



CALIFORNIA NATIVE PLANT SOCIETY
East Bay Chapter

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August 12, 2019

City of Richmond
Planning and Building Services
450 Civic Center Plaza
Richmond, CA 94804

Attn: Lina Velasco, Director of Planning and Building Services via email:
lina_velasco@ci.richmond.ca.us

RE: Notice of Preparation of a Supplemental Environmental Impact Report (SEIR), Pt. Molate Mixed-Use Development Project

Dear Ms. Velasco:

The California Native Plant Society, East Bay Chapter, submits the following comments on the Notice of Preparation of a Supplemental Environmental Impact Report (SEIR), Pt. Molate Mixed-Use Development Project.

1. The NOP project is significantly enlarged from the original EIR project, and critical conditions have changed. A new EIR is required.

The Notice of Preparation (NOP) for the City of Richmond Mixed-Use Development Project for Point Molate describes a changed and significantly enlarged project over the project described in the Environmental Impact Report for Non-Gaming Mixed-Use Development (Alternative D and B1).

- a) The previous EIR Alternative D - Non-Gaming Mixed-Use Development evaluated the environmental impacts of building 1100 housing units (EIR Proposed Action and Alternatives, pg. 2-50). The NOP briefly describes a project that could total 2,280 units, a near doubling of housing construction impacts in this sensitive area (NOP, pg. 6)
- b) A new hillside development area of approximately 20 acres appears in the NOP Conceptual Plan (Figure 4, area C). This was not part of the previous EIR.
- c) The NOP Conceptual Plan (Figure 4) visibly expands development into environmentally-sensitive hillsides, such as above the south watershed above Stenmark Drive (area A), the area north of the drum lot (area B), and into the Winehaven above Stenmark Drive (area G & F).
- d) Conditions have changed since the preparation of the Mixed-Use Tribal Destination Resort and Casino project Draft EIR in July 2009. For instance, a) traffic congestion at

the Richmond side of Highway 580 at the Richmond-San Rafael Bridge has increased exponentially. Access to Stenmark Drive, the single Point Molate access road from Highway 580, is regularly blocked to emergency vehicles or other vehicle access for varying periods, b) Intensive housing development of Point Molate would require linking into a sewage treatment facility with wastewater discharge and capacity issues, c) the City adopted a Climate Change Action Plan to reduce greenhouse gas emissions, and d) climate change-induced temperature and wind extremes have led to catastrophic loss of life and property in California. Point Molate is in a Very High Fire Severity Zone.

Overall, the NOP Conceptual plan represents a significant enlargement of the developable area from that described in the Point Molate Base Reuse Plan and the previous EIR. The land planned for development in the Base Reuse Plan, an initial plan required by the Navy to turn the property over to the City, had slightly less than 30% of the upland acres, or 78 acres, of developable land (Table 2, Land Use Spatial Allocations, pg. I-31, 32). Similarly, the EIR Alternative D - Non-Gaming Mixed-Use Development describes 78 acres of developable area (Section 2.0 Proposed Actions and Alternatives, pg. 2-1, 2-2, 2-50).

The NOP suggests that the project may ultimately expand into the open space, but is silent on the amount of project expansion. However, when the NOP Concept Plan is interpreted onto an aerial map, instead of developing within 30% of the City-owned land at Point Molate, the new project expands development to approximately 44% of the City-owned upland property there.

The NOP describes a new and enlarged project within important changed conditions. A new EIR is required.

2. The EIR needs to include and evaluate as alternatives the three Point Molate plans adopted by the City Council

The EIR needs to evaluate the alternatives that the City Council adopted from the Point Molate Visioning process (City Council Items I-2 and I-3, October 23, 2018). These include plans submitted by consultants, the Community Plan prepared by the Point Molate Alliance, and the Richmond Community Development Enterprise plan. The primary difference between the consultant plan and the community-based plans is that the community plans focused development in the north watershed and designated the south watershed as a public resource.

3. Zoning status for Point Molate needs to be clarified in the EIR.

The NOP states that the Point Molate site “currently is within multiple zoning districts,” however it is not evident that Point Molate has been officially zoned.

The Council resolution that resulted in adoption of the City General Plan referred out Point Molate to a public process. When the City Planning Commission approved the Zoning Ordinance, Point Molate was set aside as an “Interim Study Overlay District.” Then, on November 21, 2017, the City Council approved a community planning process for Point Molate (Item K-3). The City engaged in a community visioning process over the summer of 2018 that led to the Council adopting three alternative plans: a housing-based plan proposed by the City's consultants, the Richmond Community Development Plan, and the Point Molate Alliance Plan. Unlike with the South Shoreline Specific Plan, subsequent zoning designations for Point Molate

have not been approved by the Richmond City Council. The zoning status for Point Molate needs to be clarified in the EIR.

4. Special-status plant and sensitive plant community surveys are outdated. A new EIR is needed to survey for special-status plants and sensitive natural communities and to mitigate for impacts.

Special-status plant and sensitive natural plant community surveys were done over a decade ago. Due to the out of date surveys and the expanded footprint of the proposed new project, comprehensive, floristic, and well-timed botanical surveys for special status plants and sensitive plant communities should be conducted. The surveys should follow the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, California Department of Fish and Wildlife, March 20, 2018.

5. The EIR needs to survey for and mitigate any impacts to Coastal Terrace Prairie

The NOP description of "Existing Conditions" (pg. 3) mentions "annual grasslands," but it does not mention coastal terrace prairie. The coastal prairie terrestrial habitat type was included in the Mixed Use Tribal Destination Resort and Casino EIR following comments by both the California Native Plant Society and the California Native Grasslands Association. Coastal Prairie impacts and mitigation needs to be part of a the EIR.

6. The EIR needs to account for riparian and wetland areas and the associated buffer for these areas.

The EIR needs to evaluate and mitigate for impacts for seasonal watercourses. A 50' buffer is demarcated for these water courses in Figure 1 of the Appendix MM, Supplemental Habitat Analysis, Point Molate Mixed Use Tribal Destination Resort and Casino Project, August 2010.

7. The EIR needs to incorporate the findings of the Bay Trail Biological Resource Assessment and avoid impacts to the unique ecological resources of Point Molate's south watershed

The East Bay Regional Park District Biological Resource Assessment for the San Francisco Bay Trail extension at Pt. Molate recognizes the rarity and ecological value of the south watershed. We request that the findings of this assessment need to be analyzed and incorporated into the EIR. Excerpts from the Biological Resource Assessment are as follows:

“Northern Coastal Bluff Scrub: Plants in the scrub community are characterized by flexible woody stems and soft leaves. At Pt. Molate, the scrub is adapted to cool conditions that are influenced by the maritime fog. The community at Pt. Molate has been classified as Northern Coastal Bluff Scrub – a rare type of coastal scrub that is classified by the California Department of Fish and Wildlife as a "Sensitive Natural Community" (G2.S2.2). Characteristic of its type, this community intergrades with native grassland at Pt. Molate. Species in the northern coastal bluff scrub community include: coyote brush (*Baccharis pilularis*), toyon (*Heteromeles arbutifolia*), coast buckwheat (*Erigeron latifolium*), coastal sagebrush (*Artemisia californica*), live oak (*Quercus agrifolia*), coffeeberry (*Rhamnus californica*), California buckeye (*Aesculus californica*), and snowberry (*Symphoricarpos albus*).

Native Grassland: The native grassland at Pt. Molate is characterized by open areas of native bunchgrass and native forbs. These grassland areas include Purple Needlegrass and California Oatgrass alliances with either *Stipa pulchra* or *Danthonia californica* as the dominant species. According to the Manual of California Vegetation, purple needlegrass need only make up 5% of absolute cover, or 10% of relative cover to qualify as this alliance.

Together, these alliances make up a "coastal terrace prairie" community which is identified by a maritime (fog) influence and a cooler climate than grasslands in areas farther inland. This community type is rare throughout coastal regions of the State, but particularly in the East Bay where shoreline development has destroyed all but a few remnant stands such as the one at Pt. Molate. The California Department of Fish and Wildlife classifies this community as a "sensitive natural community" (G2.S2.1). Other species of note in the native grassland community at Pt. Molate include Molate fescue (*Festuca rubra* 'molate'), a unique ecotype that has gained widespread use in the nursery trade and is believed to have originated at Pt. Molate. In the absence of grazing and fire, certain native grassland areas at Pt. Molate are in the process of being converted to coastal scrub and other areas are being invaded by invasives such as French broom (*Genista monspesullana*).

Wildlife Habitats. The habitats within and surrounding the project site support a varied assemblage of wildlife, which may move through the region or migrate seasonally. Intact or partially intact native grassland, high salt marsh, and willow scrub-shrub wetlands are increasingly scarce in the Bay area, and therefore *crucially important to native wildlife* (Italics added).

Many shoreline habitats along San Francisco and San Pablo Bay are bisected by road and railroad. The railroad bed at Point Molate is no longer active; in fact, it is the location of the proposed trail. In addition, there are no through roads and traffic is limited. Because of this lower disturbance regime, the habitats along this trail corridor are particularly important for wildlife.

The proximity of habitat types provide habitat for a number of resident and migratory birds and makes the area particularly rich in avian fauna. Pelagic birds, shorebirds, waterfowl, passerines, raptors and others can be found in the vicinity from time to time. These and other birds may nest, forage, or winter in habitats on or adjacent to the site. The shoreline, wetland and upland habitats in the vicinity also provide foraging and cover for several mammal species. These include coyote (*Canis latrans*) and mule deer (*Odocoileus hemionus*)."

We request that the EIR fully describe, evaluate and mitigate for impacts to the special-status plants, sensitive natural plant communities, and wildlife given the ecological rarity of the site.

Thank you for the opportunity to comment on the Environmental Impact Report for the Point Molate Mixed-Use Development Project and for considering our comments in the EIR.

Sincerely,

Jim Hanson

Jim Hanson
Conservation Chair