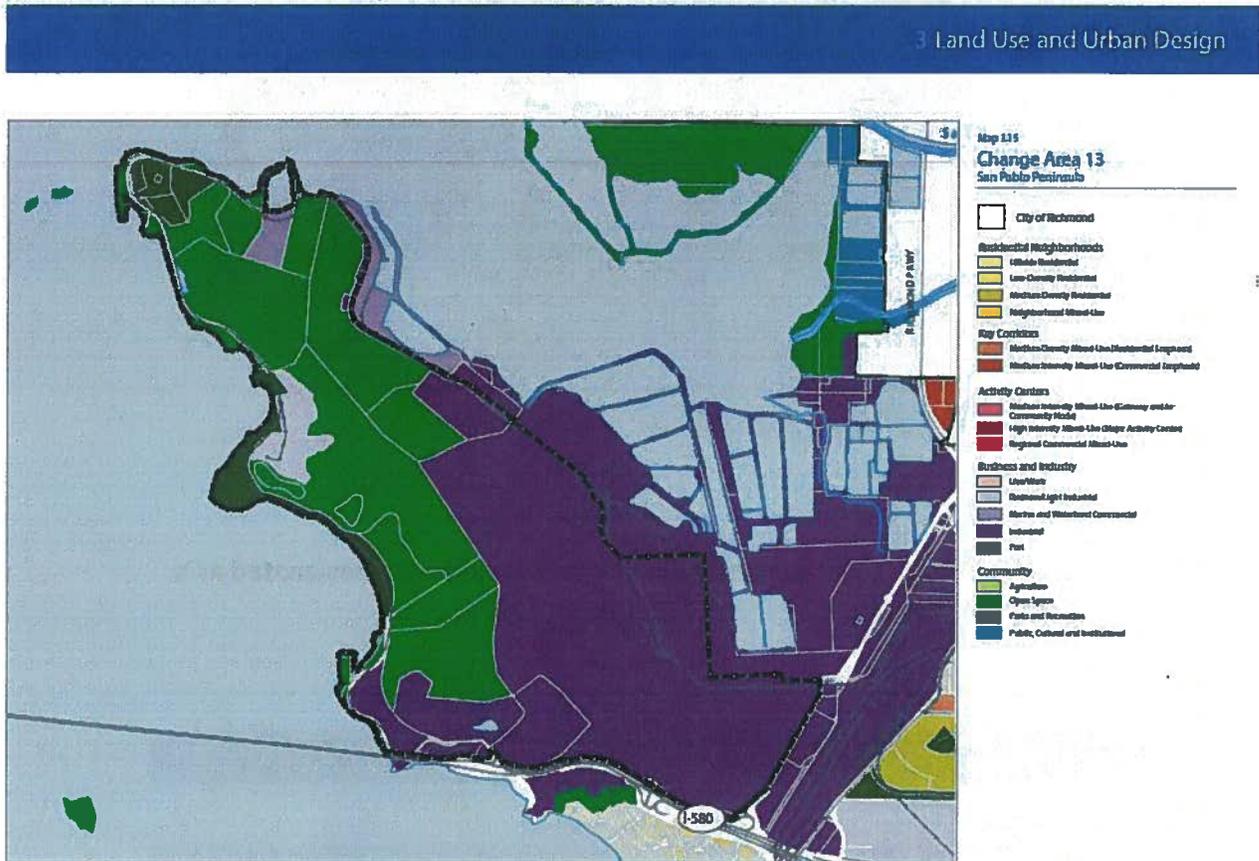
The Point Molate Community Advisory Committee therefore recommends that the current 3 areas in the former NFD property at Pt. Molate designated as *residential* within the proposed 2030 General Plan be changed to an LUD of Open Space until which time as those areas have identified and secured adequate funding to remediate to human habitation levels and until which time such mitigation is complete, and the Deed restrictions are lifted under approval of the Water Board.

Part of the mission of any General Plan is to signal accurately to parties who may be interested in development in Richmond what the full and actual status of the land is at any time. Prematurely designating areas that are not

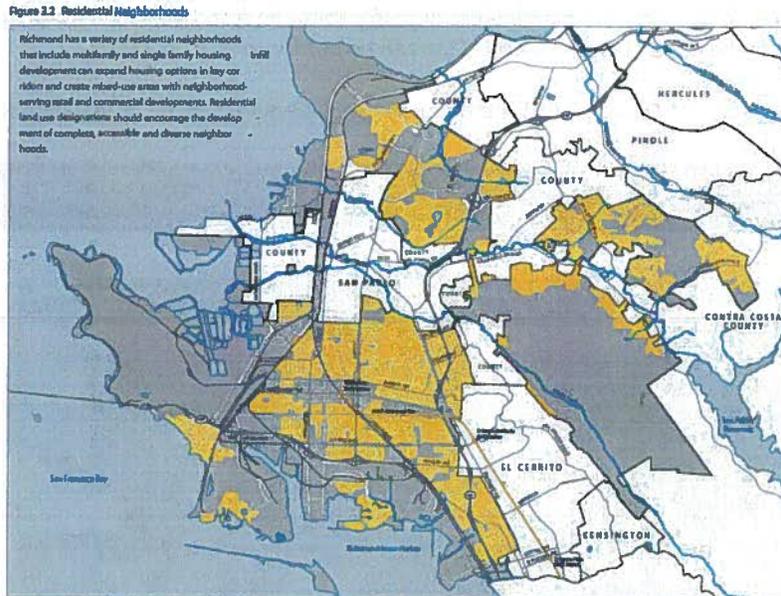
humanly habitable as residential, sends an erroneous signal to potential interested parties, and subjects the City to unanticipated administrative costs.

It is unknown at what point any area of the former NFD property at Pt. Molate will be mitigated to human habitation standards. Should areas be mitigated to human habitation standards in the future and the CRUPs for those areas lifted, an amendment to the General Plan can be put forward at that time.

The PMCAC recommends that Figure 3.15 in the proposed 2030 General Plan be updated as depicted below:



The PMCAC further recommends that Figure 3.2 should be updated as depicted below:



**Change Area 13, the San Pablo Peninsula Should be De-designated as a Community Node.**

**3 Land Use and Urban Design**

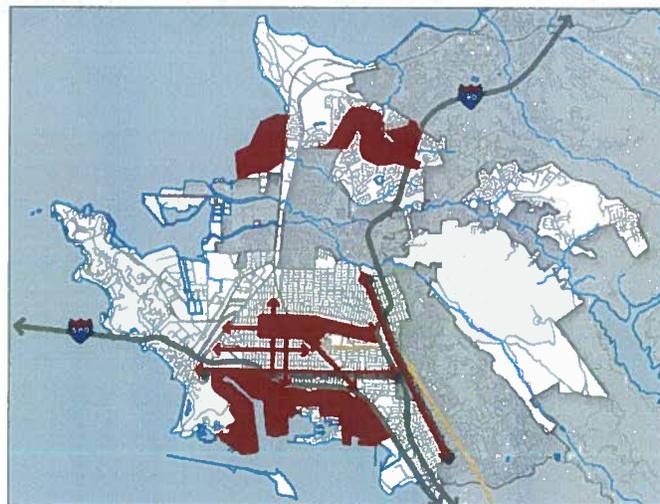
**Development Strategy**

Land uses in the City fall into the following categories: Change areas; stable areas; and recreation, agriculture and open space areas. Although change areas make up only a small portion of the City, they provide the basis for Richmond's development strategy. Changes in land use and development character are expected in these areas and the General Plan provides guidance to shape the anticipated change. These areas are largely underutilized, have incompatible land uses or high potential for redevelopment. Each of these areas have specific geographic and land use characteristics requiring a focused approach to land use regulation and infrastructure investment. The General Plan organizes Richmond's change areas into the following urban design components:

- Major activity centers;
- Community nodes and gateways;
- Key corridors;
- Neighborhood nodes; and
- Districts.

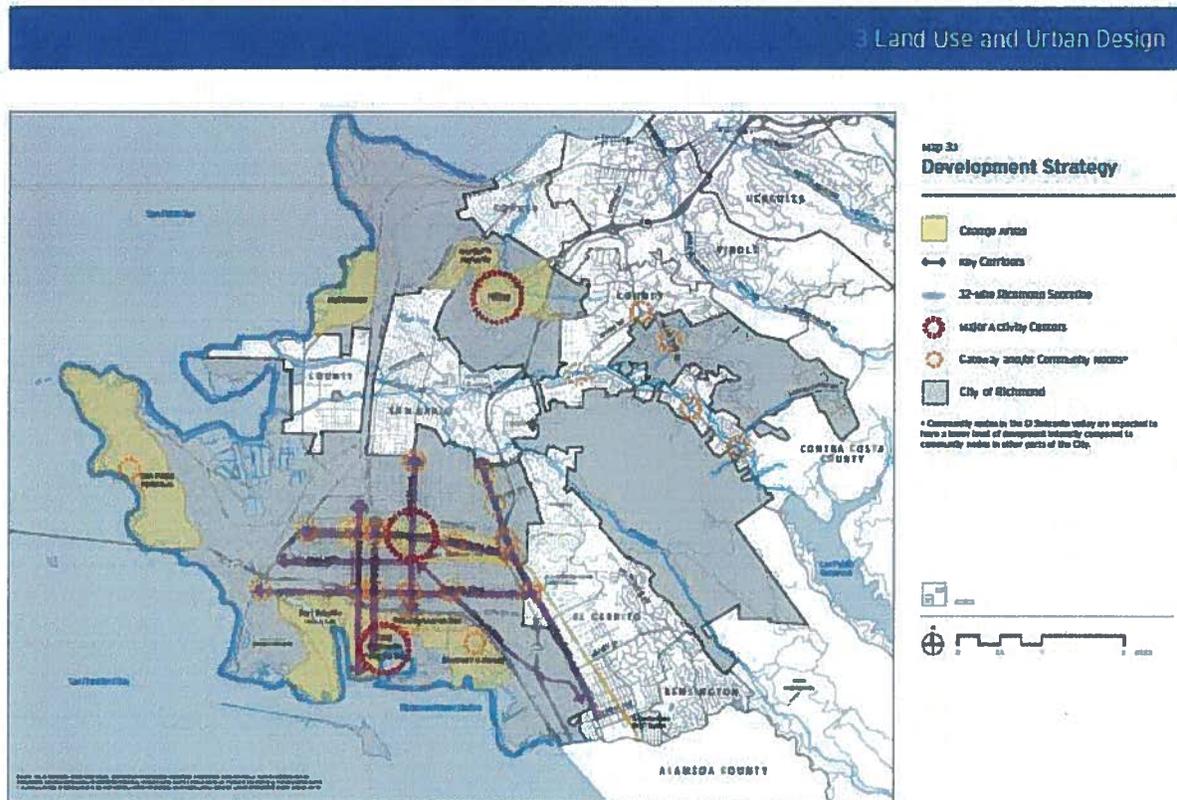
Richmond's development strategy for specific change areas is described in the next section and draw on these components to guide physical and economic revitalization. The following section presents the community's vision for each of Richmond's change areas. These visions provide context-appropriate guidance for site organization, building massing, orientation, setbacks and landscaping.

**Figure 3.7 Map of Richmond's Change Areas**



While figure 3.7 in Element 3.0 of the General Plan does not depict the San Pablo Peninsula as a Change Area, it is described as such elsewhere within Element 3.0.

Map 3.3 in the Draft General Plan as seen below indicates that the San Pablo Peninsula District has been assigned as a community node. It is not known if this is an artifact from previous draft versions of the General Plan, however the San Pablo Peninsula has none of the facilities that would qualify it to be a community node within the City.



The PMCAC therefore recommends that Change Area 13/San Pablo Peninsula be de-designated as a Community Node.

Respectfully,

Joan Garrett  
Chair, Point Molate Community Advisory Committee  
C/O The Mayor's Office  
440 Civic Center Plaza  
Richmond, CA. 94804

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# clean earth and day celebrate

10:30AM - 1:30PM  
April 21, 2012

## Pt. Molate Beach

beach cleanup  
education  
prizes  
cleanup supplies onsite  
kid • bike • dog • friendly  
food and fun

save our shoreline

get to the point for a  
memorable experience

bring this beautiful  
beach back to health

Closed to the public since 2004, Point Molate Beach on the San Pablo peninsula is a stretch of gentle, sandy beach that has not been maintained in nearly a decade. Lend a hand to help protect local wildlife.

Join us to clean the tideline and rid the beach of man made debris. Help collect important data for national programs. Take I-580 west to Pt. Molate - Western Drive exit at the San Rafael bridge toll plaza.

**Wear sturdy boots!**

**Meet at:**

**37°56'27.63"N**

**122°24'35.82"W**

[www.cfspm.org](http://www.cfspm.org)  
[www.thewatershedproject.org](http://www.thewatershedproject.org)

Sponsored by  
The Watershed Project and  
Citizens for a Sustainable Pt. Molate



Idea Scrum Submissions: Updated 3/19/12

After dupes removed, total of 6 new/unique Ideas Submitted in Scrum

Submitter	Description	Priority
M. Sundance	PMCAC website to update and take input from community	V.H.
J. Garrett	PMCAC designate to develop document repository	V.H.
J. Kortz	Website for Pt. Molate history and future plans	V.H.
M. Sundance	Develop Flyers, and attend city events to inform public of PMCAC progress	V.H.
J. Kortz M. Sundance	Community outreach to all communities in Richmond: public participation in land use, engagement in cleanup and history	V.H.
Pam Stello S. Rosing N. Smith	Partner w/community groups to apply for grant funding, establish grant development sub-committee	V.H.
B. Bayaert Jim. Hite	Determine if \$28.5 Navy grant sufficient to complete cleanup to RWQCB standards (T.O.) incl legal & consulting fees	V.H.
J. Kortz	Explore w/NPS or others possibility of a Presidio like format	V.H.
P. Stello	Explore bioremediation options, invite expertise	H
B. Beyaert	Carve out Cosco Busan Funds for Pt. Molate	V.H.
S. Rosing	Define needs to expedite reopening of Pt. Molate Beach Park	M.H.
D. Helvarg	Pt. Molate Beach Bash for Community	M.H.
J. Garrett	Move to shorter form action style minutes	M.H.
D. Helvarg	Rotate PMCAC meeting locations to community centers	M
J. Garrett	Develop process to update/incorporate existing land use plans	M.H.
E. Martinez	Develop Integrated Shoreline Plan	M.H.
S. Clark	Explore w/Wildcare establishment of marine care/rescue hospital	M
E. Whitty S. Rosing	Outdoor amphitheatre – designed by students	M
E. Martinez	Invite UCB Enviro Design dept. to generate land use ideas	M
N. Smith	Develop more recreational oppty's, i.e kayaking/hiking	M
J. Garrett	Develop a complete estimate of all O&M and remediation costs	M
E. Whitty	Env. Campgrounds on top of UST sites	M.L.
C. Smith	Preserve Pt. Molate as Open Space	M.L.
J. Garrett	Tom Butt provide historical presentation on Pt. Molate	M.L.
J. Hite	SuperYacht Port and helipad for private use	M.L.

V.H. = Very High. H=High. M.H. = Medium High. M=Medium. M.L. = Medium Low

Land Use Issues

Community Outreach

Web site - repository

Items marked in blue were submissions of 3/19/12 – some are reiterations of earlier ideas.



PMCAC Inquiry Register and Tracking

Item	Description	Requester	Submitted On	Submitted to	Assigned To	Dept.	Subject	Response Delivered	Response Summary	Status
1	Request direct interface to finance dept. for providing ongoing financial updates	Garrett	11/29/2011	Mayor	Jim Gains	Finance	FINANCE	12/5/2011	Andrea Miller assigned as finance dept. liaison	Closed
2	Request posting of mp3 files of PMCAC meeting transcripts to PMCAC web page.	Garrett		KCRT			MINUTES	2/28/2012	KCRT has posted mp3 files of PMCAC meeting audio transcripts on City's web site	Closed
3	R/O - Applicability of clause 720 in Remediation Agreement to PMCAC	Garrett	12/19/2011	C. Murray	B. Goodmiller	Legal	FINANCE			Open
4	Determination of when at City receives copies of monthly reports required under Cost Cap Insurance Policy	Bayart	12/19/2011	C. Murray		City Mgr.	COMPLIANCE	1/26/2012	Answer: Monthly reports are sent to Bill Lindsay, Bruce Goodmiller and Craig Murray. PMCAC will also be copied	Closed
5	Secure copies of the quarterly remediation progress reports submitted by Upstream as per section 301 (A) (3) of the Remediation Agreement; Section 301. Performance and Funding Obligations of Developer (A) (3) Developer shall make reasonable progress toward performing Environmental. CLARIFY IF THIS OBLIGATION IS SATISFIED WITH THE MONTHLY ACTIVITY REPORTS. Services and shall provide quarterly progress reports to the City	Bayart	1/4/2012	C. Murray		City Mgr.	COMPLIANCE			Open
6	Submit proposed agenda to Terraphase for 1/10/12 meeting with the PMCAC C&B sub-committee	Bayart	1/4/2012	C. Murray	B. Goodmiller	City Mgr.	REMEDIATION	1/5/2012	Proposed agenda approved	Closed
7	Request copies of base cap process for changes to Navy Grant Fund by Terraphase and Arcadis	Garrett	1/4/2012	A. Miller		Finance	FINANCE	Some invoices received on 3/15/2012	Information provided by Lashonda Wilson	Open
8	R/O - Must every document, spreadsheet, ppt, image, etc that is displayed/used in support of individual agenda items on the PMCAC agenda be included in the agenda packet? And must that agenda packet (whether containing all of the used/portrayed materials or not) be posted by the same deadline as the deadline for posting of PMCAC meeting agenda?	Garrett	1/13/2012	C. Murray		Legal	BROWN ACT			Open
9	Secure copies of monthly remediation status reports submitted by Terraphase/Arcadis since inception	Garrett	1/13/2012	C. Murray		City Mgr.	REMEDIATION	1/25/2012	Terraphase monthly remediation reports will be sent to all PMCAC members and posted on PMCAC repository	Closed
10	Secure copies of all details of proposed plans, studies, surveys, and other submissions required by the Water Board, as submitted by Terraphase/Arcadis/Upstream	Bayart	1/13/2012	C. Murray		City Mgr.	REMEDIATION			Open
11	Request from Terraphase a, rough & conservative estimate of the site and number of trucks, and no. of truck trips/day required for removing contaminated soil from Pt. Moline, as well as same for hauling clean replacement soil, and any anticipated additional costs involved with trucking out of Pt. Moline via proposed detour during Schofield deck replacement of traveling wetbound across S.R./Richmond bridge and turning eastbound.	Bayart	1/13/2012	C. Murray		City Mgr.	REMEDIATION	2/10/2012	Information supplied by Terraphase to CalTrans	Closed
12	Interpretation of Upstream obligations if any under item 6 contained in Appendix II of the R/O as cited. & Program Management Upstream will provide overall project management including but not limited to subcontractor procurement and management, monthly progress reporting, monthly Clean-up Cost Progress Reports to the Insurer, real time schedule and budget tracking, assist in public outreach and public meetings, maintenance of a public repository of environmental documentation, site field office, site equipment storage, and financial project management.	Garrett	1/13/2012	C. Murray		Legal	COMPLIANCE			Open

8.B.1

13	Secure full details of sums paid and purpose for additional \$1.1M of charges associated with the cost cap insurance premium above and beyond the initial \$3M premium.	Beauregard	1/20/2012	C. Murray			REMEDATION	3/13/2012	Invoices for additional premiums were provided.	Closed
14	Secure copy of the presentation given by Terraphase to CAR 5-C on 1/10/12 as initially prepared for a city council study session on plans for compliance with the December water board order.	Garrett	1/20/2012	C. Murray	W. Carson		COMPLIANCE	4/12/2012	Copy of Presentation received and posted to Repository	Closed
15	Provide all documents contained in the bibliography on pages 8-10 of the January 2012 Monthly Remediation Status Report.	Garrett	2/16/2012	C. Murray	W. Carson		COMPLIANCE	4/12/2012	Several appendices received and posted to Repository. Some appendices from 2011 and earlier remain outstanding.	Partially Open
16	Provide copy of Mazza & Assoc. audit of R1 Module from Dec 2010 and copy of 2011 annual audit as required under terms of the New Lease.	Garrett	3/21/2012	C. Murray	I. Wilson		FINANCE			Open
17	Provide copy of Pollution Liability Ins. Policy #02488959001 from Millitt Insurance Services	Garrett	3/21/2012	C. Murray	R. Kain	Risk	INSURANCE	4/6/2012	Policy provided and posted to Repository	Closed
18	Copy of Appendices to 12/19/11 Draft Investigation Restoration Site 3 Feasibility Study/Remedial Action Plan (FS/RAP) submitted to RWQCB by Terraphase	Beauregard	3/21/2012	C. Murray	W. Carson		REMEDATION	4/12/2012	Appendices received and posted to Repository	Closed
19	Copy of Draft of the Internal Review of the proposed fact sheet as required by RWQCB for Site 3 FS/RAP	Beauregard	3/21/2012	C. Murray	W. Carson		REMEDATION			Open
20	Copy of Proposed draft plan for RWQCB Order Task #2: Management of soils and groundwater as required by RWQCB by March 15, 2012	Beauregard	3/21/2012	C. Murray	W. Carson		REMEDATION	4/12/2012	GW and soil level plans received and posted to Repository	Closed
21	Draft of Internal review of proposed wetlands mitigation and monitoring plan	Beauregard	3/21/2012	C. Murray	W. Carson		REMEDATION			Open
22	Copy of 2011 annual UST closure monitoring report submitted to RWQCB.	Beauregard	3/21/2012	C. Murray	W. Carson		REMEDATION	4/12/2012	2011 Annual UST Monitoring report received and posted to repository	Open
23	Site 4 Drum Lot 2 Interim Remedial Action Plan approved by RWQCB.	Beauregard	3/21/2012	C. Murray	W. Carson		REMEDATION	4/12/2012	Received copies of RWQCB's Notes on proposed plan. Final approval remains.	Partially Open
24	RIO - Clarify city's obligations under section 710 of the ETCs-Section 710. Change of Circumstances  Each party will promptly notify the other party of any legal impediment, change of circumstances, pending litigation, or any other event or condition that may adversely affect such party's ability to perform this Agreement.	Garrett	3/27/2012	C. Murray	B. Goodmiller	Legal	COMPLIANCE			Open
25	Copies of recently provided billings from Terraphase indicate that the "total authorized budget" for Terraphase engineering for R1 Module was \$498,200 on 1/29/12, \$1,250,918 on 5/11 and \$2,056,188 on 12/6/11. Please clarify if this is simply a total sum of billing amounts to date or an actual budget number. If the latter, please advise process for establishing the budget, and amending the budget, as well as budget numbers for 2012 through 2014.	Pulso	3/27/2012	C. Murray	A. Miller	Finance	FINANCE			Open
26	Payment to Arcadis per the escrow account detail as of 1/31/12 total \$392,512.40. We have received copies of Arcadis invoice totalling \$164,990. Please provide copies of invoices for the remaining \$227,612.40.	Pulso	3/27/2012	C. Murray	A. Miller	Finance	FINANCE			Open
27	We have received a copy of the work product detail associated with Arcadis invoice #0941250 in the amount of \$59,744.78 dated 9/21/10. Please provide work product detail for all other Arcadis invoices.	Pulso	3/27/2012	C. Murray	A. Miller	Finance	FINANCE			Open
28	PM/CAC has been supplied copies of Terraphase Invoices #110,111, 112 and 113 totaling \$37,142. Please supply copies of all other Terraphase invoices	Pulso	3/27/2012	C. Murray	A. Miller	Finance	FINANCE			Open
29	Arcadis billed \$30,579.43 under invoice 0944586 for preparation of an FS/RAP for Site 3. Terraphase has been budgeted \$77,000 for this same task and has charged \$50,999 under their invoices 137 and 144 for the same task. What is the authorized budget for developing an FS/RAP for site 3.	Garrett	3/27/2012	C. Murray	A. Miller	Finance	FINANCE			Open



8.33

8.34

## PMCAC Motioned Advisories and Requests

Item	Classification	Description	As per Motion passed	Submitted To	Submitted on	Via	Status	Response
1	REQUEST	Provide scheduling and \$ impact information to CalTrans outlining impact to planned remediation at Pt. Molate during Scofield/Bridge Deck Repair Project	Unanimously on 1/17/2012	Bill Lindsay, City Manager	19-Jan-12	e-mail letter	CLOSED	2/25/12. Staff discussed with CalTrans remediation and construction work schedule. Schedules co-ordinated
2	REQUEST	Provide drafts of all remediation plans, methods, schedules, criteria, and activities prior to submission to regulating agency. Provide response to outstanding inquiry items	Unanimously on 2/21/2012	Bill Lindsay, City Manager and Mayor Gayle McLaughlin	14-Mar-12	e-mail letter	OPEN	
3	REQUEST	Request to meet with appropriate City staff to discuss proposed FS/RAP and remediation levels for IR Site 3	Unanimously on 3/19/2012	Bill Lindsay, City Manager	20-Mar-19	e-mail letter	OPEN	
4	ADVISORY	Land use designation recommendations to the City Council as supplied to the Planning Commission for Change Area 13, recommending interim LUD assignment for former NFD Pt. Molate	12 Yeas to 1 No, with 2 absences	City Council meeting, item 73	12-Apr-12	e-mail letter	OPEN	

B.B.5



**City of Richmond – POINT MOLATE COMMUNITY ADVISORY COMMITTEE**

Multi-Purpose Room  
440 CIVIC CENTER PLAZA

**PROPOSED MINUTES  
MONDAY, MARCH 19, 2012, 6:30 PM**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Present: Committee Members Beyaert, Christian, Clark, Garrett, Gilbert, Hanna (7:01), Helvarg, Hite, Kortz (6:41), Martinez (6:38), Puleo, Rosing, Smith, C., Smith, N., Stello (6:41), Sundance and Whitty.

Absent: Committee Member Satre.

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/CORASATTRCRA.

**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 briefed PMCAC on the Agenda order and pulled the Minutes from the Consent Calendar. Whitty then motioned to approve the Agenda, Rosing seconded. Passed unanimously.

**5. ANNOUNCEMENTS THROUGH THE CHAIR**

Garrett announced that Mayor is in another meeting upstairs but will be at meeting after 7:00pm and announced that Pt Molate experienced a power outage.

**6. OPEN FORUM**

No speakers for Open Forum.

**7. PRESENTATIONS, DISCUSSION & ACTION ITEMS**

A. Presentation of newly appointed PMCAC Members Otheree Christian and Joseph Puleo.

Christian and Puleo presented their backgrounds and interest in serving the PMCAC. Garrett welcomed new members and summarized rules and by-laws governing PMCAC.

B. Idea Scrum Update Discussion

Garrett reviewed information from Idea Scrum in October, 2011 and summarized priority levels of interest areas.

Committee members provided updates of their interest areas for Pt. Molate. Agreement by Committee to invite a representative from the Presidio Trust to speak. Beyaert indicated that fundraising should go with each specific Pt. Molate project. Beyaert moved and Helvarg seconded that PMCAC request the City Manager to fund reopening of Point Molate Beach from the City's award of impact mitigation funds from the Cosco Busan oil spill damage settlement.

C. Working Session:

1) Funding Paths

Garrett discussed City contract with ECivis and that this firm will continue to provide a grant database and it include Foundation, State, Federal and County sources.

2) Area Non-Profit Partnering

Discussion on need to identify grant sources to needs of Pt. Molate. Hanna suggested to field review Pt Molate with potential grant partners. Garrett and Committee discussed a local project, the Richmond Greenway, as an example of drawing grant funds. Garrett motioned with amendment by Helvarg to form a Grant Subcommittee of three people to research/pursue grant opportunities through grant generating partners. Second by Stello. Approved unanimously.

D. Call for Sub-Committee Appointments

Garrett reviewed past and current Sub-Committees and available posts. Puleo opted to serve on Finance with C.Smith and Martinez. Christian decided not to serve at this time. Beyaert conveyed that Satre would like to serve on Clean-Up and Restoration. Garrett cautioned that with Satre it will be eight and should be odd-numbered. Rosing stated that he was willing to step down from C&R to focus more on outreach if an odd-number is required.

8. STAFF REPORTS

A. Review of Financial Reports

Reports from Andrea Miller of Richmond Finance Department were reviewed. Garrett summarized invoice of cost overrun and pollution policy expenses and then reviewed series of Arcadis and Terraphase invoices and summarized that it is approaching \$2M mark of consultant expenses. Garrett expressed concern of pre-paid invoices prior to work and Finance Committee could review this and expressed desires for future information that the Finance Committee could review. Garrett summarized monthly expense of Packaged Ground Water Treatment Plant and need for review for expense of soil removal. Hite inquired who created budget and expressed concern about front end expenses not leaving enough for closure expenses.

B. Committee Log for PMCAC inquiries to staff, contractors

Garrett stated that some progress has been made on invoices, Water Board posting of Drafts and comments received. Garrett expressed PMCAC's desire is to receive these Drafts and comments directly from Terraphase. Garrett summarized items still needed as listed on the inquiry tracker. Puleo expressed need for entire Arcadis invoices. Garrett asked if Committee wanted any other items to add to Inquiry Tracker. Committee provided no additional items. Murray indicated that items are now posted on City Clerk site. Beyaert expressed appreciation.

9. CONSENT CALENDAR

Garrett provided minute corrections. Beyaert motioned to approve the Consent Calendar, Helvarg seconded. Passed unanimously.

10. FUTURE AGENDA ITEMS

Garrett mentioned electrical at Pt Molate and that Public Works Representative should speak at next meeting and not sure if Navy escrow funds should pay for power related to packaged ground water treatment and that it maybe pro-rata based on remediation versus costs for street and office lights.

Garrett summarized the recent power outage and location next to Building 13. Garrett spoke with Public Works Director Bermudez and would like to have him speak to PMCAC. Garrett expressed concern for long-term portable power for remediation operations. Garrett cautioned that electrical is old, of questionable reliability and inquired if an assessment of life of electrical infrastructure can be provided.

Garrett indicated that she will seek Presidio Trust Representative to be a speaker.

Martinez asked to revisit 7D for Subcommittee Appointments to call for appointments. N.Smith asked for a Community Outreach Committee. Garrett indicated if there is a majority then can revisit 7C. Martinez motioned, Rosing seconded. Unanimously approved. Martinez stated it should be three on Community Outreach Sub-Committee. Martinez discussed topics that this Subcommittee could have as their charge. Martinez motioned to form Committee, second Whitty. Approved unanimously.

## 11. CITY COUNCIL LIAISON REPORTS

Mayor advised that she spoke with City Manager regarding letter from PMCAC and need for documents. Mayor indicated that City Manager agreed that he didn't see any reason why public documents shouldn't be provided to PMCAC.

Mayor conveyed that Upstream and Tribe filed a Federal legal complaint seeking Millions from City. Mayor has ongoing conversations with City Attorneys Office to have a visionary session at a City Council Meeting and that may be in a couple months.

Beyaert inquired about status of Terraphase under the City-Upstream Remediation Agreement. Mayor indicated that it could continue unless either party wants to break away from the agreement.

Mayor responded to inquiries relating to dealings with Upstream and that City waited 120 days and also showed Good Faith by allowing another 120 days to Upstream for an Alternative Proposal.

Mayor noted that could see where City stands to pursue an additional developer.

Garrett inquired if PMCAC should meet with City Manager. Whitty expressed no need to meet but to cc PMCAC on items.

Mayor indicated support to open up Pt Molate Beach for use by the public.

N.Smith inquired if Mayor could ask City Attorney on what is impact of this lawsuit on any future partners and land use.

Garrett inquired about status of relief. Mayor indicated that Upstream is going forward but believes it was ruled by Courts in City's favor.

N.Smith inquired if possible to have someone from City Attorney's Office to speak. Helvarg indicated that this is counterproductive and we should continue forward with PMCAC desires to seek other uses and lawsuits will take their own course.

## 12. CHAIR AND SUB-COMMITTEE REPORTS

- a. Clean Up and Restoration: Beyaert provided hand-outs, noted receipt of Terraphase Quarterly Report and summarized Orders from the Water Board. Beyaert indicated concern that PMCAC could not see drafts submitted to Water Board. However, Water Board did provide some of these drafts and that was a break through. Beyaert reviewed listed items in hand-out document and summarized concerns to City. Beyaert asked Sub-Committee to meet after this meeting. Public Speaker Gosney discussed history US Navy with the Pt Molate Restoration Advisory Board on Bioremediation or Monitored Natural Attenuation and noted that it is slow and not cheap because of this and there is a cost to annual amount of \$2M to City just to provide management of the former base.
- b. Finance: No report.
- c. Legal: No report.

## 13. ADJOURNMENT

Garrett moved to adjourn the meeting at 8:32 pm, seconded by Martinez. Passed unanimously.

**14. SCHEDULED MEETINGS**

Committee Meeting –

Monday, April 16, 2012, 6:30 p.m., Multi-Purpose Room, 440 Civic Center Plaza

Minutes respectfully submitted by:

\_\_\_\_\_

Craig K. Murray, PMCAC Staff Liaison

**Craig Murray**

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**From:** Ryan Janoch [ryan.janoch@terrphase.com]  
**Sent:** Wednesday, April 11, 2012 12:49 PM  
**To:** George Levya (gleyva@waterboards.ca.gov)  
**Cc:** William Carson; Bruce Goodmiller; Jim Levine; Alan Wolken; Craig Murray; jcoho( ; Michael Derry (i ); 'Mike Leacox (M' ); david.j.clark^ ; Venkat Puranapanda ( ^ ); Bruce Beyaert; Joan Garrett ( ' )  
**Subject:** Point Molate - Monthly Remediation Status Report  
**Attachments:** March 2012 Monthly Remediation Status Report.pdf

George,

Attached is the monthly remediation status report (March 2012) for Point Molate. This report is intended to meet the requirements of Task 9 in the RWQCB Order R2-2011-0087. Per your request, a copy of this report was uploaded via Geotracker today (April 11, 2012).

Please let me know if you have any questions.

Thanks, Ryan

**Ryan Janoch, PE (C78735)** Professional Engineer

**Terraphase Engineering Inc.** 1404 Franklin Street, Suite 600, Oakland, California 94612

[ryan.janoch@terrphase.com](mailto:ryan.janoch@terrphase.com)

510-645-1850 ext. \*35

[www.terrphase.com](http://www.terrphase.com)

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4/12/2012

12.A.1

1. A. 2

12.4.2



April 9, 2012

Mr. George Levya  
California Regional Water Quality Control Board  
San Francisco Bay Region  
1515 Clay Street, Suite 1400  
Oakland, California 94612

*sent via: email*

Subject: Monthly Remediation Status Report for Work in March 2012, Former Naval Fuel Depot Point Molate Richmond, California

Dear Mr. Levya:

This monthly remediation status report summarizes the remediation activities conducted by Terraphase Engineering Inc. (Terraphase) under the direction of Upstream Point Molate LLC (Upstream) on behalf of the City of Richmond at the former Naval Fuel Depot Point Molate (the Site). This remediation status report is intended to meet the requirements of Task 9 in the Regional Water Quality Control Board (RWQCB) Order R2-2011-0087 (RWQCB 2011d). The requirements of Task 9 are as follows:

*The Discharger shall submit a report to the Regional Water Board, 30 days prior to the start of any onsite remediation activities, and then on a monthly basis beginning 30 days after the start of the remediation activities, outlining the onsite remediation activities accomplished during the past month and those planned for the following month. The first monthly report at the beginning of each quarter shall include monitoring and test results and any conclusions or proposed changes to the remediation process based on those results. If any changes to the remediation are proposed during any monthly report, applicable supporting monitoring or test data will be submitted at that time. The status report shall also verify that the Prohibitions in Section A, stipulated above, have been adhered to. Should any of those prohibitions be trespassed, the report shall propose a recommendation acceptable to the Executive Officer to correct the trespass.*

This remediation status report provides a monthly update on the progress of environmental investigations, remediation, maintenance, and monitoring at the Site. This report is organized around each task listed in the RWQCB Order R2-2011-0087 (RWQCB 2011d). Additional tasks related to the Installation Restoration (IR) Site 3 Packaged Groundwater Treatment Plant (PGWTP) and site-wide groundwater monitoring are also included below. For major work tasks completed in 2011, please see the monthly status report for December 2011 (Terraphase 2012a). A reference list of reports and submittals since January 2011 is included as an attachment to this letter.

**Task 1: Soil Cleanup Goals (Compliance Date: February 13, 2012)**

*Work completed in March 2012:*

1. Prepared responses to RWQCB comments and concerns regarding the proposed soil cleanup goals (RWQCB 2012b)
2. Discussions with the RWQCB, City of Richmond and Upstream regarding the proposed soil cleanup goals

*Major Work Items Previously Completed in 2012:*

1. Prepared proposed soil cleanup goals (included in the draft Excavation Delineation and Waste Characterization of Petroleum-Affected Soil Report [Terraphase 2012k]) for review by the City of Richmond and Upstream per the Work Plan for Excavation Delineation and Waste Characterization of Petroleum-Affected Soil (Terraphase 2011m) approved by the RWQCB (RWQCB 2011a)
2. Responded to City of Richmond and Upstream comments on proposed soil cleanup goals
3. Prepared and submitted the proposed soil cleanup goals (included in the draft Excavation Delineation and Waste Characterization of Petroleum-Affected Soil Report [Terraphase 2012k]) to the RWQCB
4. Meeting with City of Richmond and RWQCB regarding the proposed soil cleanup goals on February 16 and 29, 2012

*Upcoming Work in April 2012:*

1. Respond to RWQCB comments on proposed soil cleanup goals (RWQCB 2012b)
2. Submit proposed soil clean up goals (as part of the draft Excavation Delineation and Waste Characterization of Petroleum-Affected Soil Report [Terraphase 2012k]) to the RWQCB

**Task 2: Soil and Groundwater Management Plan (Compliance Date: March 15, 2012)**

*Work completed in March 2012:*

1. Submitted the draft soil and groundwater management plan outline to City of Richmond, Upstream, and RWQCB for approval
2. Continued development of the internal draft soil and groundwater management plan
3. Prepared and submitted an extension request letter to the RWQCB

*Major Work Items Previously Completed in 2012:*

1. Prepared the internal draft soil and groundwater management plan outline

*Upcoming Work in April 2012:*

1. Develop and submit the draft soil and groundwater management plan to the City of Richmond, Upstream, and the RWQCB

**Task 3a: IR Site 3 Feasibility Study and Remedial Action Plan (Compliance Date: May 4, 2012)**

*Work completed in March 2012:*

1. Development of the internal draft remedial design details
2. Developed and submitted the internal draft wetlands mitigation and monitoring plan to the City of Richmond and Upstream for review
3. Prepared responses to Bay Conservation and Development Commission (BCDC) comments regarding the administrative permit application (Terraphase 2012l)

8.A.5

12.A.4

4. Communication with the United States Army Corps of Engineers (USACE) regarding the Section 404 permit application (Terraphase 2012h) and pre-construction notification (Terraphase 2012i)
5. Site visit and meeting with the RWQCB on March 26, 2012 regarding the Section 401 permit application (Terraphase 2012g)
6. Preparation of a consultation letter for the California Office of Historic Preservation regarding national historic district non-contributing elements (such as building number 83 located in the Winehaven Historic District)
7. Coordination with the City of Richmond regarding the non-contributing elements consultation letter submission to the State Historical Preservation Officer
8. Meeting with the City of Richmond Planning Department regarding the draft Feasibility Study and Remedial Action Plan (FS/RAP; Terraphase 2011s) and the draft Excavation Delineation and Waste Characterization of Petroleum-Affected Soil Report (Terraphase 2012k) on March 29, 2012
9. Development of the internal draft response to comments to the review and comments letter on the draft FS/RAP from the RWQCB (RWQCB 2012b)
10. Development of the Stormwater Pollution Prevention Plan (SWPPP), Health and Safety Plan (HASP), Site Security Plan, Contingency Plan, and Transportation Control Plan (TCP) for the remedial activities

*Major Work Items Previously Completed in 2012:*

1. Developed and submitted the Section 404 permit application (Terraphase 2012h) and Pre-Construction Notification (Terraphase 2012i) to the USACE
2. Developed and submitted the Section 401 permit application (Terraphase 2012g) to the RWQCB
3. Developed and submitted the administrative permit application (Terraphase 2012l) to the BCDC
4. Discussions with the California Office of Historic Preservation regarding national historic district non-contributing elements (such as building number 83 located in the Winehaven Historic District)
5. Submitted the draft Excavation Delineation and Waste Characterization of Petroleum-Affected Soil Report (Terraphase 2012k) to the RWQCB (See Task 1 of this report)
6. Meeting with the City of Richmond and RWQCB regarding the draft Feasibility Study and Remedial Action Plan (FS/RAP; Terraphase 2011s) and the draft Excavation Delineation and Waste Characterization of Petroleum-Affected Soil Report (Terraphase 2012k) on February 16 and 29, 2012
7. Developed the internal draft response to comments to the review and comments letter on the draft FS/RAP from the RWQCB (RWQCB 2012b)
8. Developed and submitted the draft public fact sheet on the FS/RAP to the RWQCB

*Upcoming Work in April 2012:*

1. Submit the draft final and response to comments on the Excavation Delineation and Waste Characterization of Petroleum-Affected Soil Report (Terraphase 2012k) and as a supplement to the draft FS/RAP (Terraphase 2011s)
2. Coordination with the City of Richmond regarding the non-contributing elements consultation letter submission to the State Historical Preservation Officer
3. Development of the internal draft remedial design details
4. Development and submittal of the wetlands mitigation and monitoring plan to the RWQCB

**Task 3b: IR Site 3 Remedial Action Completion Report (Compliance Date: February 3, 2014)**

Not Applicable

12.A.5

12.A.5

**Task 4a: IR Site 4 Interim Remedial Action Work Plan (Compliance Date: April 3, 2012)**

*Work completed in March 2012:*

1. Evaluation of soil gas, MIP, and groundwater monitoring data to refine interim remedial measures
2. Review of soil gas and MIP investigation data with the City of Richmond consultant and discuss potential changes to interim remedial measures implementation on March 30, 2012
3. Pre-project planning for groundwater monitoring well installation
4. Communication with the RWQCB regarding interim remedial measures

*Major Work Items Previously Completed in 2012:*

1. Implementation of the design investigation for remedial activities of VOCs in the groundwater per the Groundwater Remediation Work Plan IR Site 4, Drum Lot 2/Building 87 Area (Terraphase 2011r) approved by the RWQCB (RWQCB 2011c)
2. Membrane interface probe (MIP) investigation per the Groundwater Remediation Work Plan IR Site 4, Drum Lot 2/Building 87 Area (Terraphase 2011r) approved by the RWQCB (RWQCB 2011c)
3. Meeting with the City of Richmond's representative from Nichols Consulting to discuss investigation results on February 8, 2012

*Upcoming Work in April 2012:*

1. Pre-project planning for groundwater monitoring well installation

**Task 4b: IR Site 4 Interim Remedial Action Completion Report (Compliance Date: November 2, 2012)**

Not Applicable

**Task 4c: IR Site 4 Human Health Risk Assessment (Compliance Date: November 4, 2013)**

Not Applicable

**Task 4d: IR Site 4 Feasibility Study and Remedial Action Plan (Compliance Date: February 3, 2014)**

Not Applicable

**Task 4e: IR Site 4 Remedial Action Completion Report (Compliance Date: February 3, 2015)**

Not Applicable

**Task 5: UST Management Plan (Compliance Date: March 4, 2013)**

None

**Task 6: UST Removal Plan (Compliance Date: 90 days prior to UST demolition)**

Not Applicable

**Task 7: UST Status Report (Compliance Date: June 3, 2012)**

*Work completed in March 2012:*

1. Conducted routine monthly underground storage tank (UST) closure monitoring inspections per the Post-Closure UST Maintenance and Monitoring Plan (ITSI 2005)
2. Prepared the internal draft structural inspection report based on UST inspection in January 2012
3. Conducted brush clearing on USTs' drainage features to improve access for monitoring

*Major Work Items Previously Completed in 2012:*

1. Conducted routine monthly and quarterly UST closure monitoring inspections per the Post-Closure UST Maintenance and Monitoring Plan (ITSI 2005)
2. Conducted structural inspections of four closed USTs per the Post-Closure UST Maintenance and Monitoring Plan (ITSI 2005)
3. Prepared and submitted the annual 2011 UST closure monitoring report (Terraphase 2012b) to the RWQCB
4. Field inspection, identification, and implementation of maintenance activities on the UST features (such as monitoring wells and drains)

*Upcoming Work in April 2012:*

1. Develop the draft structural inspection report for Upstream and City of Richmond to review
2. Conduct routine monthly UST closure monitoring inspections
3. Install signs on USTs as part of identified maintenance needs

**Task 8: Amended Land Use Controls (Compliance Date: When environmental closure is requested)**

Not Applicable

**Task 9: Remediation Status Reports (Compliance Date: Monthly)**

*Work completed in March 2012:*

1. Submitted monthly status report for February 2012 (Terraphase 2012m)

*Major Work Items Previously Completed in 2012:*

1. Submitted monthly status report for December 2011 (Terraphase 2012a)
2. Submitted monthly status report for January 2012 (Terraphase 2012j)

*Upcoming Work in April 2012:*

1. Submit monthly remediation status report for March 2012

**Task 10: Discoveries During Facility Redevelopment (Compliance Date: 60 days from initial discovery)**

None

**Task 11: IR Site 1 ROD (Compliance Date: None)**

*Work completed in March 2012:*

1. Routine monthly landfill inspection of signs, gates, locks, etc. per the Final Post-Closure Maintenance and Monitoring Plan (TTEMI 2002)
2. Quarterly landfill inspection with the Contra Costa County Environmental Health Services Department
3. Routine and emergency operation, maintenance and monitoring of the landfill treatment system
4. Installation of temporary treatment equipment due to an extended power failure

*Major Work Items Previously Completed in 2012:*

1. Routine monthly landfill inspection of signs, gates, locks, etc. per the Final Post-Closure Maintenance and Monitoring Plan (TTEMI 2002)
2. Routine operation, maintenance and monitoring of the landfill treatment system

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3. Prepared and submitted the fourth quarter 2011 landfill monitoring report to the RWQCB (Terraphase 2012d)

*Upcoming Work in April 2012:*

1. Routine monthly landfill inspection of signs, gates, locks, etc.
2. Routine operation, maintenance, and monitoring of the landfill treatment system
3. Preparation and submittal of the first quarter 2012 landfill monitoring report to the City of Richmond and Upstream for review
4. Submittal of the first quarter 2012 landfill monitoring report to the RWQCB

**Task 12: Construction Stormwater General Permit (Compliance Date: Prior to field work)**

Not Applicable

**IR Site 3: PGWTP**

Terraphase under the direction of Upstream and the City of Richmond operates, maintains, monitors, and prepares the monitoring reports for the PGWTP under the existing General Waste Discharge Requirements for: Discharge or Reuse of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by Volatile Organic Compounds (VOC), Fuel Leaks and Other Related Wastes (VOC and Fuel General Permit) (RWQCB 2012a). The VOC and Fuel General Permit (Order No. R2-2012-0012 NPDES No. CAG912002) replaces the former Fuel General Permit (Order R2-2006-0075 NPDES No. CAG912002; RWQCB 2006). The RWQCB approved operation of the PGWTP at 100 gallons per minute (gpm) in June 2007 (RWQCB 2007). A notice of intent (NOI) to continue operating the PGWTP was submitted to the RWQCB in July 2011 (Terraphase 2011i). The RWQCB reauthorized operation of the PGWTP at 100 gpm under the new VOC and Fuel General Permit (effective March 15, 2012) per the RWQCB reauthorization letter (RWQCB 2012c). The following summarizes the activities related to the continued operation, maintenance, and monitoring of the PGWTP.

*Work completed in March 2012:*

1. Routine operation, maintenance, and monitoring of the PGWTP
2. Cleaning and repair of the oil-water separators and associated pump
3. Installation of floaters on the power supply lines in response to the power failure
4. Emergency operation of the PGWTP using backup power and portable pumps

*Major work items completed previously in 2012:*

1. Prepare a comment letter (Terraphase 2012c) regarding the draft VOC and Fuels General Permit issued by the RWQCB (replaced by the final order [RWQCB 2012a])
2. Prepared and submitted the combined fourth quarter and annual 2011 self-monitoring report to the RWQCB (Terraphase 2012f)

*Upcoming Work in April 2012:*

1. Routine operation, maintenance, and monitoring of the PGWTP
2. Maintenance on the extraction well pumps
3. Repair of piping due to sediment buildup
4. Preparation and submittal of the first quarter 2012 PGWTP monitoring report to the City of Richmond and Upstream for review
5. Submittal of the first quarter 2012 PGWTP monitoring report to the RWQCB

### **Site-wide Groundwater Monitoring**

The purpose of the site-wide groundwater monitoring is to provide groundwater quality data that can be evaluated against established screening criteria for the Site. This program will help protect human health and the environment and prevent releases to the San Francisco Bay. Integrating data collected under this program with previous data is intended to support compliance and closure in accordance with regulatory requirements. Groundwater monitoring is being conducted on a semi-annual basis (wet-season and dry-season) per the Site-Wide Groundwater Monitoring Plan (Terraphase 2011n) that was approved by the RWQCB on August 30, 2011 (RWQCB 2011b). Data collected is summarized and submitted as semi-annual monitoring reports to the RWQCB.

#### *Work completed in March 2012:*

1. Development of internal draft work plan to decommission groundwater monitoring wells
2. Check of the potential seep from the rock outcrop (water visible in March) per RWQCB request
3. Sampling and analysis of the seep from the rock outcrop on March 26, 2012
4. Submitted the draft dry-season semi-annual groundwater monitoring report to the City of Richmond and Upstream for review
5. Pre-project planning for groundwater monitoring well decommissioning

#### *Major work items completed previously in 2012:*

1. Field verification of groundwater monitoring wells to be decommissioned
2. Check of the potential seep from the rock outcrop (no water visible in January and February) per RWQCB request

#### *Upcoming Work in April 2012:*

1. Submit the draft dry-season semi-annual groundwater monitoring report to the RWQCB
2. Check of the potential seep from the rock outcrop per RWQCB request
3. Review of the data from the sampling and analysis of the seep from the rock outcrop
4. Assessment of groundwater monitoring wells monuments and risers to be decommissioned

### **Prohibitions Verification**

As required in Task 9 of the RWQCB Order, the following prohibitions (Section A of the RWQCB Order) were adhered to during the remedial activities in January 2012, to the knowledge of Terraphase.

1. The discharge of wastes and/or non-hazardous or hazardous substances in a manner which will degrade, or threaten to degrade, water quality or adversely affect, or threaten to adversely affect, the beneficial uses of the waters of the State is prohibited.
2. Further migration of wastes or hazardous substances through subsurface transport to waters of the State is prohibited.
3. Activities associated with the subsurface investigation and cleanup that will cause adverse migration of wastes or hazardous substances are prohibited.
4. The tidal marsh habitat and wetland habitats onsite shall be completely avoided unless encroachment on these areas is required to implement Facility remediation work and resultant impacts to the affected habitat are mitigated through a plan approved by the Executive Officer. A setback of 50 feet shall be established around the tidal marsh and any wetland area as a means of preventing any unintended impacts to it from the remediation.
5. The Site's offshore eel-grass habitat shall be completely avoided during any remedial work to the maximum extent practicable.

## Summary

The above detailed summaries by task provide a look at the ongoing remediation activities at the former Naval Fuel Depot Point Molate. The most significant of which is the IR Site 3 Waste Characterization Report, which delineates the excavation areas and provides the estimated excavation volumes for the remediation of IR Site 3. The RWQCB's comments on the Waste Characterization Report (including soil cleanup goals) and FS/RAP will be incorporated into the two documents and re-submitted to the RWQCB as draft final in April 2012. The draft final FS/RAP and Waste Characterization Report will likely go out for public review in May 2012. The implementation of the remedial measures at IR Site 4 (Drum Lot 2) began in January 2012 and will continue in April 2012 with the installation of groundwater monitoring wells. The soil and groundwater management plan will be submitted to the City of Richmond, Upstream, and the RWQCB in April 2012 for comments.

If you have questions regarding this report, please call Ryan Janoch or William Carson at (510) 645-1850.

Sincerely,  
For Terraphase Engineering Inc.



Ryan Janoch, PE (C78735)  
Professional Engineer



William Carson, PE (C60735)  
President and Principal Engineer

cc: Bruce Goodmiller, City of Richmond  
Alan Wolken, City of Richmond  
Craig Murray, City of Richmond  
Jim Levine, Upstream Point Molate LLC  
John Salmon, Upstream Point Molate LLC  
Michael Derry, Guidiville Pomo Indians  
Michael Leacox, Nichols Consulting Engineers  
David Clark, BRAC Program Management Office  
Venkat Puranapanda, ACE USA  
Bruce Beyaert, PMCAC  
Joan Garrett, PMCAC

Attachments: Point Molate Bibliography

### Point Molate Bibliography

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- Regional Water Quality Control Board - San Francisco Bay Region (RWQCB). 2006. Order No. R2-2006-0075 NPDES No. CAG912002 General Waste Discharge Requirements for: Discharge or Reuse of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by Fuel Leaks and Other Related Wastes at Service Stations and Similar Sites. November 13.
- RWQCB. 2007. Letter from Ms. Lila Tang to United States Navy Subject: *Notice of General Permit Coverage for Discharges from the Packaged Groundwater Treatment Plant located at Naval Fuel Depot Point Molate, Richmond, Contra Costa County, CA 94801, under the Requirements of Order No. R2-2006-0075, NPDES Permit No. CAG912002 (Fuels General Permit)*. June 6.
- RWQCB. 2010. Letter from Mr. George Levya to Mr. Steve Duran RE: *Approval of Field Assessment Methodology for Potentially Mobile Free Petroleum Product at Installation Restoration (IR) Site 3 at the former Naval Fuel Depot (NFD) Point Molate, Richmond, Contra Costa County*. November 30.
- RWQCB. 2011a. Letter from Mr. George Levya to Mr. Steve Duran RE: *Approval of Excavation Delineation Work Plan for Former Point Molate NFD Site-3 Richmond, Contra Costa County*. August 26.
- RWQCB. 2011b. Letter from Mr. George Levya to Mr. Steve Duran RE: *Approval of Site-Wide Groundwater Monitoring Plan for the Former Point Molate Naval Fuel Depot, Richmond, Contra Costa County*. August 30.
- RWQCB. 2011c. Letter from Mr. George Levya to Mr. Steve Duran RE: *Approval of Draft Groundwater Remediation Work Plan, IR Site 4, Drum Lot 2/Building 87 Area, Former Naval Fuel Depot Point Molate, Richmond*. November 8.
- RWQCB. 2011d. Order No. R2-2011-0087 Updated Site Cleanup Requirements and Recission of Order Nos. 95-235, 97-124 and 97-125, 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. December 19.
- RWQCB. 2012a. Order No. R2-2012-0012 NPDES No. CAG912002 General Waste Discharge Requirements for: Discharge or Reuse of Extracted and Treated Groundwater Resulting from the Cleanup of Groundwater Polluted by Volatile Organic Compounds (VOC), Fuel Leaks and Other Related Wastes (VOC and Fuel General Permit). February 8.
- RWQCB. 2012b. Letter from Mr. George Levya to Mr. Bruce Goodmiller RE: *Review and Comments - Draft FS/RAP, Former Naval Fuel Depot Point Molate, Richmond, Contra Costa County*. February 17.
- RWQCB. 2012c. Letter from Ms. Lila Tang to Mr. Steve Duran RE: *Reauthorization to Discharge from the Packaged Groundwater Treatment Plant (PGWTP) located at the former Naval Fuel Depot, Point Molate, Western Drive, City of Richmond, Contra Costa County under the Requirements of Order No. R2-2012-0012, NPDES Permit No. CAG912002 (VOC and Fuel General Permit)*. March 22.
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- Terraphase. 2010b. Notice of Increased Flow through the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Order No. R2-2006-0075 NPDES No. CAG912002). November 17.
- Terraphase. 2011a. Fourth Quarter 2010 Landfill Monitoring Report IR Site 1, Former Naval Fuel Depot Point Molate, Richmond, California. January 25.
- Terraphase. 2011b. Combined Fourth Quarter and Annual 2010 Self-Monitoring Report for the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Order No. R2-2006-0075, NPDES Permit No. CAG912002). February 15.
- Terraphase. 2011c. Response to Comments and Questions Regarding the Fourth Quarter and Annual 2010 Self-Monitoring Report for the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California Order No. R2-2006-0075, NPDES Permit No. CAG912002). March 23.
- Terraphase. 2011d. First Quarter 2011 Landfill Monitoring Report IR Site 1, Former Naval Fuel Depot Point Molate, Richmond, California. April 22.
- Terraphase. 2011e. First Quarter 2011 Self-Monitoring Report for the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Order No. R2-2006-0075, NPDES Permit No. CAG912002). April 22.
- Terraphase. 2011f. First Five Year Review Former Point Molate Naval Fuel Depot Installation Restoration Site 1, Richmond, California. June 6.
- Terraphase. 2011g. Notice of Temporary Shutdown of the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Order Number R2-2006-0075, NPDES Permit Number CAG912002). June 7.
- Terraphase. 2011h. Field and Laboratory Assessment of Mobile Free Product Report, IR Site 3, Former Point Molate Naval Fuel Depot, Richmond, California. June 15.
- Terraphase. 2011i. Notice of Intent (Discharge Permit Application) for the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Order No. R2-2006-0075 NPDES Number CAG912002). July 11.
- Terraphase. 2011j. Second Quarter 2011 Landfill Monitoring Report IR Site 1, Former Naval Fuel Depot Point Molate, Richmond, California. July 18.
- Terraphase. 2011k. Second Quarter 2011 Self-Monitoring Report for the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Order No. R2-2006-0075, NPDES Permit No. CAG912002). July 23.
- Terraphase. 2011l. Start-Up Phase Report for the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Order No. R2-2006-0075, NPDES Permit Number CAG912002). August 2.
- Terraphase. 2011m. Work Plan for Excavation Delineation and Waste Characterization of Petroleum-Affected Soil, IR Site 3, Former Point Molate Naval Fuel Depot, Richmond, California. August 17.
- Terraphase. 2011n. Site-Wide Groundwater Monitoring Plan, Former Naval Fuel Depot Point Molate, Richmond, California. August 19.

- Terraphase. 2011o. Third Quarter 2011 Self-Monitoring Report for the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Order No. R2-2006-0075, NPDES Permit No. CAG912002. October 18.
- Terraphase. 2011p. Wet-Season Semi-Annual Groundwater Monitoring Report, Former Naval Fuel Depot Point Molate, Richmond, California. October 27.
- Terraphase. 2011q. Third Quarter 2011 Landfill Monitoring Report IR Site 1, Former Naval Fuel Depot Point Molate, Richmond, California. October 28.
- Terraphase. 2011r. Groundwater Remediation Work Plan IR Site 4, Drum Lot 2/Building 87 Area, Former Naval Fuel Depot Point Molate Richmond, California. November 30.
- Terraphase. 2011s. Draft Investigation Restoration Site 3 Feasibility Study/ Remedial Action Plan, Former NFD Point Molate, Richmond, California Installation Restoration Site 3. December 19.
- Terraphase. 2012a. Monthly Summary Report for Work through December 2011, Former Naval Fuel Depot Point Molate Richmond, California. January 9.
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- Terraphase. 2012d. Fourth Quarter 2011 Landfill Monitoring Report IR Site 1, Former Naval Fuel Depot Point Molate, Richmond, California. January 19.
- Terraphase. 2012e. Supplemental Information Regarding the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Tentative Order No. R2-2012-XXX NPDES No. CAG912002, VOC and Fuel General Permit). January 27.
- Terraphase. 2012f. Combined Fourth Quarter and Annual 2011 Self-Monitoring Report for the Packaged Groundwater Treatment Plant, Former Naval Fuel Depot Point Molate, Richmond, California (Order No. R2-2006-0075, NPDES Permit No. CAG912002). January 28.
- Terraphase. 2012g. Application for 401 Water Quality Certification for Point Molate IR Site 3 Remediation Project, Former Naval Fuel Depot Point Molate Richmond, California. February 10.
- Terraphase. 2012h. Application for Nationwide Permit Number 38 Coverage for Point Molate IR Site 3 Remediation Project, Former Naval Fuel Depot Point Molate Richmond, California. February 10.
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- Terraphase. 2012j. Monthly Summary Report for Work through January 2012, Former Naval Fuel Depot Point Molate Richmond, California. February 13.
- Terraphase. 2012k. Draft Excavation Delineation and Waste Characterization of Petroleum-Affected Soil Report, IR Site 3, Former Naval Fuel Depot Point Molate Richmond, California. February 13.
- Terraphase. 2012l. Application for Administrative Permit for Point Molate IR Site 3 Remediation Project, Former Naval Fuel Depot Point Molate Richmond, California. February 20.
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Tetra Tech EM Inc (TTEMI). 2002. Final Postclosure Maintenance and Monitoring Plan, Site 1, Final Cover, Naval Fuel Depot Point Molate, Richmond, California. August 30.

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# Actions



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**Case CIYMSC11-01834 - CITY OF RICHMOND VS UPSTREAM**

Viewed	Date	Action Text	Disposition	Image
	10/01/2012 9:00 AM DEPT. 31	HEARING ON STATUS OF ( FEDERAL ACTION) - <a href="#">Minutes</a>		
	05/07/2012 9:05 AM DEPT. 31	COURT TRIAL - LONG CAUSE/ 5 DAY(S)	VACATED	

	04/11/2012	ORDER GRANTING STAY SENT TO ROOM 103 FOR FILING	Not Applicable	N/A
	03/29/2012 9:10 AM DEPT. 31	FURTHER CASE MANAGEMENT CONFERENCE	VACATED	
	03/29/2012 9:01 AM DEPT. 31	HEARING ON MOTION TO/FOR STAY THIS ACTION PENDING RESOLUTION FILED BY UPSTREAM POINT MOLATE, LLC - <a href="#">Minutes</a>	GRANTED	
	03/29/2012	HEARING ON MOTION WAS SET FOR 3/29/12 AT 9:00 UPDATED TO 9:01 IN DEPT. 31		
	03/27/2012	PROOF OF SERVICE BY PERSONAL OF CITY OF RICHMONDS OPPO&DEC OF GREGORY DRESSER ON GARET D. OKEEFE FILED; SERVED ON 03/19/12	Not Applicable	N/A
	03/27/2012 9:00 AM DEPT. 31	FURTHER CASE MANAGEMENT CONFERENCE - <a href="#">Minutes</a>	Complete	
	03/23/2012	DECLARATION OF GREGORY DRESSER FILED RE: IN SUPP OF OPPO TO DEFS MTN TO STAY	Not Applicable	N/A
	03/23/2012	OPPOSITION TO DEFS MTN TO STAY FILED BY THE CITY OF RICHMOND.	Not Applicable	N/A
	03/23/2012	(U.J.) CROSS-COMPLAINT FILED BY UPSTREAM POINT MOLATE, LLC	Not Applicable	N/A
	03/23/2012	(U.J.) ANSWER TO COMPLAINT FILED 08/16/2011 OF THE CITY OF RICHMOND FILED BY UPSTREAM POINT MOLATE, LLC	Not Applicable	N/A
	03/19/2012	HEARING ON MOTION WAS SET FOR 3/29/12 AT 9:00 IN DEPT. 31		
	03/19/2012	MOTION TO/FOR STAY THIS ACTION PENDING RESOLUTION FILED BY UPSTREAM POINT MOLATE, LLC		
	03/19/2012	ORDER RE EX PARTE APPLICATION TO STAY THIS ACTION PENDING RESOLUTION OF THE RELATED FEDERAL COURT	Not Applicable	N/A
	03/19/2012	EX-PARTE APPLICATION TO STAY THIS ACTION PENDING RESOLUTION FILED BY UPSTREAM POINT MOLATE, LLC	Not Applicable	
	03/19/2012	DECLARATION OF GREGORY P. DRESSER FILED RE: IN OPPOSITION TO DEFTS EX PARTE APPLICATION	Not Applicable	N/A
	03/19/2012	OPPOSITION TO DEFTS EX PARTE APPLICATION FILED BY THE CITY OF RICHMOND.	Not Applicable	N/A
	03/13/2012	NOTICE OF ENTRY OF ORDER FILED	Not Applicable	N/A
	03/12/2012	CASE MANAGEMENT CONFERENCE STATEMENT FILED BY THE CITY OF RICHMOND	Not Applicable	N/A
	03/12/2012	SUBSTITUTION OF ATTORNEY FILED. RICHARD VAN DUZER SUBSTITUTES OUT AS ATTORNEY FOR UPSTREAM POINT MOLATE, LLC AND IS REPLACED BY GARET D OKEEFE	Not Applicable	N/A
	03/12/2012	CASE MANAGEMENT CONFERENCE STATEMENT FILED BY UPSTREAM POINT MOLATE, LLC	Not Applicable	N/A
	03/08/2012	ORDER OVERRULING DEMURRER	Not Applicable	N/A
	03/06/2012	ORDER OVERRULING DEMURRER SENT TO ROOM 103 FOR FILING	Not Applicable	N/A
	02/23/2012 9:00 AM DEPT. 31	HEARING ON DEMURRER TO COMPLAINT FILED 08/16/2011 OF THE CITY OF RICHMOND FILED BY UPSTREAM POINT MOLATE, LLC - <a href="#">Minutes</a>	OVERRULED	
	02/23/2012 9:00 AM DEPT. 31	CASE MANAGEMENT CONFERENCE - <a href="#">Minutes</a>	COMPLETED	

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02/16/2012 9:00 AM DEPT. 31	CASE MANAGEMENT CONFERENCE - <a href="#">Minutes</a>	NOT HEARD/CONT	
02/16/2012 9:00 AM DEPT. 31	HEARING ON DEMURRER TO COMPLAINT FILED 08/16/2011 OF THE CITY OF RICHMOND FILED BY UPSTREAM POINT MOLATE, LLC - <a href="#">Minutes</a>	NOT HEARD/CONT	
01/27/2012	NOTICE OF ENTRY OF ORDER FILED	Not Applicable	N/A
01/25/2012	STIPULATION & ORDER DEMURRER & CMC TO 2-23-12 9AMD31 FILED	Not Applicable	N/A
01/23/2012 9:00 AM DEPT. 31	CASE MANAGEMENT CONFERENCE - <a href="#">Minutes</a>	NOT HEARD/CONT	
01/20/2012	STIP & ORDER CONTINUING HEARING DATE SENT TO ROOM 103 FOR FILING	Not Applicable	N/A
01/17/2012	NOTICE OF CHANGE OF ADDRESS/PHONE NUMBER OF ATTORNEY FIRM GREGORY P DRESSER		N/A
01/17/2012	RCVD LETTER FROM OFFICE OF MORRISON/FOERSTER, RE: UPDATING	Not Applicable	N/A
01/06/2012	CASE MANAGEMENT CONFERENCE STATEMENT FILED BY THE CITY OF RICHMOND	Not Applicable	N/A
01/06/2012	CASE MANAGEMENT CONFERENCE STATEMENT FILED BY UPSTREAM POINT MOLATE, LLC	Not Applicable	N/A
01/05/2012 9:00 AM DEPT. 31	HEARING ON DEMURRER TO COMPLAINT FILED 08/16/2011 OF THE CITY OF RICHMOND FILED BY UPSTREAM POINT MOLATE, LLC - <a href="#">Minutes</a>	Complete	
12/28/2011	DECLARATION OF DONALD DUNCAN FILED RE: IN SUPPORT OF DEMURRER	Not Applicable	N/A
12/28/2011	REPLY OF UPSTREAM POINT MOLATE, LLC TO DEMURRER FOR FAILURE TO JOIN AN INDISPENSABLE PARTY FILED	Not Applicable	N/A
12/21/2011	OPPOSITION TO DEMURRER FILED BY CITY OF RICHMOND.	Not Applicable	N/A
10/21/2011 7:00 AM DEPT. 31	CHECK FOR PROOF OF SERVICE	VACATED	
10/07/2011 7:00 AM DEPT. 31	CHECK FOR REQUEST FOR ENTRY OF DEFAULT	VACATED	
10/03/2011	POINTS AND AUTHORITIES IN SUPPORT OF DEMURRER FILED BY UPSTREAM POINT MOLATE, LLC	Not Applicable	N/A
10/03/2011	PROOF OF SERVICE BY MAIL FILED RE: DEMURRER AND SUPPORTING DOCS MAILED 10-3-11	Not Applicable	N/A
10/03/2011	DECLARATION OF RICHARD VAN DUZER FILED RE: IN SUPPORT OF DEMURRER	Not Applicable	N/A
10/03/2011	HEARING ON DEMURRER WAS SET FOR 1/05/12 AT 9:00 IN DEPT. 31		
10/03/2011	DEMURRER TO COMPLAINT FILED 08/16/2011 OF THE CITY OF RICHMOND FILED BY UPSTREAM POINT MOLATE, LLC	Not Applicable	N/A
08/23/2011	CLERK'S TICKLER TO CHECK FOR REQUEST FOR ENTRY OF DEFAULT WAS SET FOR 10/07/11 AT 7:00 IN DEPT. 31		
08/23/2011	PROOF OF SUBSTITUTED SERVICE OF COMPLAINT FILED 08/16/2011 OF THE CITY OF RICHMOND RE: BUSINESS UPSTREAM POINT MOLATE, LLC W/MAILING ON 08/17/11 FILED	Not Applicable	N/A
08/16/2011	THE CITY OF RICHMOND IS EXEMPT FROM FILING FEES.	Not Applicable	

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