

COASTAL CONSERVANCY

Staff Recommendation  
March 25, 2021

**POINT MOLATE BAY TRAIL PROJECT**

Project No. 21-005-01  
Project Manager: Marilyn Latta

**RECOMMENDED ACTION:** Authorization to disburse up to \$1,000,000 to the City of Richmond to construct a 1.25-mile segment of the San Francisco Bay Trail connecting Point Molate Beach Park to the Winehaven Historic District in Contra Costa County, and adoption of findings pursuant to the California Environmental Quality Act (CEQA).

**LOCATION:** Point Molate, Richmond (Contra Costa County)

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EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [Map of the Point Molate Bay Trail segment](#)
- Exhibit 3: [Site Photographs](#)
- Exhibit 4: [October 17, 2018 Staff Recommendation for suite of projects recommended through the 2019 Priority Conservation Area Grant Program](#)
- Exhibit 5: [San Francisco Bay Trail at Point Molate Final Initial Study / Mitigated Negative Declaration](#)
- Exhibit 6: [Project Letters](#)

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**RESOLUTION AND FINDINGS**

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes the disbursement of up to one million dollars (\$1,000,000) to the City of Richmond (“the grantee”) for construction of a 1.25-mile segment of

the San Francisco Bay Trail from Point Molate Beach Park to the Winehaven Historic District, City of Richmond, Contra Costa County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.

Findings:

Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the resource goals of the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Conservancy has independently reviewed and considered the San Francisco Bay Trail at Point Molate Final Initial Study/Mitigated Negative Declaration (IS/MND), adopted by East Bay Regional Park District (EBRPD) on May 1, 2018, pursuant to the California Environmental Quality Act ("CEQA") and attached to the accompanying staff recommendation as Exhibit 5. The Conservancy finds that the proposed project as designed and mitigated avoids, reduces or mitigates the potentially significant environmental effect to a less-than-significant level, and there is no substantial evidence based on the record as a whole that the project may have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.

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## **STAFF RECOMMENDATION**

### **PROJECT SUMMARY:**

Staff recommends that the Conservancy authorize disbursement of up to \$1,000,000 to the City of Richmond for final design and construction of a 1.25-mile segment of the San Francisco Bay Trail from Point Molate Beach Park to the Winehaven Historic District at Point Molate in the City of Richmond, Contra Costa County (Exhibits 1 and 2).

The City of Richmond (City) has been planning the construction of this Bay Trail segment in partnership with East Bay Regional Park District (EBRPD), Trails for Richmond Action Committee (TRAC), and other partners. The construction of the trail will create 1.25 miles of new public

access trail along the beautiful San Francisco Bay shoreline. The new trail will include signage, benches, and trash receptacles and provide opportunities for active recreation including walking, jogging, cycling and rollerblading, contributing to improved physical and mental health for nearby Richmond residents and other Bay Area residents. This nonmotorized trail will promote new or alternate access to parks, waterways, outdoor recreational pursuits and encourage Californians to reconnect with nature along the shoreline.

Due to the recently completed and existing Bay Trail sections in Richmond, the project will be accessible by bicycle and by foot to residents of the surrounding communities, ranging from Emeryville to San Pablo. It also connects to the Richmond Bridge and the newly completed bike trail, which means people from Marin County and all over the Bay Area can get to it. Transit connections via BART, AC Transit, Richmond Ferry, and Golden Gate Transit bus services connect the Project area to the larger Bay Area.

In addition, the project will provide new recreational opportunities for underserved youth and other residents of Richmond's disadvantaged communities since the trailhead is only two to three miles from the nearest disadvantaged neighborhood. Although more than a mile distant, this Point Molate Bay Trail project will serve the nearby disadvantaged Atchison Village, Iron Triangle, Coronado and Santa Fe neighborhoods of Richmond. This is made possible by safe, attractive, protected bikeways recently installed by the City. The families in the Iron Triangle neighborhood with a 13,500 population had an annual income of \$34,680.

The project is a priority for the City because it will provide job opportunities and economic benefits by using local labor. The construction will be competitively bid by the City, which includes measures to ensure local labor participation and fair wages. The project will use the services of a construction contractor selected through an open, competitive bid process. To the extent permitted by law, bidding will be subject to local business and hire requirements, including the City's Business Opportunity Ordinance, Local Employment Program Ordinance, and Living Wage Ordinance. This means that contractors who employ local hiring are likely to be selected and, thus, utilize workers from Richmond's disadvantaged population.

Furthermore, the project will help to increase climate resiliency by removing decaying riprap as part of trail construction and by providing for adequate trash collection via the installation of trash receptacles. These actions will help reduce shoreline erosion and reduce trash and debris that currently flows into the Bay from this area.

The project is part of a collaboratively planned trail effort between EBRPD and the City, connecting with another 1.25-mile segment directly to the south which starts at the base of the east side of the Richmond-San Rafael Bridge. EBRPD completed the environmental documentation required by CEQA for both segments (2.5 miles total) and has prepared and submitted permit applications to the regulatory agencies for both segments. EBRPD has successfully raised grant funds and will continue to collaborate with the City so that both segments are bid and constructed at the same time, achieving efficiency and collaboration.

The project consists of construction of 1.25 miles of multi-use, all-weather, Americans with Disabilities Act (ADA) compliant trail comprising a ten-foot-wide asphalt concrete surface and a five-foot-wide decomposed granite surface on the Bay side. The project includes installation of benches, trash receptacles, a ramp to the beach, and educational exhibit panels. The benches will be placed strategically along the trail for resting and enjoying the scenery that includes sweeping views of the Bridge and Mount Tamalpais and Marin. The educational exhibit panels will interpret the rich cultural history of the area, the viewshed and natural features such as eelgrass beds offshore.

Opening this shoreline for public use and enjoyment will set the stage and build support for developing plans with funding for major recreational improvements as part of developing the 35-acre shoreline park included in the City's Point Molate Reuse Plan and the Point Molate Regional Shoreline park contained in EBRPD's Master Plan, discussed more fully below.

On October 17, 2019, the Conservancy recommended this project for inclusion in the 2019 Priority Conservation Area (PCA) Grant Program, a program of the Metropolitan Transportation Commission (MTC) (See October 17, 2019 staff recommendation in Exhibit 4). MTC accepted the recommendation. For the 2019 Grant Program, MTC made \$8,200,000 million available and Conservancy staff agreed to recommend disbursement of up to \$1,800,000 for projects in the program, including \$1,000,000 for this project. The October 17, 2019 staff report also recommended inclusion of the other 1.25-mile segment of the Point Molate Bay Trail from the Richmond-San Rafael Bridge to Point Molate Beach Park. MTC has since awarded \$1,000,000 to the EBRPD for this adjacent trail segment.

**Site Description and Background:** The entire project site is owned and managed by the City. The site is located on the western shore of Richmond, California, about 1.25 miles northwest of the eastern end of the Richmond-San Rafael Bridge and goes through the Point Molate section of this shoreline (Exhibits 1 and 2).

This new multi-use trail will follow the shoreline between Point Molate Beach Park and Stenmark Drive at the northern border of the Point Molate property (Exhibit 2). The Beach Park has a paved parking lot for 25 automobiles plus a large, crushed rock surface overflow parking area. It is an ideal trailhead for the Bay Trail and has been designated as a Bay Area Water Trail site. The project is just south of the Terminal Four Wharf Removal Project, another Conservancy project in partnership with the City, and this proposed project will provide trail access that will be constructed in future segments that extend north to that site after the wharf is removed and it is open to public access, eventually linking a four-mile segment from the Richmond-San Rafael Bridge to the Point San Pablo Yacht Harbor.

Bay Trail plans in this area were developed starting in 2017 by the City and EBRPD, in partnership with TRAC and with participation by the City of Richmond's Point Molate Community Advisory Committee (PMCAC), representing a cross-section of Richmond residents, including some who are leaders of TRAC, the California Native Plant Society and Citizens for a Sustainable Point Molate. The Bay Trail alignment follows the shoreline where feasible, using the San Francisco Bay Trail Guidelines and Toolkit for guidance on design parameters such as trail width and surfaces. Starting at the Point Molate Beach Park, the trail route follows the

historic Richmond Belt Line rail corridor between the parking lot and the turf picnic area. Heading north, the alignment transitions to the shoreline and follows former U.S. Navy roads constructed primarily on land filled in by historic quarrying operations.

The Point Molate site encompasses 413 acres and includes the 41-acre Winehaven Historic District, once known as the largest winery in the United States in 1908. The site was also the prior home of the United States Naval Fuel Depot, now decommissioned. This section of shoreline offers spectacular views across San Francisco Bay framed by the Bridge, Mount Tamalpais and East Brother Light Station. Backed by the 400-foot-high ridge line of the Potrero Hills, the inland landscape features coastal bluffs and the iconic Winehaven Historic District, which may be rehabilitated in the future for adaptive reuse by the Master Developer selected by the City. This Point Molate shoreline also has a rich and varied cultural history, including a Chinese shrimping village, and previously the Richmond Belt Line Railroad went through the site. The trail is planned to be constructed on the former railroad easement. In all of this history, there has not been formally designated public access to the shoreline of the City's 413-acre Point Molate property since the lands were inhabited by the Huichin tribe of Ohlone Native Americans. Absent this Bay Trail project, the scenic shoreline of Point Molate is likely to remain closed to public entry for another decade or longer.

The 1997 Point Molate Reuse Plan defines that 30% of the 413-acre Point Molate area may be developed into residential housing; and 70% of the land set aside for shoreline and hillside parks, trails and open space. The City currently is negotiating a Disposition and Development Agreement with a selected Master Developer; and EBRPD has offered to develop the 70% of land set aside for parks and open space to fulfill the vision of its Master Plan for a Point Molate Regional Shoreline park. However, carrying out these plans will take more than a decade. The City recently prepared and adopted a Land Use Plan (LUP) and accompanying Environmental Impact Report (EIR) in 2020 for the housing development, and there are lawsuits currently underway that challenge that EIR. This proposed trail project is stand alone and separate from whether the development goes forward and provides much needed public access now.

**Grant Applicant Qualifications:** The City has substantial experience in managing, reporting and billing many types of projects funded by grants from state and regional public agencies, including planning, design and building the previous Class I Bay Trail projects. Examples include several in Marina Bay neighborhood, the Shipyard 3 Bay Trail and other Bay Trail sections along the Ferry Point Loop including Canal Boulevard.

**CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

**Required Criteria**

- 1. Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section below.
- 2. Consistency with purposes of the funding source:** See the "Project Financing" section below.

- 3. Promotion and implementation of state plans and policies:** The Bay Trail is specifically recognized in the California Recreational Trail Plan, as well as numerous regional and local plans including the San Francisco Bay Area's Plan Bay Area 2040 as a Priority Conservation Area, all nine Bay Area County General or Master Trail Plans, and the public access policies in the San Francisco Bay Plan.
- 4. Support of the public:** The project is supported by the CRNA Prop 68 Trails and Greenways Grant Program, State Senator Nancy Skinner, State Assemblymember Buffy Wicks, MTC Commissioner Federal Glover, BCDC Commissioners Tom Butt & John Gioia, ABAG's San Francisco Bay Trail Project, the Bay Area Water Trail, Bike East Bay, EBRPD, Save the Bay and TRAC.
- 5. Location:** The project is in Richmond, Contra Costa County within the San Francisco Bay Area, consistent with Section 31162 of the Public Resources Code.
- 6. Need:** The proposed project would not occur without Conservancy participation, to match the \$2,000,000 contributed by the City and the CRNA Prop 68 Trails and Greenways Grant Program.
- 7. Greater-than-local interest:** In creating the San Francisco Bay Area Conservancy Program, the legislature identified San Francisco Bay as the central feature in an interconnected open-space system of watersheds, natural habitats, scenic areas, agricultural lands and regional trails of statewide importance. This project will help implement a trail section that will link to the Richmond-San Rafael Bridge pedestrian and bike access, which links to a broader set of trail connections in Marin County. There have been over 92,000 bicycle trips across the bridge since it opened Nov. 16, 2019, and pedestrian usage is about 15% of that number. The site also connects to additional trails which link to the BART and AC Transit systems, providing a public access opportunity for much of the East Bay and Marin County
- 8. Sea level rise vulnerability:** The proposed project will be located above near-term 2050 sea level rise projections.

#### **Additional Criteria**

- 9. Urgency:** Without Conservancy involvement, and funding from CRNA and the City, the project would not occur at this time in San Francisco Bay.
- 10. Resolution of more than one issue:** The project will provide public access, opportunities for enjoyment of open space and landscape bay views, exercise and mental health wellness, and recreation for disadvantaged communities.
- 11. Leverage:** The funding from CRNA and the City will leverage Conservancy funds.
- 13. Innovation:** The project will implement recommendations in the Bay Trail Guidance documents.
- 14. Readiness:** The Project partners have secured the match funds and the project is ready to proceed on award of Conservancy funds.
- 15. Realization of prior Conservancy goals:** See "Project Summary" section above.

**16. Cooperation:** The project is a collaborative project involving many agencies and partners, including MTC, ABAG, Bay Trail, EBRPD, and TRAC.

**17. Minimization of Greenhouse Gas Emissions:** Apart from short-term increases of greenhouse gasses (GHG) as a result of construction and because the project is a trail for non-motorized pedestrian and bicycle use only, it was determined that the project would not contribute to long-term increases of GHG emissions. Given the relatively low GHG emissions to be generated during construction of the proposed project and that GHG emissions will be short-term (over an approximate six-month construction timeframe), increases in GHG emissions will not result in a significant impact on the environment. Construction activities will employ best management practices for reducing emissions from construction-related activities. For example, excessive idling of trucks or equipment will not be allowed.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$1,000,000</b>
City of Richmond	\$1,000,000
CA Natural Resources Agency	\$1,000,000
<b>Project Total</b>	<b>\$3,000,000</b>

Conservancy funds for this project are expected to derive from an appropriation pursuant to the “Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006” (Proposition 84, Public Resources Code Section 75001 et seq.). These funds are available for San Francisco Bay Area Conservancy Program projects that promote access to and enjoyment of coastal resources. Public Resources Code Section 75060(c). Design and construction of the San Francisco Bay Trail will promote access to and enjoyment of San Francisco Bay and is consistent with Division 21 of the Public Resources Code establishing the San Francisco Bay Area Conservancy Program, as discussed below. Thus, the proposed authorization is an appropriate use of Proposition 84 funds.

The other project funds are provided by City who will provide \$1,000,000 in funding, and an additional grant of \$1,000,000 from the California Natural Resources Agency (CRNA) Proposition 68 Trails and Greenways FY 20 grant round. These amounts are provided as estimates. The Coastal Conservancy does not typically require matching funds nor does it require documentation of expenditures from other funders. Typical grant conditions require grantees to provide any funds needed to complete the project.

**CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165 regarding San Francisco Bay Area projects.

The proposed authorization is consistent with Section 31162(a) because it will help achieve the San Francisco Bay Area Conservancy Program goal of improving public access to and around the bay through completion of the Bay Trail, the Ridge Trail, and the connecting regional trail system. The proposed project will complete a segment of the Bay Trail.

Consistent with Section 31163(a), the Conservancy has cooperated with nonprofit land trusts and other organizations in identifying and adopting long-term resource and outdoor recreational goals for the San Francisco Bay Area. Completion of the Bay Trail is a priority recreational goal of the City of Richmond.

The proposed project is consistent with Section 31163(c), for the following reasons:

1. The proposed project will promote completion of trails that provide safe routes to transit, pedestrian and bicycle facilities, and recreational resources consistent with adopted local and regional plans. In addition, the Point Molate Bay Trail is identified as a Priority Conservation Area in Plan Bay Area 2040.
2. The proposed project serves a regional constituency by contributing toward the completion of a regional trail network through the nine counties surrounding San Francisco Bay.
3. The proposed project can be implemented in a timely manner.
4. The proposed project provides benefits that could be lost if the project is not quickly implemented, as there is current momentum built from the work already undertaken by the City, EBRPD, and TRAC.
5. The project provides matching funds.

**CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 13, Objective I** of the Conservancy's 2018-2022 Strategic Plan, by constructing a segment of the Bay Trail at Point Molate, the proposed project will construct a regionally significant public trail that will link the Bay Trail and the Water Trail.

**CEQA COMPLIANCE:**

On May 1, 2018, the East Bay Regional Park District (EBRPD) adopted the [San Francisco Bay Trail at Point Molate Final Initial Study/Mitigated Negative Declaration \(IS/MND\)](#). The IS/MND addresses both the proposed project and the 1.25-mile segment of Bay Trail to be constructed by EBRPD immediately south of the proposed project. Pursuant to Section 15085 of the California Environmental Quality Act (CEQA) Guidelines, EBRPD submitted a Notice of Completion (NOC) for the proposed IS/MND to the California State Clearinghouse (SCH) on March 14, 2018. Also, pursuant to Section 15072 of the CEQA Guidelines the EBRPD posted a Notice of Intent to Adopt (NOI) the proposed IS/MND. In accordance with Section 15105(b) CEQA Guidelines, the public review and comment period began on March 14, 2018 and ended on April 13, 2018. In response to the publication of the Draft IS/MND for public review, agency, organizational, and public comments were received and made available for public review at EBRPD Headquarters located at: 2950 Peralta Oaks Court, Oakland, Ca 94605 or by email.



EBRPD subsequently adopted the IS/MND with minor revisions and modifications on May 1, 2018 and approved the segment of Bay Trail to the south of the proposed project. None of the modifications noted result in “substantial revision” to the Draft IS/MND, requiring recirculation. Rather, the changes in the IS/MND provide clarifying information (“merely clarifies, amplifies, or makes insignificant modifications to the negative declaration”) as specified in §15073.5(c)(4) of the CEQA Guidelines.

The IS/MND included a Mitigation Monitoring Reporting Program (Appendix A to MND in Exhibit 5) which addresses the potential impacts of the proposed trail construction. The IS/MND identified potential impacts in the areas of aesthetics, air quality, biological resources, cultural resources, hazards and hazardous materials, and noise and vibration. Mitigation measures were adopted to assure that these potential impacts are avoided or reduced to less-than-significant levels, as summarized below:

**Air Quality:** Air quality impacts (e.g., dust) from the construction of the proposed trail will be managed by incorporating Basic Construction Mitigation Measures regarding controlling dust and managing construction equipment, as required by the Bay Area Air Quality Management District. Construction air quality impacts are therefore considered ***less than significant***.

**Biological Resources:** The proposed trail development has the potential to adversely affect biological resources including rare native plant species. To mitigate these potential impacts to a ***less-than-significant*** level, the IS/MND requires various measures including restriction of construction to daylight hours, training of construction personnel, limitations on the use and types of construction equipment, implementation of Best Management Practices, transplanting of salvaged native grasses to other areas, and avoidance of wildlife burrows. The IS/MND also requires the adoption of specific measures to mitigate potential impacts to bluff lettuce, coast buckwheat, nesting birds including tree nesting raptors, foraging birds, and the monarch butterfly. These measures include avoidance of potential habitat areas (e.g., coastal prairie grasslands, trees) and monitoring of construction activities by biologists if removal or alteration of these habitats is unavoidable or if construction occurs during the breeding season. To avoid impacts to potential black rails and CA Ridgway’s rails, the IS/MND requires pre-ground disturbance surveys using the methods described by the California Department of Fish and Wildlife and US Fish and Wildlife Service.

**Cultural Resources:** Within the site, there is the potential to disturb cultural resources with trail development. To mitigate this potential impact to a ***less-than-significant*** level, the MND requires the presence of a qualified archaeologist and a Native American representative monitoring all ground disturbing activities within the park and establishes protocols to address such resources if they are unearthed. The contractor will be required to limit the depth of grading and subsurface activities to the depth of the Belt Line railway ballast (approximately 2 feet). If it is determined that the depth of subsurface activities would exceed the depth of the Belt Line ballast, then a qualified archaeologist will be retained to monitor Project ground-disturbing activities.

**Hazards and Hazardous Materials:** Construction of the trail will require the movement and handling of soil with arsenic concentrations above background levels. In addition,

contaminated soils not previously identified could also be encountered. There are also existing abandoned structures located near the proposed trail alignment that may contain hazardous materials and pose a physical hazard to trail users. Fencing would be installed to keep users from accessing abandoned buildings, other structures, and areas known to contain contaminated soils. The soils with elevated levels of arsenic along the trail will either be capped in place or relocated and capped. Soils will be covered with a minimum of 1-foot of clean fill material or clean fill, aggregate base and asphalt in the trail footprint areas with soils above background arsenic levels. To mitigate this potential impact to a **less-than-significant** level, the City will require the contractor to prepare a Health and Safety Plan. Implementation of the project-specific soil management plan and air monitoring plan, and preparation and implementation of the Health and Safety Plan will be conducted with oversight by a Certified Industrial Hygienist.

**Hydrology and Water Quality:** The project has the potential, during construction, to cause erosion or spills that can contaminate water quality. To mitigate these potential impacts to a **less-than-significant** level, the City will require the contractor to implement control measures associated with the Regional Water Quality Control Board's Statewide General Permit for Discharges of Stormwater Runoff Associated with Construction Activity as well as a Stormwater Pollution Prevention Plan.

Staff has independently evaluated the IS/MND and associated public comments and concurs that there is no substantial evidence that the proposed project will have a significant effect on the environment. Staff therefore recommends that the Conservancy find that the project as mitigated avoids, reduces or mitigates the possible significant environmental effects to a level of less-than-significant and that there is no substantial evidence that the project will have a significant effect on the environment as that term is defined by 14 Cal. Code Regs. §15382.

Upon approval of the project, Conservancy staff will file a Notice of Determination.