PUBLIC HEARING TRANSCRIPTS
PUBLIC HEARING
CITY OF RICHMOND DESIGN REVIEW BOARD
POINT MOLATE RESORT AND CASINO PROJECT

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Wednesday, August 12, 2009
6:00 p.m.
City of Richmond Memorial Auditorium
403 Civic Center Plaza
Richmond, CA 94804

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Reported by: CATHERINE D. LAPLANTE
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ORIGINAL
Design Review Board

Michael Woldemar, Chair
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Diane Bloom
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City of Richmond

Janet Harbin, Principal Planner
Mary Renfro, City Attorney
Lina Velasco, Senior Planner
Jonelyn Whales, Senior Planner

Michael Taggart, Analytical Environmental Services

Larry Blevins, Pacific Region of Bureau of Indian Affairs

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MR. WOLDEMAR: The first thing I have on our agenda is a roll call to the staff.
Would you call roll, please?
MS. WHALES: Chair Woldemar?
MR. WOLDEMAR: Aye.
MS. WHALES: Vice-Chair Whitty?
MS. WHITTY: Aye.
MS. WHALES: Board Member Bloom?
MS. BLOOM: Here.
MS. WHALES: Board Member Butt?
MR. BUTT: Here.
MS. WHALES: Board Member Woodrow?
MR. WOODROW: Here.
MS. WHALES: Board Member Welter?
MR. WELTER: Here.
MS. WHALES: Board Member Christian?
MR. CHRISTIAN: Here.
MR. WOLDEMAR: All right. And by way of introductions, I'm not going to make all of the introductions tonight, only because there are a lot of additional people here, but on my right is Janet Harbin, who is the senior planner. Next to her is Mary Renfro from the City Attorney's Office. Next to her is Lina Velasco, who is the Principal Planner for this project, and lastly Jonelyn Whales who is the Planning Representative for our board tonight.
Our next item on the agenda is to ask Lina if she would introduce for us other participants from the staff tonight.

MS. VELASCO: Yes, Mr. Chairman.

We have Larry Blevins from the Pacific Region of Bureau of Indian Affairs, and Mike Taggart from Analytical Environmental Services, who is the City and BIS's consultant on this project.

MR. WOLDEMAR: All right. With that, I would note that we would normally look at and approve minutes from previous meetings; however, we have none before us tonight. We would also now look at our agenda and make any changes to it; however, because there is only one item on the agenda, there won't be any changes.

On the agenda -- and I hold it up here, I think it's blue for all of those who have copies of it -- there are meeting procedures.

For those of you who have never been to one of our meetings, I would ask that you would read those meeting procedures. They are on the back of the agenda. However, because of the special circumstances tonight, I will make a couple of specific notes.

One, there will be time limits. There will be a three-minute time limit for each speaker tonight. I would also ask that if you intend to speak, please fill out a speaker's card because the staff will ask speakers to come
forward in groups of five, and if you don't have a speaker's card, you won't get called forward.

We also ask — and I know Mr. Blevins is going to give us a little bit more background on how to run the meeting tonight, but I would also ask that you limit your comments to items that are pertinent to the discussion tonight.

If an item has been spoken and spoken again and again on it, there's no need for you to repeat yourself because everybody else has already said it.

We do anticipate being here a fair amount tonight, and obviously we all want to move on as quickly as we can.

As this point in time, I do have to ask if there is anyone in the audience who would like to speak to the Board on any item that's not on our agenda. If there is, now's the time for you to come forward. If you do want to speak on that item, again, it's not on our agenda tonight, you need to fill out a speaker's card when you come forward.

Is there someone who would like to speak to us on something not on our agenda?

Okay. Hearing none, there is no council liaison report tonight, there is no consent calendar, and there is no appeal date.

I would note that the item that we're hearing tonight is simply to receive comment. This Board will not be taking any action on the comments that are made and will not do any
responses to the comments.

Lastly, I would note for the benefit of everyone in the audience, please turn off your cell phones. It's -- it's always a problem when the phones go off in the middle of somebody speaking, and I will do the same with my own right at the moment.

Now, to the main item why we're here.

Tonight is a public hearing. It is PLN 08, dash, 089. This is the Point Molate Resort and Casino Project. It is to receive public comments on the Joint Draft Environmental Impact Statement, Environmental Impact Report.

No action will be taken by the Board tonight. The location of the project is on Western Drive in Richmond, and it has an AP number of 561100, dash, 008. It is zone CCR, which is the community and regional recreational zone. The owner is the City of Richmond and the United States Navy, and the applicant is Upstream Point Molate, LLC.

There is a recommendation by the staff to simply receive comments and take no action tonight.

With that, Mr. Blevins, could you start us off and give us some of the operating rules?

I'm sorry. To Lina first.

MS. VELASCO: Thank you, Mr. Chairman.

The City of Richmond, the Bureau of Indian Affairs, and Guidiville Band of Pomo Indians and our environmental
consultants, AES, welcome you to this public comment hearing
for the proposed Point Molate Fee to Trust and Tribal
Destination Resort and Casino project on the Draft
Environmental Impact Statement and Report.

As Mr. Chairman Woldemar mentioned, there will be
changes to the speaker rules tonight, and those will be
explained by Larry Blevins, but there are a couple of things
that I would like to note out for the audience is that the
restrooms are located in the front by the Bermuda Room and
in the back over here by the kitchen.

The emergency exits are signalized by the green lights,
and then also the location of the speaker cards are in the
front. They will be brought to staff, so you would just
drop it off at the box at the end. And also there are
attendants that will be walking throughout the room that
will be collecting speaker cards if you decide to speak
later on in the evening.

So with that, I would introduce Larry Blevins from the
Bureau of Indian Affairs who is going to be facilitating the
comment hearing tonight. Thank you.

MR. BLEVINS: Thank you, Lina, and good evening.

My name is Larry Blevins, and I'm an environmental
protection specialist for the Pacific Region Bureau of
Indian Affairs. The BIA is a bureau within the Department
of Interior which, in turn, is a department in our Federal
Government.

In cooperation with the City of Richmond and Planning staff, I will be your facilitator at this evening's public hearing. Representing AES, the environmental consultants for the EIS/EIR, we have Mike Taggart. Cathy LaPlante is our stenographer for the evening.

At this time, I would like to also introduce the Guidiville Band of Pomo Indians Vice Chair Person, Donald Duncan, and also Bureau of Indian Affairs Chief in the Division of Environmental Cultural Resource Management and Safety, Mr. John Ryzdik.

We are here tonight to receive public comments on the draft EIS/EIR for the fee to trust land acquisition of approximately 266 acres and subsequent proposed development of the destination resort and casino complex for the Guidiville Band of Pomo Indians, a federally-recognized tribe. The proposed resort complex would be located within the city limits of Richmond, Contra Costa County, California.

The purpose of tonight's hearing is to receive your comments regarding analysis presented in the Draft EIS/EIR, as well as to present information you feel is important for the agencies to consider.

With this in mind, I want to -- it to be clear that tonight's hearing is not a question-and-answer period, nor
is it a form for debate.

We have asked AES to provide you with a brief PowerPoint presentation on the proposed action, its purpose and need, the EIS/EIR process and the scope of analysis.

I will now commence with a few procedural matters. I'll then invite the Chairperson of Guidiville Rancheria first, any Federal officials who wish to comment, followed then by any State and local elective leaders, followed by public testimony.

Members of the public will be given three minutes each to provide verbal comments. We will be using this timing light and will enforce the three-minute rule to ensure that everyone who wishes to comment on the document has the opportunity to do so.

Please be respectful when making your comments. We will be calling individuals up to speak in groups of five. Your name will be called in order of which we received your speaker card. If you wish to speak and have not yet filled out a speaker card, please fill out one and provide it to the nearest attendant. When you are called up to speak, please restate your name.

If you have any written comments, we will accept them here tonight; otherwise, please mail them to the address in the notice, so that they arrive on or before September 23rd, 2009.
To best participate in this formal hearing process, I offer the following ground rules. One, summarize your main points within your three-minute public comment period. You will be able to gauge your time with our flash cards. Be as specific as you can. Only substantive comments will be reviewed and responded in the final EIS/EIR. In other words, if you tell me that you do not like the project, but give no specific rationale; there will be nothing with which we can further analyze and respond to.

Two, avoid personal attacks. We understand that there are some strong feelings for and against this proposed project. The best opportunity to state your views convincingly is through a brief factual presentation.

Three, it is okay to disagree. The key is to do it in a manner of mutual respect. I would request that there is no interruption that will distract from the stenographer's ability to accurately record anyone's comment.

In addition, if I cannot hear a speaker's comments because of side bar conversations or other disturbances in the auditorium, I will stop the hearing until order is restored.

I will require you to address us specifically with your comments so that we can hear what you are saying, and so that the stenographer can accurately record your words. If you do not address us directly, I will ask the stenographer
to stop the recording, and you will be required to
relinquish the microphone to the next speaker in line.

Following the completion of the public comment period,
all comments received during the process will be considered
by the lead agencies and will be addressed in the final
EIS/EIR.

The final EIS/EIR will be published on the Internet and
in CD format, a copy of which will be mailed to everyone on
the mailing list, names and addresses that have been
collected during the past scoping and the current comment
period.

AES, our environmental consultant, will now make a
brief presentation about the analysis presented in the Draft
EIS/EIR.

MR. TAGGART: Chairman, Members of the Board. My name
is Mike Taggart. I'm the project manager at AES for the
Point Molate EIS/EIR. I'm going to be providing you a brief
presentation on the --the scope of analysis performed by AES
for the consideration of potential impacts related to this
proposed development.

Review briefly the NEPA and CEQA process and reiterate
some of the ground rules that Larry and Lina have laid out
for this evening's comment period.

This is the public's opportunity to get on the record
how you feel about the project. I would request that your
comments are of substantive character so that we can carefully consider them with the lead agencies in response to comments.

The speaker cards are provided at the front of the auditorium in the lobby as well as distributed throughout with the attendants. If you wish to speak, and you have not yet filled out a card, please do so and return it to the table in the rear of the auditorium.

Also located at that table are comment boxes and comment cards so that if you wish to provide a written comment, we are accepting those here tonight, and as Mr. Blevins said, you can also mail those to either of the two lead agencies. That the addresses for those agencies are indicated on the card.

I'd like to reiterate that comments will be limited to three minutes per person so everyone has an opportunity to speak and please be respectful in making those comments.

The project proponent for the re-development of Point Molate is the Guidiville Band of Pomo Indians in cooperation with Upstream Point Molate, LLC.

The two lead agencies overseeing the environmental review are the Bureau of Indian Affairs and the City of Richmond. There are four cooperating agencies for the environmental review, and that includes Contra Costa County, United States Environmental Protection Agency, the National
Indian Gaming Commission and the Guidiville Band of Pomo Indians.

The analysis presented in the joint EIS/EIR considers impacts within the context of local, State and Federal frame works. The analysis has been presented in a joint EIS/EIR to reduce redundancy between the two regulatory frame works.

This analysis is the result of several years of work on behalf of roughly 20 technical experts at AES in addition to 14 subconsultants with oversight being provided by the lead agencies.

Consultation conducted in the course of the analysis and ongoing consultation includes a number of the State, Federal and local agencies that are listed on this slide.

This is a slide of the milestones in the NEPA and CEQA process. This process began roughly four years ago in March of 2005. A scoping hearing was held in March of 2005 and a report on the outcome of that hearing was published that same month.

The administrative draft of the document was prepared in October of 2008 following consideration of all comments received by the cooperating agencies. A draft document was prepared and released on July the 10th.

There will be a 75-day comment period, two public hearings and two public workshops. The first of the public workshops was held last night. The next will be held on
August 27th, and a second public hearing will be held on September 27th. I'm sorry. September 17th.

The analysis covered 13 distinct areas and resource issues, and that's in addition to growth-inducing impacts, cumulative impacts and impacts of mitigation.

The project site is located immediately north of the Richmond San Rafael Bridge on Western Drive. This is an aerial view of the project site. The former naval fuel depot, that's now the project site, is located just north of Castro Point and south of San Pablo Point. This is a photograph from the air of what the project site looks like today.

In terms of the analysis, five different alternatives were considered in addition to a no-action alternative. All of the alternatives were given an equal amount of consideration. That is the same level of analysis was given to each of the alternatives.

Alternative A is the proposed project, which is a mixed-use tribal destination resort and casino with a fee to trust component. The Federal Government would hold roughly 266 acres of the project site in trust for the benefit of the tribe.

Alternative B is identical to A with the addition of a residential component in the southern portion of the project site.
Alternative C is the reduced intensity alternative.
Alternative D is a non-gaming, non-trust acquisition mixed-use redevelopment alternative.
And Alternative E proposes to re-use the project site for parkland.
And Alternative F is the no-project alternative.
Briefly these are some of the components of Alternative A. If you're interested in understanding, though, the full scope of what is being proposed, I encourage you all to read the EIS/EIR. We have compact discs available tonight if you have not received that document.

The proposed project calls for the rehabilitation of Winehaven, which is the National Registered Historic District for use as a casino, restaurants, wine cellar, et cetera. Cultural government facilities and dance grounds, governmental offices, and so forth, would be provided on the project site.

Alternative A proposes two hotels and a series of guest cottages, a retail village of approximately 300,000 square feet, a performing arts venue and conference facility, a ferry terminal with capacity for 5,000 people per day. Hillside open space and a shoreline park, which cumulatively account for 180 acres of the project site.
Construction of the bay trail segment through the project site, two parking facilities for 7,500 vehicles as
well as a separate parking structure for buses. Police and fire emergency service center on site. Remediation of hazardous materials, historic preservation, habitat restoration, and a number of green building and energy-efficient design components.

This is a site plan of the proposed project. This is Alternative A.

This is Alternative B. As you can see, it's essentially the same site plan with the addition of housing in the southern portion of the project site.

Alternative C has a smaller footprint. The housing component has been removed. The point hotel and some of the amenities proposed under A and B on the point have been removed.

Alternative D includes a mixed use of residential, commercial and industrial uses spread throughout the 415-acre project site.

And Alternative E, which would essentially retain the current character of the site with the addition of a bay trail segment along the shoreline and limited infrastructure necessary to provide for use of the parkland by the public.

Mitigation has been proposed for all of the potential impacts identified in the analysis, and that covers construction, operation and cumulative conditions.

In addition to mitigation measures, we have recommended
improvement measures which are used when there's an absence
of a significant impact or when the significant threshold
has not been exceeded.

A mitigation monitoring plan will be prepared,
following certification of the EIR, which would provide for
enforcement and monitoring of the mitigation.

And for the three alternatives that have a tribal trust
component, the tribe has provided a partial waiver of tribal
sovereign immunity so that the City may enforce the
provisions of the Mitigation Monitoring Plan.

And with that, I'd like to turn it back over to Larry
to begin accepting public comments on the Draft EIR/EIS.

MR. BLEVINS: If Vice-Chair for Guidiville Band of Pomo
Indians would like to speak first, Don Donaldson. I'm
sorry. Don Duncan.

MR. DUNCAN: Good evening, everyone. Don Duncan,
Vice-Chair Person, Guidiville Band of Pomo Indians, and I'd
just like to say thank you to the Richmond Planning
Commission and the BIA for holding this public comment, and
welcome the public to come and listen to their comments
today. Thank you.

MR. BLEVINS: Thank you, Mr. Duncan.

We'll go into our formal hearing.

One final reminder, when you are called to speak,
please re-state your name to the stenographer.
Our first speaker will be Laura Graham. She will be followed by -- excuse me -- Mike Ali Raccoon Eyes Kinney.

You'll have to be patient with me. The speakers as they're announced, the five can come up here to the front and sit down, that way it would be more efficient in the process.

The third speaker will be Bruce Beyaert, Nate Spearman and Leslie D. May.

Laura?

MS. GRAHAM: My name is Laura Graham, and I am a native of Richmond, and I just wish there was a land trust in Contra Costa County that could preserve that land around there. We have them in Marin and Sonoma County, but it is just too -- just coming across the bridge today and seeing the jam of traffic trying to get in both directions, if you had that much stuff, hotels and houses, and everything like that, where would you -- what road would you use to get people to go in and out of that area?

But that is pristine hillside that should be preserved as part of the San Francisco, San Pablo Bay area, and they can put casinos in --

I was shocked at how Richmond looks now. They got all kinds of places that used to have buildings and things on them. They can put a casino in the town. Everybody says they need the taxes from that, but as I understand it,
that's a tribal land then, and they can decide whether they 
want to pay any taxes or not.

And also to build something around there I think would 
take some very strict seismic rules because of the 
possibilities of earthquakes that could destroy the property 
in this area, and once you have busted up the landscape, it 
doesn't come back the same, and it is just --

I'm sorry, but it's not the sort of thing that we 
need -- we got all kinds of Indian casinos here now.
There's one up in Geyersville called River Rock, or 
something, and the stuff they built up on the hill there,
it's such an eyesore, their garage and all, and we --

We just don't need to have something like that in this 
area now. They can put it around. I understand the casino 
in San Pablo is doing very well, so there must be some other 
place in Richmond that would do okay. I don't know Point 
Richmond, the round on the bay side of it is available or 
not, but when you tear down the scenery, it's gone, so 
that's my two cents worth.

MR. BLEVINS: Thank you, Laura.

Speakers, just so you are aware, there is a light -- PH1-2 
signal light up there that gives you the indicators as far 
as how many minutes.

MR. KINNEY: Ladies and Gentlemen, if you are in 
support of the casino in this community, please stand up at
your call, please. Everyone here is to support -- please
stand if you support the casino.

Give them a hi-ho.

Ladies and gentlemen, my name is Michael Ali Raccoon
Eyes Kinney. I'm an enrolled member of the Eastern Band
Cherokee Real People. Let's get down to it.

It is your gift to have material power. Thank you,
Ladies and Gentleman. It is your gift to have material
power. You have the strength, not given much to other
people. Can you share it or can use it only to get more?
This is your challenge, to find the way to shine -- to share
the gift because it is a strong and dangerous one.

We as Native people who must stand as the shadow that
reminds the mainstream culture of their failures. It is our
memory that must keep you on the good road. It does you no
good to pretend that we do not exist, and that what you did
did destroy us.

This is our land, and we will always be here. You can
no more remove our memory than you can hide the sun by
putting your hand over your eyes. I am sad that the Creator
saw it fit to destroy us to give you life. Maybe that is
not so bad, but what is that not what the Christian religion
did with Jesus?

It was the power of our spirit that made us accept our
own physical death. It was the power of our spirit that
made the Creator see that we alone could save you, who cared about things that should not matter.

Maybe it is Native people who are the true sons and daughters of Creator who had to die on the cross of your fears and your greed so that you can be saved from yourself. Is that so strange? I do not think so, Ladies and Gentlemen.

The Creator knows that our Native people were always willing to die for each other, and it was our greatest honor to do as such, and maybe the greatest honor of all that we as Native people were able to die for the whole human race. Creator knows these things.

And I say to you all in a good way, (singing).

Beauty before you, beauty behind you, beauty to the left of you, beauty to the right of you, beauty to the top of you, beauty to the bottom of you.

May you all walk in spiritual beauty.

MR. BLEVINS: Thank you, Mr. Kinney.

Bruce Beyaert.

MR. BEYAERT: City of Richmond and Bureau of Indian Affairs officials, my name is Bruce Beyaert speaking on behalf of TRAC, the Trails For Richmond Action Committee whose admission is to complete the San Francisco bay trail here in Richmond.

We have a very unusual situation here in that currently
there's no pedestrian or safe bicyclist access to this site, and the project definition rule, it could not include that because the City of Richmond and East Bay Regional Park District had taken the lead in closing the two bay trail gaps linking our community with Point Molate project.

The City of Richmond has retained a contractor. If you look at the map I gave you, south of I-580, the City of Richmond has retained a contractor to prepare construction design documents to close the gap from the bus stop at Castro and Tewksbury, to an existing trail going under the bridge.

On the other hand, north of the bridge, picking up between 580 and the Point Molate Beach, if you will, East Bay Regional Park District is working to acquire the necessary easements to build the bay trail along the shoreline, and contrary to what the EIR says, the bay trail is to be on the shoreline showing in the City's general plan, the bay trail plan, and MTC's bicycle pedestrian plan.

The EIR proposed mitigation measures to reduce traffic and air pollution impacts and as mitigation measures MM3, dash, E and H requiring the tribe to provide and fully fund pedestrian access to transit stops in the community, the community.

The bay trail can provide that pedestrian access because it's used by pedestrian and cyclist. However,
MM320H, which deals with the bay trail is rather confusing and vague.

It says, the tribe shall assist in funding needed to connect the south side of I-580 to the bay trail proposed north of 580. Well, that's under the bridge, it seems to say, which is already built.

So what needs to be done is to clarify MM3, dash, 20H, and make it clear that the funding is required for the trail south of the bridge, the City is trying to design, and north of the bridge where East Bay Regional Park District is working on acquiring easements.

The total cost of designing and building these two-trail segments south and north of 580 is about $18 million. And TRAC suggests that the project should include its proportional contribution toward that $18 million cost based on total TRAC generation to the San Pablo Peninsula. This is a percentage based on the City's general plan, the San Pablo Peninsula open space study.

Finally, the Draft EIR should recognize -- it does not, it needs to recognize, evaluate and mitigate the aesthetic impacts on shoreline bay trail and park users as part of the project. Right now the way it stands, it says there are none and they're all insignificant for every alternative.

So thank you for your time. If you have any questions, I'd be glad to try and answer them.
Thank you.

MR. BLEVINS: Thank you, Mr. Beyaert.

Next speaker, Nate Spearman. Is Nate Spearman out there?

Leslie May, you want to get up and speak, and I'll be calling right now -- Leslie, if you will hold on a second, I'm going to call the next five.

Erika Raulston, Jean Womack, Chris Serrano, Jettay Stewart. I have to apologize. Some of these are hard to read, and Craig Feere.

Okay, Leslie.

MS. MAY: All right. Good evening, Chairman and Representative and City Council members.

I have just lived here in Richmond a little less than two years, but I have over 50 years of interaction back and forth in Richmond.

I would like to say the shipyard's closed, Kaiser Industries closed and moved from Richmond. Every major organization left many years ago. People lost jobs, economy tumbled and turned Richmond into a desolate city.

How do we turn poverty, crime, substance abuse, chronic illness and environmental destruction around? By offering an end to a debilitating, economically deprived city.

The Point Molate project will offer jobs, not just jobs but bring construction jobs, and an environmentally-friendly
building and system, which will provide dollars to clean the City literally, reduce fees for licenses for business owners such as myself, draw major business organizations back to Richmond, generate money for infrastructure in Richmond, reduce the number of empty homes due to foreclosure, empower the residents with pride for their City, significantly reduce crime associated with poverty and provide health care benefits for many in Richmond.

There are organizations right now preparing residents, including probationers and parolees who want to change their lives and reduce recidivism for working in grain construction.

We have Richmond Builds, Richmond Works, Solar Richmond, Contra Costa Adult Schools, Rising Son and Grid alternatives. This won't stop people from gambling; it won't stop people from smoking because they going to do that anyway, but it will reduce or stop residents from taking their money from Richmond and spending it in places like Lincoln, California, and the other city, Cache Creek, okay? It will keep generating income here in this County.

As long as there are resolution which guarantees 40 percent of the positions will be given to Richmond residents, and understand me, from the onset of this project, throughout the whole time Point Molate is out here, then you have my blessings and many other people from El
Sobrante's blessings as well.

So I really would you to consider this. I've looked at the plans. I have looked at what they are talking about having actually a green roof where there's plants and things growing instead of the typical materials that they used for roofing. I've looked at everything. I think it's a good sound plan, but you need to just work out the kinks.

Thank you, very much.

MR. BLEVINS: Thank you, Ms. May. Next speaker, Erika Raulston.

MS. RAULSTON: Good evening, Counsel. Good evening, guest speakers. My name is Erika Raulston. I'm coming on behalf of living here. I, myself, have been here recently two years. I am also a recent graduate of Richmond Build, which is a project through Richmond Works.

This is a green training job program which offers people an opportunity in the City of Richmond to get jobs in green construction, learn basic construction skills, learning how to build a house from the ground up. Also to give HVAC skills, learning how to do -- install HVACs and insulation. Also it's solar insulation, learning how to build actual solar insulation and doing actual solar insulation installs within the City of Richmond through some of the seniors low income, which we actually did two sites on there.
This is an opportunity in which myself being a single mother raising a single child, gives a person an opportunity to get off of the programs that they are on. Giving the people in the City of Richmond the opportunity to get off of poverty, to be able to get off of these programs that they are on, to be able to uplift themselves, and see that even though they are in the situation they are in now, they can help, and they can improve themselves.

Bringing jobs within an community, in which a community that has been basically put to the side and said -- and people in the Bay Area have said, this is a town that it's not worth anything. It can show people within this town that we are something, and that we have people in here who are willing to work hard to show that we are a town that's willing, able and can do that.

But with these programs, and all that, it gives us and myself an opportunity to go in society and show what we've learned in class, and that we didn't sit in class and eat our lunch, but we actually learned this, and that we can give us an opportunity to get our feet wet, and give us an opportunity to build ourselves up to become productive citizens.

And that's really what I had to say, so thank you very much.

MR. BLEVINS: Thank you, Ms. Raulston.
Next speaker, Jean Womack.

MS. WOMACK: My name is Jean Womack. I've lived in Richmond for 40 years, mostly in Point Richmond. Before that I grew up in New Jersey. My dad who was a chemist said that the US government put the Indians in charge of the Iranian in the desert because they thought it was their land in the first place, and they'd be more inclined to protect it, but after I group up, I realized there really wasn't anything out in the desert except a casino called Las Vegas, so that's what my dad was saying. That was the uranium.

I think you're trying to put a tourist industry in a town that doesn't like strangers and actually attacks strangers. It's just not anything like San Francisco. It's not a tourist town. They attack newcomers.

People have told me they like to get out of the ghetto and take a bus ride up to Reno because it gets people out of the city for awhile. The seniors like that bus ride up to Reno.

It's the worst place in the whole city to put a casino. It's a toxic naval fuel depot. Apparently the people who work there poisoned the land on their way out because they didn't like that base being closed.

It's full of underground tanks and places where no grass grows. Why do that to the Indians? If you're going to give the Indians something, why don't you give them
something that's good, something that's clean, like the
Craneway. If you like the Indians so much, don't give them
a bunch of poison land. It's just more bad stuff.

It would cost too much to put a freeway exit there.

Chevron is against it. Chevron has given money to everybody
in town. You think they would have made some friends that
way, but apparently not. They need that land for security
for their refinery.

I respect that, and you know what, during wartime they
closed that peninsula. You think that you're going to build
a big casino there that is going to be so big, it won't be
closed during wartime? Guess again, they can close it.

We can't even support bars in Point Richmond anymore.

We have two historic bars closed up. Nobody wants that kind
of trouble. It's just trouble, misery, degradation for
people. It's -- all it is is a bar with gambling. That's
what a casino is, a bar with gambling. People are drinking,
throwing their money away, and they don't even know what
they're doing. They don't even know what's being done to
them.

Also, I'd like to complain about casinos being referred
to as anything Indian because it creates -- it's a racist
thing to do, and it creates trouble for the children.

MR. BLEVINS: Thank you, Ms. Womack, we're out of time.

MS. WOMACK: Thank you.
MR. BLEVINS: I'd like to call Chris Serrano.

MR. SERRANO: Good evening, City Council. I've been a Richmond resident since 1969, and my hardest struggle in life was to seek employment. I'm a Union Iron Worker out of Local 378 today, and I'm unemployed, and I live in Richmond, and this will be a golden opportunity for me to be a part of Richmond's history.

See, when the trade people are done building this fine building, what we will leave behind is an opportunity for other Richmond residents to have the opportunity to either find a career there or stepping stone to find other careers.

If Richmond is a City of opportunity, let's open a door to opportunity because if we don't help and endorse for opportunity, we'll cease to exist, and there's enough problems in Richmond, and with all the millions and thousand of dollars in revenues, we can hire some more Richmond's finest to patrol our streets, so this city can be a safe place to live.

We can also hire more qualified teachers to teach our kids to stay off the streets and find their own opportunity. You have your chance, and why can't our kids have our chance because that's all we ask for, is a chance.

Thank you, very much. Have a good day.

MR. BLEVINS: Thank you, Mr. Serrano.

MR. SERRANO: My name is Christopher Serrano.
MR. BLEVINS: I'd like to call Greg Feere up, please.

MR. FEERE: Good evening, Members of the Design Review Board, Mr. Blevins from Bureau of Indian Affairs.

My name is Greg Feere, and I'm here on behalf the 30 Building Trades, construction unions for Contra Costa County who make up over 30,000 men and women who reside in this County, thousands who reside in East County and thousands who can also work on this project.

I looked at projects the last 20 years in Contra Costa. There's been good projects; there's been bad projects, and there's been down right ugly projects, but this is one of the most well-planned, well-organized, well-designed projects that I have ever seen in Contra Costa County.

We are currently negotiating a project labor agreement with the Guidiville Pomo Indian Tribe that will incorporate local hire. There will be opportunities for local minority contractors. We will have a pre-apprenticeship program to get these young men and women into the trade, and the overall impact of this project, besides the construction industry, we're looking at 17,000 jobs.

This is the largest economic stimulus package for jobs in the entire Bay Area. You see what happened right here in Chevron where thousands of people were sent home. They are sitting home right now collecting unemployment because they don't have a job opportunity. This project will change
If you look at the construction industry, right now we are suffering three times what the national average is. We have people 30 percent unemployment. You have people right here that would love to go to work right now, and the only problem that I have with this project, and I have one big one, that it's not started today, so I would hope you give this project an opportunity, pass it, certify the EIR, and let local people go to work.

Thank you.

MR. BLEVINS: Thank you, Mr. Feere.

I'd like to call next, Jerome, I believe, Smith.

MR. SMITH: Honorable Design Review Board --

MR. BLEVINS: Could you repeat your name, please.

MR. SMITH: My name is Jerome Smith, Honorable Mr. Blevins.

MR. BLEVINS: Thank you.

MR. SMITH: I am a 30-year resident in the City of Richmond. Mr. Riggimons writes this poem, and I speak it to each one of you, Narcissus. Narcissus who was never very wise, observed a water spirit in a pond and grew enamored of the commonly blond who watched his gaze and filled his shallow eyes.

The spirits featured in the face of waves of lips, of fountains or the fountain head are images of us in nature's
stead reflecting on the way the worlds behave, and as the
spring of youth matures tomorrow, to old Man Winter and old
age we look and look, and ask the figure in the brook as
long ago Narcissus did, who are you?

Make no mistake about this. This is Richmond's who are
you. The City of Richmond's, this is your who are you, and
as a design review Board, you have the ultimate
responsibility of understanding what they are proposing and
what they're not proposing.

It is a considerable weight on your shoulders, and I
appreciate it, and we must understand the design process
begins with a purpose, and the purpose of this project is
twofold, land, take the land. Urban casinos. The precedent
is set here. New York, Philadelphia, anywhere gets an urban
casino if you let the land get taken.

The second driving purpose is money. We want
retribution, not 40 mules. We want a casino retribution,
and this company that did this EIR, engineered the entire
EIR around one thing only, Alternative A, which forgets our
current economic crisis, which forgets that San Pablo's
losing $50 million with the casino, forgets all of that and
gives credibility to every item that supports this,
exploding the labor agreements, making it really a dream
come true, and I would go for it except option D is better.

I ask you to look at option D. The EIR offers no
global concern. The character of the Bay will be changed
forever. Not just Richmond, but the character of the entire
Bay Area, San Francisco, Marin, San Jose, ever altered with
your responsibility being cast forever in stone.

This is no simple meeting, please bear the
responsibility. Thank you.

MR. BLEVINS: Thank you, Mr. Smith.

I'd like to call the next five. Reverend Raymond
Landry, Antwom Cloird, Robert Keller, Karen Franklin and
Wende Heather.

MR. LANDRY: Good evening to the Design Review Board,
to all the officials here, City staff, Federal staff, County
staff.

My name is Raymond Landry. I'm a 43-year resident of
the City of Richmond. I was raised in the Coronado
neighborhood, owned several businesses in the Iron Triangle.
Landlord in the Santa Fe neighborhood district, and I'm here
tonight in support of not a casino but a resort designation
for a number of things, and I'll tell you why.

Having been here 43 years and having gotten to a place
where I'm now a father in this city, I'm now a business
person in this city, it really bothers me now that I have
to -- when I want to go out for recreation, just take my
family for a walk, a good walk, or a good meal or shopping
or dining, anything good, I have to leave out of the city
that I live in.

I'm here to support Alternative A, which I think is -- which I think considers the needs of everyone in the community, the historians and the fact that it's going to restore the Winehavens for those who love history.

For those who are in government, it's going to provide government facilities so that we can have some people working out there in government. Hotels for those who would like to come and visit our city and actually stay in Richmond.

Retail space in which I'm sure I'll take my wife and my children will shop in, a performing arts theater in which I look forward to hosting some venues and national conferences for my church in my jurisdiction.

Ferry services, which I'm sure many people who travel over to San Francisco could use opposed to driving cars, open space for those who walk, bay trails, parking and even police and fire service, and I thank --

I'm very thankful for the Design Review. I know you will work with the Point Molate group to give them a design that will be very helpful. Thank you.

MR. BLEVINS: Thank you, Reverend Landry.

I'd like to call Antwom Cloird, please.

MR. CLOIRD: Thank you. My name is Antwom Cloird. I'm a long-time Richmond resident, long-time. I can look back
in my mind, walk down McDonald Avenue back in the day. As
the youngsters would say, back in the day, where we had a
movie theater, we had a JC Penneys, we had a Thrifty's, we
had a Flagg Shoe Store, we had Miles Jewelry, we had a lot
of things down in Downtown Richmond. Today there's nothing
down there but a food court and a marketplace.

Any time you look at something at the time that we live
in, if you look at the time, signs of the time, all bets are
off. This is a win-win situation. All you got to do is
take off your sunglasses and see what you ain't looking at.

And I say that to say when you can bring 17,000 jobs to
one place at one time in a period of time that they have,
can't miss it.

Any time you bring a revenue to a community that's
broke, can't miss it. Any time that you can give a youth an
opportunity to put that gun down to go get a way of life,
then you doing your job. Any time you clean up something
that's going to bubble up in 10, 15 years from now, we know
it's going to bubble up because there's nothing to that
ground to bubble up, and they going to clean it up, the
environmentalist should be happy.

They're not going to let it stay that way. They going
to fix it up for another day so we can enjoy it for what
it's worth.

I -- the building that you are sitting in right now,
you all like this? You all like how this building is? I did that work, yeah. All this work you see before you, next door, concrete, all the iron work, all the new walls, I touched everything up in here, and I'm proud to say when I walk through here that I am a part of something bigger than me. And I want the youth of Richmond to have that pride and purpose instilled in them when they start something knowing that they can finish something.

See, and that's what we have gotten away from a community like Lenny was saying, yeah, we don't like newcomers because what you going to bring us?

We love the Indians because they going to bring us something. They going to give us something that we can use, something we can walk and talk about and be proud of because Richmond need to get that pride and purpose back because to a public who don't know about it, Richmond is known for spilling blood, not saving blood. We want to be known for saving blood instead of spilling blood.

Thank you.

MR. BLEVINS: Thank you, Mr. Cloird.

I'd like to call next Robert Keller.

MR. KELLER: Good evening. My name is Robert Keller, and I am a resident of 1900 Western Drive. I represent 40 residents at the harbor there, and in our first review of the EIR we found ourselves mentioned in a part of a
sentence, so we would like to make part of this plan a
requirement that there be access through the construction
project during its process for our small business and our
residences, and also that in this plan, there be
accommodations for emergency services, police and fire.

So if you could review that plan, please, and try to
make that part of the plan, we would much appreciate it.

Thank you.

MR. BLEVINS: Thank you, Mr. Keller.

Karen Franklin, please.

MS. FRANKLIN: Good evening, everybody. I apologize
for my sore throat.

My name is Karen Franklin, and I'm a Richmond resident,
and I am president of the Richmond Pan Handle Neighborhood
Association, and I'm here tonight not just as a Richmond
resident and activist, but also as a -- in my professional
role as a forensic psychologist, I work for the criminal
courts doing evaluations and criminal cases in Contra Costa
County.

And in that capacity I have first-hand experience with
the types of crimes that converge around casinos, like
Casino San Pablo in particular, which is a miniscule casino
compared to the one proposed here.

And the allure of jobs in this economic depression is
hard to resist. Unemployment in Richmond is really high. A
quarter of our single-family homes in this city are in foreclosure at the moment. People are desperate, but in the long run, we know that casino-based economies are devastating to the social health of communities.

They increase social problems. The research is clear, it's unequivocal. Gambling addictions, alcohol and drug abuse, crime, violence, poverty, child abuse, domestic violence, child neglect, all of these things are concentrated around casinos, and the victims are for the most part the people who are nearest to the casinos and poor and minority communities.

So in this case North Richmond is going to be a prime victim of this casino development. So Richmond -- we have enough crime already. We've got -- in my neighborhood, we've got -- we just had a shooting of two people -- two of them in the last month. Somebody got apprehended stealing a truck from my neighborhood two nights ago, we have plenty of crime. We don't need anymore.

The long-term consequences of this project, mark my words, is going to be destruction. It's historic; it's unprecedented.

I think Richmond is being targeted because it is a vulnerable community, it is a poor community, it is economically depressed, and if they can get their way here, it will pave the way for urban casinos around California and...
across the nation, and I think we should hold out. Don't be
desperate.

I am in favor of no project and wait for a better
project that brings jobs without stealing the land from the
City of Richmond. We won't ever get that land back; it will
be gone. That's prime Richmond real estate. Gone, gone,
gone, and devastating to the social health of the Richmond
people.

Thank you.

MR. BLEVINS: Thank you, Ms. Franklin.

I'd like to call Wende Heather.

Wende, I'd like to take a break and call five more
people up.

Brenda Johnson, Sylvia Fontenot, Bennie Johnson,
Perfuria Garcia Vasquez, Naomi Williams.

MS. HEATHE: My name is Wendy Heath. I'm an 18-year
resident of Point San Pablo Yacht Harbor. I probably know
that peninsula as well as anybody having traveled it nearly
every day for 18 years. I love the area. I was on the Blue
Ribbon Committee with other citizens from Richmond, and we
planned a very different project.

We always thought that maybe something should be out
there, but we never, ever imagined something as grandiose as
this planned, so I won't speak to what I think about the
project because I have lots of thoughts on that.
I just will simply speak to the fact that there are 40 people living out there. They go to work every day; they come back, and what I read is every day there will be 2,527 trips by trucks and construction workers. When we --

When they put the waterline out there, we sometimes waited 20 minutes to 30 minutes just to get on our road, so since it hasn't been mentioned anywhere in the EIR that any of us could see, we want you to look at that really seriously because if construction goes for five years, which is what they were talking about that the project will be done in 2015, that means five years of horrendous waiting and waiting and waiting.

I also think you should look very seriously at the traffic input onto -- they're talking about having a five-lane road where Western Drive is. It's just two lanes, but they're talking about having two lanes to go into it, and having commuted there, again, for 18 years, I just think it's going to be a nightmare, but hopefully somebody has better thoughts on that.

And then the third would be the noise. They say that the noise will be up to 80 to 95 decibels for construction. That's power things. A shotgun at 200 feet is a hundred decibels. We can hear the shotguns from the gun range, so we can only suspect that we can probably hear pile drivers, and things like that. There's no way to know that, but
nobody has addressed that, and let me just read something.

Construction noise impacts could have a significant
impact if noise from construction results in annoyance of
sensitive receptors.

MR. BLEVINS: Thank you, Ms. Heathe.

MS. HEATHE: However, there are no sensitive receptors
in the vicinity of the project.

MR. BLEVINS: Thank you.

Bennie Johnson, please.

Sylvia Fontenot.

Bennie Johnson.

How about Parfira Garcia Vasquez.

MS. VASQUEZ: Good afternoon. Good evening. My name
is Parfira Garcia Vasquez. I'm here in representation of
St. Vincent de Paul Society. We're conference-based in
Richmond, California at St. Marks Church.

We are a society, a non-profit organization that
provides direct access to anyone suffering or in need. We
offer a lifeline and/or resource to those in urgent need of
food, clothing, rent, assistance, medical aid, help with
addiction, employment and shelter. We are familiar with the
needs of the community in Richmond.

We are fully aware that this project has different
views from a variety of organizations, and by no means it is
our intent to overlook the validity of these beliefs. We
are simply sharing our reasons for supporting this project, so it may be considered by all involved when making a decision that influence the outcome.

A casino may create a diversity of reactions, some moral and some fear, but to the people of this community, it is hope and an answered prayer. This project will meet the needs of the community by providing permanent employment opportunities.

We have heard it said that the economy that is built on gambling is not good, but we believe that that is a matter of perspective that defines what an economy is built on. When hundreds maybe thousands of people that are unemployed become employed, it is hope that builds the economy.

When these same people receive their paycheck and pay their rent and feed their children, it will be pride and gratitude that builds the economy. An economy that is built on hope, pride and gratitude is a strong economy.

Many people in this community are suffering from extreme poverty and/or destitution. This is unthinkable to think that in America such poverty can exist, but unemployment is high and growing as are the numbers of homeless families.

Every day that this project is delayed, in our opinion, is a wasted day. How quick would you act and how intense would be your passion if passing this project if you were
homeless and destitute? Maybe one has to feel the hunger
and despair personally in order to really understand the
urgency.

Perhaps you are not familiar with this community, but
it is a community that struggles to keep safe. It is a
well-known fact that most of the people that lack faith in
their government and other leaders due to their
circumstances in which they live.

It is here that gunshots and sirens are frequent and
the belief that things could be different is as relevant as
pretending that the Tooth Fairy really does exist. The
crime statistics in Richmond, California, when compared to
those in Las Vegas, Nevada, are many times higher than those
in Las Vegas, Nevada, and surpass the national average. It
is not --

MR. BLEVINS: Thank you, Ms. Vasquez.

MS. VASQUEZ: -- a casino that brings crime into our
community.

MR. BLEVINS: Next speaker, Naomi Williams, please.

MS. WILLIAMS: Good evening. My name is Naomi
Williams. I live, work and retired in Richmond, and I'm
still here volunteering.

First of all, I want you to know I'm for Alternative A
so if I don't have enough time to finish it out, you know
who I'm going for.
Why is it now that you have come to oppose gambling in organized public meetings? Where were you when the Roman Catholics played bingo and that fellowship halls? Where were you when the volunteer fire fighters had Monte Carlo nights in their fundraising carnivals?

Like it or not, we must realize that the Indian gaming is often the only source of entertainment -- employment and revenue available to the tribes. The earnings of wealth and culture preserve it.

With Indians unemployment, they are three or four times higher than that of the nation, but we are three or four times unemployed in Richmond as the rest of the world, or Bay Area. We won't consider anything else.

So I'm thinking, why not take Alternative A? It will do all the things that everybody else want. That's enough land out there for everybody to have what they want. They can have the open space; they can have parks, walkways, trailways, sometimes too many, especially if they in my neighborhood.

And 50 to 80 percent of the gaming tribes will not soon be turned back. If you like it or not, I like to go to the casinos. I am a senior, and I don't want to say that I -- the casinos taken all of my money. Why we leaving it here for somebody else? We need to enjoy ourselves as well.

Thank you.
MR. BLEVINS: Thank you, Ms. Williams.
Next speaker is Solo Youngblood, please. Solo
Youngblood. Ruben Luna.

MR. YOUNGBLOOD: Hi. My name is Solo Youngblood. I'm
34 years old. I'm a Richmond resident. I lived in Richmond
since -- probably since about 12 years old. I do approve of
the project that you guys do have coming up for Richmond
residents. What else?

I've been Richmond resident since like 12 or 13, for
awhile now, so and I -- I am a father, and I do have
children, and I do like how you guys have an opportunity for
over like 1,700 jobs for Richmond residents, so I do
approve.

I do hope this go through. I am one of the ones that
approve, and I hope everything works out because I am a
Richmond resident, and I would like to provide for my family
and enjoy my time with my family if possible.

MR. BLEVINS: Thank you, Mr. Youngblood.

I'll call some more up.

Ruben Luna, Tyesha Jefferson. You can come up here and
sit down if you like. Michael Robinson, Jackie Thompson and
June Skillman-Cannon.

MR. LJUNA: Yes. Good evening, panel. I'm a 42-year
old resident of Richmond.

MR. BLEVINS: Could you repeat your name please.
MR. LUNA: Ruben Luna. I'm a 42-year old resident of Richmond, California. I just like to say that I express support for any design or project that is going to become of this area. For the simple fact that -- you know, our community is a season of struggle and pain and suffering due to the ongoing violence within our community, and just this opportunity of employment alone should provide a new sense of hope, should provide a new sense of equality without any discrimination behind what's actually happening within our community.

I just like to say that this expansion of this property will also affect expansion within our communities' minds and spirits to the possibility of the changing environment, and with that, I just like to say thank you, and I support all your efforts to making this possible. Thank you.

MR. BLEVINS: Thank you, Mr. Luna.

Tyesha Jefferson, please.

Michael Robinson.

MR. ROBINSON: Good evening, Representatives, my name is Minister Michael Robinson. I've been a Richmond resident my whole life. I graduated from Kennedy High School in 2000, and I can already go through my year book and show you people who are dead and in prison right now because they were chasing this fast money.

And the problem with that is that's all there is out
here in Richmond, and they're not going to give that up
unless you're willing to offer them something in return for
that.

Now, this project bringing 17,000 jobs to Richmond,
that's like saying that's 17,000 ways I can support myself
and my family without having to go to jail, without having
to pick up a gun to kill somebody.

You've got all these environmentalists, rich people
that don't want the project to go forward because it will
mess up the land or inconvenience them, or they just don't
want people that look like me to have a job, but at the same
time, they're just saying, well, all he's doing is selling
drugs. Well, there's nothing else for him to do.

Hector from Richmond can't get a job doing some
construction work because Jose from San Francisco is doing
it like -- construction project out here on Main Street in
Richmond, no he's got to hand in front of Home Depot to get
whatever he's gotta get because you shoot this project down,
he can't get one of those 17,000 jobs, what are you going to
say about that?

When he's gotta go rob somebody or shoot somebody or
whatever to get whatever he needs because you wouldn't
approve a project to give him a real legitimate job.

They say it's just a casino. It's a concert hall; it's
a resort; it's a shopping mall; it's restaurants. It's a
whole new financial district. It ain't just a casino. They just want you to think it's a casino because they don't want it to go through, but at the same time, that's 17,000 ways I can support myself.

You know, he can support himself, he can support himself, he can support himself versus having to go to the streets because you bring this in, there will be more than just selling drugs, there'll be more than just robbing people, there'll be more than just whatever there is out there that gets people in jail.

I mean you want to do something about all the violence and all the bloodshed, you know, we need jobs. We get those jobs, we don't have to go out and sell drugs, we don't have to do all that crazy stuff. I mean, the choice is yours.

I mean, you can continue doing things that way they been going, I'm sure that's how you like it to happen, or you can just do something to change what you have been getting. That's your decision.

MR. BLEVINS: Thank you, Mr. Robinson.

I would like to call Jackie Thompson. Jackie Thompson please.

June Skillman-Cannon. This is Jackie Thompson.

I will call five again, and if you could please come up here to the seats that we have assigned to you all.

Martin Taylor, Patricia Barnes, Randy Jones, Ethel
Barnes and Rafael Madrigal.

MR. JONES: Hello, my name is Randy Jones. Having a casino in Richmond is not that bad. As long as the money goes towards like preschools and elementaries before they get to an age where violence comes mostly a part of their life because maybe while they're children, they see their bigger cousins or maybe their bigger brothers are teased to doing things out in the streets that is not appropriate, to have a stable life-style.

So in other words, I am saying that maybe if you -- more recreation, baseball, basketball, that's okay, but maybe exercising the mind is better than exercising the body because the body tends to be more violent than the mind, so if you change the thoughts of the children, when they get older, they think better, maybe peace their body more about peacing their minds.

Like maybe something like, I don't know, just maybe talking better languages. It doesn't have necessarily to do with rap music because mostly after social events like schooling or YMCA's or just anything that have to do with a children's world, and their growth a better way. Thank you.

MR. BLEVINS: Thank you, Mr. Jones.

Martin Taylor, Patricia Barnes, Ethel Barnes. Rafael Madrigal.

MR. MADRIGAL: Good evening. My name is Rafael
Madrigal. I'm president of the 23rd Street Merchant's
Association, as well as Chair of the Contra Costa Hispanic
Political Action Committee.

We fully endorse this project. 17,000 jobs, not to
mention the revenue that is going to be stringing through
the City of Richmond to help cure the nation's seventh most
violent city in the nation.

The thought that this would increase crime is
absolutely ludicrous. We look to cities of Macow, Hong
Kong, Lake Tahoe, Monte Carlo, Madrid, Barcelona, they all
have major casinos and crime is not a factor there.

Here we can bring a top-of-the-line facility that
 includes the arts, restaurants. We can have shops; we can
 have job training and future for our residents and then turn
 the image that Richmond has as this dismal location to the
 Bay Area to the true pearl of the Bay Area.

I implore you to go ahead and get this started as soon
as possible to relieve the blight in this City. Thank you
very much.

MR. BLEVINS: Thank you, Mr. Madrigal.
Again, I'd like to call a group of five.
La'Nadreon James, Latrice Madams, Peter Thelin, Myrtle
Braxton and Ruben Luna.

If you can come up here and sit down, please.

MR. THELIN: Hi. I'm Peter Thelin, and I'm the
President of the Point San Pablo Tenant's Association, and as a couple of my neighbors have pointed out, there is actually a community, and it's actually the only road through that peninsula. It's at the top of the peninsula, and you'll have to pass by this construction project, which I understand will take five years in order to get there, and I just want to reiterate that traffic can be quite an issue, especially if you're driving 120 construction trucks a day through there.

I understand they intend to widen the road, but I don't know how long something like that takes, so really all I want to do is just emphasize that we are there. There's 40 people. Some of us are professional; some of us pay taxes. Kaiser executives, a therapist, various service operators, mad scientist from the Lawrence Livermore National Laboratory, all sorts of things, and we are there.

I don't have an opinion on the casino one way or the other. I just want to emphasize that -- take some consideration that there are already neighbors there, and we're actually closer than the folks in Point Richmond, and I don't have a jet pack, so if the road is closed down, I don't have any way of either getting to work or getting home, so that's it, thanks.

MR. BLEVINS: Thank you, Mr. Thelin.

Now, we'll try another five. My pronunciation can't be
that bad, so we'll give it another shot.

Jim Levine, Tarel Abbott, Bill Thompson, Andres Soto, and CM Smith. If you could come up here and sit down until the next speaker comes.

MS. BRAXTON: I guess you got to my name. I'm Myrtle Braxton. You called me earlier.

I just wanted to state that I am a resident of the City of Richmond, and I wanted to go on record stating that I am in favor of Alternative A. I would like, however, for everyone stop calling this a casino project. It's supposed to be a resort, not just a casino. There will be other things there other than a casino.

I also -- I don't know where people get their statistics. I think someone mentioned where Richmond stands in crime in the United States of America, and you've never seen San Pablo on that list yet, and they're showing that -- stating that crime in San Pablo is higher than crime in Richmond.

Richmond doesn't have a casino, and it has a lot of crime. Maybe if we had jobs for people, maybe we could reduce the crime. It also bothers me because to me the EIR document is about environmental impacts, and it's not about a religious doctrine. Whether you are for or against gambling has nothing to do with it. It's the impact it's going to have on the environment and on the people.
Thank you very much. I'm in favor of Alternative A.

MR. BLEVINS: Thank you, Ms. Braxton.

Can I please call Jim Levine.

MR. LEVINE: Jim Levine with Upstream. I'll just say a couple things. First, my thanks to the Design Review Board for hosting this, and to the City staff for all the work they did. Really three-and-a-half years of work to oversee this extraordinarily, comprehensive environmental review.

Secondly, I'll just mention, a few people have made comments, I think very legitimate comments about things like road access issues through the site during construction. It's fully our intent, and we met with the construction -- one of the construction companies today.

It's fully doable to maintain access to Point San Pablo, and I think a clear -- a close read of the document will indicate that there are mitigation measures to deal with that, so there will be road access through there the whole time.

Secondly, I would encourage the City staff to review the crime statistic data from San Pablo since the opening of the San Pablo Casino. I think you will find some very enlightening data that I think should be into the record to show how a city can actually reduce crime, which I think is the intent here, and is very feasible here, with a properly designed facility and a properly managed police force.
We're committed to doing everything we can to work with
the city to develop whatever additional mitigations you guys
need necessary, and I appreciate the opportunity. Thank
you.

MR. BLEVINS: Thank you, Mr. Levine.

Call Tarnel Abbott, please.

MS. ABBOTT: Yes. I'm Tarnel Abbott. I'm a resident
of Richmond, and I do have a couple of studies that I would
like to refer to. The -- one of them is -- actually it's a
press release that was done regarding another casino that
was being proposed in North Richmond, and it was put out by
Lindel Brunner who's the head of the Health Department for
Contra Costa County.

He refers to additional demands on the Emergency
Medical Service System and other difficulties that would
negatively impact local communities. There are a number of
studies that have been done, and there's a reference. I
will leave this for the Board.

According to the report, respondents who live within
ten miles of a casino, have doubled the rate of problem of
pathological gambling, which, of course, brings a huge
social cost. Other negative impacts includes a rise in
aggravated assaults and violent crime that were strongly
related to casino presence as well as child abuse and
neglect, mental health and other problems.
I would also like to point out in addition to what people have said about access is what is going to happen when there's an earthquake or other natural disaster in an area that's an isolated peninsula with one access road, which actually connects really to the -- to the bridge. And I think that needs to be looked at very, very closely.

In terms of the jobs issue, I have a citation that on Appendix C, Section 5.4, it states: Nothing shall require the Tribe to maintain a work force with any specified number of Richmond residents.

So I think if people have the illusion that it's going to solve the jobless problems here, they're being sadly misled and badly misled.

There is further -- there is a California research bureau, which is part of the California State Library, had a report done at the request of Attorney General Bill Lockyer in May 2006 called Gambling in the Golden State 1998 Forward. A copy of this report is available in our Richmond Public Library.

And among other things, it states: Six years after casino openings, property crimes were eight percent higher and violent crimes were ten percent higher in casino counties. California -- these costs arrive from a number of social and personal problems that correlate with problem gambling including crime, unpaid debts and bankruptcy,
mental illness, substance abuse, unemployment and public assistance.

There may be some short-term jobs in this or short-term economic benefit, but the social costs are going to be extremely high.

MR. BLEVINS: Thank you, Ms. Abbott.

Bill Thompson, please.

MR. THOMPSON: My name is Bill Thompson. I'm a professor of Public Administration University in Nevada, Las Vegas.

I studied the gambling industry; I've prepared a report on the economic impacts of the Point Molate Casino, and I've shared this with the Board, and there are copies available for others.

The EIR doesn't ask two questions that I think are very essential and must be addressed.

Question number one: Where does the money come from? Where does the money come from? Question number two: Where does the money go?

Unfortunately, the San Francisco Bay Area has a big population. The population is big enough to support a big -- a big casino. A big casino in the San Francisco Bay Area will not have to market its product to tourists. It will make a lot of money by selling its product to local residents only.
A casino with 124,000 square feet of space will make $500 million a year in gambling revenue. In my analysis, I showed that over 60 percent of this money will come out of the pockets of local players. Local players will pay an overwhelming majority of the money spent at the casino, but where does the $500 million go?

Unfortunately, only 40 percent, at most, will stay in the community. Most of the gambling will be lost. It will be money that will leave the San Francisco Bay Area, our region.

We know the State's going to take 20 percent of the money that's gone. 20 percent is going to go to the owners and profits. That money is gone. The owners of this casino do not live in the San Francisco Bay Area.

There are going to be jobs in the casino, but 20 percent to 30 percent of the wages will go for Federal taxes, Social Security, State taxes. Also, money will leave San Francisco Bay Area as supplies are purchased.

You know, a casino this big is going to have a lot of slot machines, 4,000, maybe. A slot machine costs $15,000. Do some quick math. That's $60 million. Guess where that goes? Goes to Las Vegas. We make the slot machines. We make the slot machines. That money is lost to San Francisco Bay.

So when you add it all up, 60 percent comes from local
pockets, but only 40 percent of the money stays in local
pockets.

MR. BLEVINS: Thank you, Mr. Thompson.

MR. THOMPSON: Okay. It's an economic loser. Thank
you very much.

MR. BLEVINS: Thank you.

Andres Soto.

MR. SOTO: Good evening Members of the Design Review
Board. My name is Andres Soto. I'm a life-long resident of
the City of Richmond, and I'm here to address the EIR/EIS
because I believe that's your business here tonight. Not
the broader issues; although, I do have opinions on those.

My review of this document, a couple of things like the
failure to be able to promise the jobs that everybody wants,
believe me, I'm sympathetic. I've lived here all my
community -- all my life in this community, and I know
people want jobs, but primarily we're a commuter community.

All you have to do is look at 23rd Street and San Pablo
Avenue, everybody is jetting towards the freeways to go
somewhere else to work.

But when it comes to the hard-core unemployed in
Richmond, those people are not going to get the jobs at the
casino anymore than they did get jobs at Casino San Pablo.
Anybody who's got a criminal record, anybody who has
financial problems, including foreclosures, anybody who
cannot pass a drug test will not get hired by the casino. So forget those folks who are not going to get the jobs. Now, when we look at this document, what I find to be the greatest deficiency, and I'm not surprised because just like last year, Chevron EIR/EIS was deficient as sustained by a judge, we will find as this one also deficient.

I was on the General Plan Advisory Committee. The majority of the people on that group supported what is known as Option 2 regarding Point Molate. That is not even examined in this document. They came up with five different scenarios. None of them were option two, so that makes this document deficient on its face.

And so until that issue is examined, where we're talking about not just open space and park space, and all that, but we're also talking about economic development on a limited scale that will become something helpful for this community.

Anybody who's gone to Casino San Pablo knows that that's a pit of unhelpfulness. All you got to do is walk in and you're hit by a wall of cigarette smoke. Why? It's a tribal land. It's an independent country. They do not have to live under the same laws that we do in the rest of the State of California.

All you have to do is look at the people working there. Hardly any of those people live in the City of San Pablo.
All you have to do go across the street to Town Center, and you see there's more vacancies of businesses now than before the casino.

And I would also say, all we have to do is look at Chevron, biggest employer in Richmond. Only ten percent or less of the employees are actually Richmond residents.

So this is a pipe dream that is being sold to the people like Professor Henry Hill in the Music Man, and I resent that. I resent people coming into our community and trying to trick us one more time so they can stick more money in their pocket. Thank you.

MR. BLEVINS: Thank you, Mr. Soto.

I'd like to call CM Smith.

MS. SMITH: CM Smith. I've been hearing gambling addiction, gambling, losing their houses, losing their jobs. No one has spoke about the restaurants, the convention center that perhaps will have Barbara Streisand, the Jonas Brothers, no one has spoke on that level. It's the negative, and it's more to the resort destination than the casino.

I mean, a hotel. Wouldn't your relatives like to stay at a nice first-class hotel? Wouldn't your relatives like to be a CPA to one of these new businesses that's coming in, clerk, computer operator, attorney? Give an opportunity where we have an opening.
And we're constantly pounding on gambling. The gambling is going to be so big for high rollers that us peons won't even have a chance to participate, and I doubt it very seriously if they start with the penny machine.

But I'm speaking for everybody that wants a job. The contractors. I'm speaking about inclusion, so we've kind of killed the word gambling, addiction. Let's talk about restaurants, first-class restaurants. Let's talk about jobs. Let's talk about training our young people.

It's more to life than flipping a hamburger. Give them an opportunity to see something different. And I want everyone to understand that I used to go to Las Vegas at least twice a month, and did I have a good time shopping, eating looking at the different shows.

It's more to it than gambling. Those that going to spend their time in gambling, they can't afford to gamble at the Point Molate in. They will probably run back to San Pablo where they can play with the nickle and penny machine.

Let's think a little higher than what we've been thinking. Let's think about our children being able to be trained at one of these first-class restaurants, being able to open a little tiny shop, print shop, card shop, being a concierge at one of the hotels, and it's more to it than just sitting there and saying, oh, gambling. We found the statistics, and reading some of the literature.
Proposed casino development is high density and over-development. What we support, none of this have anything about getting jobs, employment. Money makes money.

Thank you.

MR. BLEVINS: Thank you, Ms. Smith.

Five more people please come up.

McKinley Ross, Marshall Walker, Paul Doolittle, Dr. Henry Clark and Charles Smith.

MR. ROSS: McKinley Ross, co-founder of the Richmond Community Base Employment, former Richmond resident with family in the city.

I'm standing here as an odd bird because I'm an environmentalist too, I am an environmentalist too, and I have great concerns about the environment, and I'm against any project that would have short-term or long-term, negative impacts on the environment, and that's why I'm for the Point Molate project. I'm for option A.

I'm for option A because the project offers a balance between environmental concerns and the economic boosts that Richmond so desperately needs.

I've heard folks talk about the increase in traffic that is an inconvenience, and some of the other inconveniences.

Well, poverty is an inconvenience. It's a big inconvenience, but for those that have blinders on, it's not
that big of a deal, and that's why people come up, and they
speak passionately about the positive impacts of this
project.

One year ago Richmond's unemployment rate was
approximately ten percent. Over the past year it has
climbed relentlessly to the point where it's officially
17 percent. Unofficially we know that it's probably more
like 25 or 30 percent because the official numbers just take
into account people that file for unemployment. Don't take
into account people that have been chronically unemployed,
so this project will reverse a lot of the negative impacts.

The 17,000 jobs, I heard someone say, well, that's a
pipe dream. Well, you know, what we have now is a stark
reality. 17 percent plus unemployment, so families that
can't take care of themselves, folks that can't pay their
mortgage, et cetera, et cetera, businesses that are failing,
small businesses that are being driven out of the City
because they can't sustain themselves.

So this project offers real opportunity and real hope.
I'm for Option A, but here's another thing I'd like people
to think about. I hear people, again, talk about the -- the
environment and the land. Think about the --

MR. BLEVINS: Mr. Ross.

MR. ROSS: -- Pomo Indians who were the original
environmentalists who have been murdered and driven off of
their lands, and this is an opportunity for them to gain it back.

MR. BLEVINS: Thank you, Mr. Ross.

Marshall Walker.

MR. WALKER: Good evening. I'm Marshall Walker, III. To the Design Review Committee, to Mr. Blevins from the Indian of Bureau Affairs, and to the gentlemen from -- that have put together this document.

I'm a 55-year resident here in the City of Richmond. I worked for the City of Richmond for 35 years. I worked in the Re-Development Agency as the urban planner in that agency. Under three of the City managers that were here, they had me as the head of the EIR/EIS panel here in the City of Richmond.

This 5,812 page report is the most in-depth report I have ever seen in my entire life. I have not -- raise my hand, I have not read it all because it's 5,812 pages, and it's 15 inches thick.

The environmental concerns and mitigating measures that go along with providing additional greens -- returning the basic pickle weed, if you will, to the San Francisco Bay where we used to thrive with shrimp and all of those things, the greening effect that has come there, to the stimulus that Mr. Obama has talked about in terms of solar use. This is a solar project that is all over.
Let me stop and say that I am in favor of Alternative A. All of us out here with the little green badge on are in favor of Alternative A. You had everyone stand up awhile ago. That's -- that's fine.

Jobs that will come will come, but there is nothing that has been missed that I have seen thus far in those 5,812 pages that hasn't dealt with environmental concerns in mitigating measures for traffic, for air, for all of those concerns that are there. It's an amazing document.

Richmond -- I'm a geographer. Richmond is the geographic center of the Bay. It's the diamond in the rough in the Bay. It is the center of the Bay. It is the destination point where we are finally going to have a resort destination point for individuals to actually come. The businesses that will come out of this. People will come back.

I have a theory in mind, it's called brownfields, and that's just like all these houses that are boarded up, and the grass is brown. $15 an hour jobs with $4 going toward medical and a dollar for whatever else it's going to do, is going to clean up these neighborhoods, it's going to put folks to work. It's going to put food on their table; it's going to be a better place; it's going to educate those young kids, and it's going to bring us forward. This diamond needs to be --
MR. BLEVINS: Paul Doolittle.

MR. DOOLITTLE: Good evening. My name is Paul Doolittle. I represent 1,500 electricians here in the County.

We are really looking forward to the jobs, but beyond that, the current electricians, this EIR covers, like you said, 5,000 pages. It is the most in-depth that our lawyers have ever looked at.

It mitigates everything from the shrimp beds that used to be there to things that -- and they're going to restore the land to how it was naturally when the Indians were here.

Welcome them back.

It also provides lots of training dollars, like around $50 million to train local youth from this City to get into our apprenticeship programs and make a life-long commitment to stay here and making a good living in the Bay Area.

I urge you to approve this plan A, and give the City of Richmond their own stimulus package.

MR. BLEVINS: Thank you, Mr. Doolittle.

I'd like to call Dr. Henry Clark.

MR. CLARK: Good evening. I'm Dr. Henry Clark. I'm a Richmond resident, the executive director of the West County Toxics Coalition. I was member of the Blue Ribbon Advisory Committee for Point Molate and presently serve on the Restoration Advisory Panel for Point Molate.
So, in essence, I've been involved with this project for about 14 years or more, and I support the project for many reason. Number one, we have -- I'm convinced that this project and the EIR protects public health and safety and being involved in the overseeing of the cleanup of this particular site.

I know that the developers have an operating renewable energy solar into this project, conservation, open space, access to the water, as well as going out in the community to address community people's concern.

I never seen a developer that had been so diligent in trying to protect the environment and hear residents' concerns, as well as providing jobs and other opportunities for residents here in Richmond.

The projects should be supported because it's good for the City and the environment, and, in fact, this man -- these developers should be given an award for the great work that they doing in terms of protecting the environment and uplifting the City. Thank you.

MR. BLEVINS: Thank you, Mr. Clark.

Charles Smith.

MR. SMITH: Good evening. My name is Charles Smith.

I'm a 36-year resident of Richmond.

Before I address two issues of the EIR, I would like to state for the record, the citizens of Richmond have never
been surveyed, polled or allowed to vote on the proposed Point Molate Casino. Nor has there ever been any forms where the community members could debate the proponents of the proposed casino.

Community presentations by a developer, followed by questions and answers is not a substitute for an open forum. Citizens have been promised public hearings and a chance to vote on this issue, but this never happened, and when a hundred thousand dollar feasibility study was done, it excluded a public poll or a social impact study.

In short, the City and the developer have done everything in their power to deny the citizens of Richmond a say in this controversial issue.

This, I can tell you, on December 7, 2002, over 700 signatures were presented to the Richmond City Council rejecting any casino in Richmond, and on January 22nd, 2005, Assemblywoman Loni Hancock held a legislative hearing about San Pablo Casino in Richmond. The majority of the overflow crowd was against the casino.

Ms. Hancock informed the crowd that 10,000 people responded to her mailer about the proposed casino in San Pablo. The overwhelming majority two-thirds of the respondents were against it.

Now, I will address two glaring examples of an inadequate EIR. One being the cavalier attitude about the
dangers of being close -- in close proximity to a refinery.

Chevron, better than anyone, knows the dangers involved
in processing oil. When Chevron realized the City of
Richmond was proposing a 24/7 casino literally in their
background, they responded by offering the City of Richmond
34 million to purchase the land so that it could be turned
into a park.

In the words of Don Gosney Chairman of the Point Molate
Restoration Advisory Board, resident Point Richmond
historian and retired vice-president of the pipefitters
union, quote, they, Chevron, are not against a casino
development, they are against people. They want to push
people as far away as possible. It is cheaper to buy
poverty than to pay off lawsuits when another accident takes
place.

This man is an expert. Since 9/11 refineries are at
the top of list of targets for saboteurs and terrorists;
yet, to my knowledge, there is no mention of this in the
EIR.

I have firsthand knowledge of this because I work for a
local water company, EB MUD, which is also a potential
target, but I also represent workers who have to enter
property, Chevron property, to perform their job duties, and
they have to go through rigid security checks when entering
the plant as well as when they are working on the premises.
MR. BLEVINS: Thank you, Mr. Smith. We're out of time.

At this time, I'd like to take a ten-minute break, give everybody a chance to move around a little bit and give our stenographer a break.

(Brief recess.)

MR. BLEVINS: When I call off your name, will you please come and sit up in the front.

Susan Arny, Cherna Silveil, Bill Pinkham, Richard Lompa and Karen Moses, please come to the front.

Susan Arny is first.

MS. CERNY: I think that's me. It's with a C.

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MR. BLEVINS: Yes.

MS. CERNY: Hi. I'm not a resident of Richmond. I, however, have lived in the Bay Area all my life, and I use the Richmond Santa Rafael Bridge a lot, and I'm also the author of an architectural guide book to San Francisco and the Bay Area, and I included Point Molate in the book. It even has a picture, so my concern is aesthetics, and it's planning, and it's preservation.

This is a very unusual spot, and it has a very unusual history. It's very low key, and one of the people from Point San Pablo Harbor, which actually where my son has a little boat there said she was surprised at the grandiosis.

Well, it's very grand, and it's very big. It's massive. It's a hundred -- the hotel casino is 160 feet
tall. That's 16 stories, approximately, and the smaller
hotel at the point is 120 feet tall, which is 12 stories.
It's very hard to determine how many total square feet there
are in this project, but not including the parking garages
or some other aspects of it, there are at least 2 million
square feet. That's a big project.

And these figures are really hard to kind of fair it
out of the EIR. There are no total square footages given,
and I find that really -- a problem with the document that
you have to sit there with your calculator and add it up
yourself, and then you realize there are all these elements
that aren't even included in the square feet, but 7,500
parking places in two garages, but what does that mean in
terms of square feet? It's very difficult to know.

So I'm very concerned with the effect it will have on
the people crossing the bridge, the people in Marin County.
There's mitigations for flood lights, and things like that,
but how do you mitigate 16 stories and 12 stories worth of
windows that reflect in the sunset or the lights at night.

They'll be seen from all around, and that's really a
significant impact, a very big change. Thank you.

MR. BLEVINS: Thank you, Ms. Cerny.

Cherna Silvero please.

Bill Pinkham.

MR. PINKHAM: Good evening. My name is Bill Pinkham,
and I'm a resident of Richmond. I'm on the Board of
Directors of the East Bay Bicycle Coalition, the Contra
Costa County Bicycle Advisory Committee, the Richmond -- New
Richmond Bicycle Advisory Committee, Friends of the Richmond
Greenway and the Newly Developing Richmond Groundworks
Trust.

As a bicyclist, I'm really concerned about the --
hugely increased traffic. It presents a real danger to
bicyclists, never mind pedestrians. The -- my second real
concern is -- oh, that it's a big diminution of the
experience of riding in that area that's a major spur of the
Bay trail.

That's a whole different experience looking at the
ocean and natural environment as opposed to a casino. It's
huge as to the one they're going to erect.

My second concern is for the animal life on that
peninsula. One of the biggest problems with developments
these days is they cut off animal populations and create
little ecological islands. Now, that has a big effect on
the animals mating, chances of finding a mate and on their
chances of finding food.

In addition, those fairly shallow waters attract
hundreds and hundreds, maybe thousands of ducks and shore
birds every winter, and with the lights and the noise from
the casino, their feeding habits and general -- in the
winter they would really be disturbed significantly.

Also I -- something I've never been able to understand.
I really have a lot of sympathy for Native-Americans, and
have -- and I like the -- I've always admired their
life-style, their connection with nature and respect for the
environment, and for the life of me, I have no idea what a
casino has to do with that.

It makes -- it's a wrong; it doesn't make that right.
It's totally anathetical to that, so thank you very much.

MR. BLEVINS: Thank you, Mr. Pinkham.

Next person, Richard Lompa.

MR. LOMPA: My name is Richard Lompa. I was born in
Richmond, and I won't tell you how old I am because I'm old
and fossilized, and I still live in Richmond. My mother was
94. She was in Richmond for her whole life, and she just
died recently, but I'm here not to speak for a group for any
position on anything, but I'd just like to say I hear a lot
of smoke, and to me it's nothing but a lot of smoke.

I was born and raised in Richmond. I've seen
everything, and I think the Richmond leadership, and while
I'm for jobs, jobs, jobs, and I've always stood for Richmond
up and defended it when people -- people I knew moved to
Walnut Creek, Concord, blah, blah, Richmond is a cool, cool
place, and it should not be where it is right now except the
leadership has let the people down.
They should have red carpets bringing in business and industry, not throwing nails in front of their tires when they want to do something.

Now, the gambling casino side, gambling casino side is for one purpose only, to take people's money. There is no other reason for a gambling casino, and as the gentleman said, most of it will go to some other location.

Now, historically, gambling in California in my estimation has been a total crock. I remember when they were promoting the Lottery. It was going to pay money to schools, and it was going to do all of the things which I don't remember.

Since then we have had a proliferation of casinos all over California. Are we better off for that, for the general welfare of the people? I don't think so.

Now, they talk about jobs, jobs, jobs, et cetera. The economy in California couldn't be any further down the toilet than it is. They're talking 20 some billion in the hole. What happened to these casinos? And I know there's not a perfect correlation between the two, but as far as I'm concerned, I don't see the place where gambling casinos have brought up the overall social economic conditions for the average person. It has not done it, period.

Now, people think they're going to get jobs and blah, blah, blah. I've seen exaggerations beyond belief,
including in the paper this morning, build as a destination
that will draw 5,000 wealthy tourists a year -- a day. Now,
where do they get this information? You think wealthy
tourists go to gambling casinos if they're going to Las
Vegas. That's the purpose --

MR. BLEVINS: Thank you, Mr. Lompa. I'm sorry. You're
out of time.

Karen Moses. Is there a Karen Moses up there?

I'd like to call five more people then. Come up if you
can.

Dominick Milner, Aisha Nelson, Andre Shumake, Andre
Shumake, Senior, and Nate Spearman.

Excuse me, who are you? One out of five isn't bad.

MR. SHUMAKE: First of all, I'd like to say good
evening to the gentlemen to the Board.

MR. BLEVINS: Could you repeat your name, please.

MR. SHUMAKE: Reverend Andre Shumake, life-long
resident of the City of Richmond and to Mr. Blevins.

I stand here tonight in support of the Point Molate
project. I stand here along with thousands of other
Richmond residents who support this project, and I also
stand here for some very selfish reasons.

I stand here because here in the City of Richmond we
have over 30 homeless sites this year, and we had 10
homeless sites during the month of July, but we understand
that what we realize right now, we can no longer engage in
in the intellectual stimulation about what needs to be done
about violence. We need something practical; we need
something real, and what we come to understand is when you
stricken families, when you create good education
opportunities, and where there's employment opportunities,
you will then see violence go down.

We often hear people talk about the pipe dream of these
jobs, these potential jobs. Well, brothers and sisters, we
are in the midst of a nightmare right now. If I had a
choice between a pipe dream and a nightmare, I would choose
the pipe dream.

And let me tell you one other thing, I served -- I had
the privilege of serving in the capacity of President of the
Iron Triangle Neighborhood Council for six years. The Iron
Triangle is also referred to as one of the most dangerous
and violent communities in the City of Richmond.

And while in that capacity as President of that
neighborhood council, I've seen countless developers come to
that neighborhood council seeking support for their projects
and then wanting to come back later to tell us about the
project.

I'm going to say that again. The developers would come
in seeking support for their project, get a letter of
support, then come back and give that community the details
of the project. That is not the case with Upstream and this particular project.

I had the privilege of being at the very first meeting, and when I looked at what was being presented around the job spectrum, because I'm here because I understand the need for jobs, and what was said at that meeting was that what you guys are proposing right now is insignificant. Can we go back and present something to you for your consideration? And that organization agreed to do that.

And we came back recommending 30, 40 percent jobs to be included in this project, and I submit to you tonight that's what's here now. Everything this developer has said he would do, they're in the process of doing.

Can we perfect that as they are certainty that I say to you we need employment opportunities in this city. Everyone comes talking about, oh, the pipe dream and the open space, and that's wonderful, and I respect that. I respect everyone's opinion.

But until your son, until your niece and nephew or cousin is gunned down on the streets of this city, and you understand the relevance and the importance of trying to come together and create opportunities, you won't have the appreciation for the passion for which we stand.

And I stand here tonight because I'm tired of the carnage on the streets of this city. This project, this
project creates an opportunity, a chance for young men and
young women to get a job. This is not just a casino.

MR. BLEVINS: Thank you, Mr. Shumake.

MR. SHUMAKE: It's not just a casino. Please keep that
in mind.

MR. BLEVINS: Five more names come up, please.

Robert Cheasty, Natalie Kniess, Nina Smith, Richard
Douse, Don Gosney.

Robert is up first.

MR. CHEASTY: Good evening, Mr. Blevins and Design
Review Board. I'm Robert Cheasty. I represent the Citizens
for East Shore Parks. It's an umbrella group that basically
represents most of the major environmental organizations in
the Bay Area.

We have four times now sued the City of Richmond for
failing to meet the requirements of the California
Environmental Quality Act, and as a result of that, we are
very interested in taking a look at this EIR and making sure
it's adequate.

And I'm sorry that I would have been able to come here
tonight to give you a complete comment on the EIR, but it is
5,000 pages, and we just haven't gotten through it, so
rather than give you something that is not complete and
thorough, we'd rather make sure we did a thorough job, and
we'll submit our comments in writing.
I did indicate certain areas that we looked at that we will be examining more carefully, including traffic and transportation and mitigation efforts such as shuttle service from the Bart and direct access, Macy transit or with ferry service.

We have concerns about habitat protection along the shoreline, eel grass protection and promotion, green house gas, minimization and mitigation, cumulative impacts mitigation, aesthetic and natural vista protection and mitigation, protection and promotion of native flora and fauna, Bay trail leakage, shoreline access and creek setbacks, and those are all things that are covered by the California Environmental Quality Act and will be in the EIR and are germane to the thing that we're here really to talk about tonight, despite most of the comments about a casino.

So we're here to actually talk about the Environmental Impact Report. One thing I would mention, as I mentioned, we've had four lawsuits with the City of Richmond and various developers because of the City's inability and the developer's inability to address the environmental impacts before and during their deliberations and decisions.

And the thing I would say here is this: We've been very surprised. In our most recent lawsuit, which involves the early transfer, we have -- because of court mandates, we have been meeting with the tribes in settlement.
negotiations, and we have expressed to them a number of our
concerns about the project.

And, in fact, I have to say that the tribes have
responded very positively. They've sought out our opinion,
and they've made some pretty significant adjustments and
mitigations outside the mitigations that are included in the
EIR.

They are making certain mitigation offers, and so it's
possible that we may change our position from one of
hostility to one of accommodation. We don't know yet.
There's a lot of -- a lot of T's to cross and I's to dot,
but we were quite surprised to see how compliant they've
been and to see how far they're willing to go to meet the
environmental quality requirements. Thank you.

MR. BLEVINS: Thank you, Mr. Cheasty.

Natalie Kniess, please.

MS. KNIESS: Hi. My name is Natalie, and a resident of
Richmond, and at first when I came here tonight, I had
thought this was really a big kind of rally about jobs. I
was a little confused. I thought this really was dealing
with environmental -- basically the fine print that's being
presented by the tribes because this is a historic moment
for this area, and it is really important that a long-term
planning is really looked at, all of the details.

I am -- rush to judgment that there is this promise,
this big Trojan horse that's being presented to you, and
there are many details that are still not being clear with
the people who are being promised jobs.

For example, I would like to bring Mr. Levine up here
and have him say both publicly to these people and in
writing to the City Council that these jobs are guaranteed.

Are you here? Is he here?

It's all being said, but the writing. The Devil is in
the details. It's like when you're buying a big truck, and
you just take the car home, but when you read that fine
print at the very end of it, and a lot of these good folks
here tonight have not read that fine print, and they really
don't know what they're buying.

So I really would like you to take this historical step
very seriously that this focus and this energy about jobs,
jobs, jobs, jobs, that will come. There are other plans on
the plate, such as plan D, that does not involve a casino,
social impact. There are other things that can be done with
this property that will bring success to this community.

It's not just a one-tract, fast-tract idea because when
we look back on it, and you see the Las Vegas neon glaring
under -- from the waterfront and think, could we have done
better? Could this have been more -- more integrated into
something that had better social impact than just the
short-term planning of cash into this society.
And I really respect the people who brought this before the City; they obviously have huge financial gain, but they also need to be very clear, and if they can put that in writing in the contract, not just promises, in writing to the City Council that all these jobs are guaranteed for local Richmond residents, okay, because you won't find that now in the contract, folks. You will not find it. It's sad, but it's not there.

Okay? So you need to read the fine print. Everybody needs to really stop and look at this and really analyze what exactly is being offered. Thank you.

MR. BLEVINS: Could you please pronounce your last name?


MR. BLEVINS: Thank you.

Next speaker, Ricardo Davis.

MR. DAVIS: Hello, Everyone. First time up here speaking, public speaking. I haven't done much public speaking in my entire life. I'm usually the person in the back, the quiet person reviewing and seeing this and that, all the social interactions that go on around me.

I've lived here in Richmond most of my life, and I've always been pretty much a walker and a wanderer wandering around the City of Richmond area, hills, streets. You see me time to time. If you want to find me, look for the wild
open land, the hills, the trees. That's where I find my solitude and my strength.

All this development that I see below me looking down from above, and I have a few concerns with this project. I would like to see something for the Native-American community. The land is being developed around them historically. They have been left out. They have been short-changed. All minority people have been left out and short-changed. That's what America is. It's the land of freedom, opportunity, economic development, and let me get mine, and if you're not intelligent enough to read the fine print and have access to legal counsel, you're left out.

And here in the City of Richmond, Chevron historically has called the shots, and the City of Richmond has jumped like puppets on a string, which I understand.

And now we have this project here, another massive inflow of money, cash, economic developments, and the City of Richmond Council again is jumping like a puppet, which I understand.

This is a poor community. This is the working class community. This is a blue collar community, and you don't find educated people here living in the City of Richmond and outline East Bay areas as you do across the Bay or down south or North Bay farther up.

This is where the labor comes from that develops the
Bay Area. One of them. One of the strong holds of labor. Physical labor gets these projects done, and the rich come in like the ships when they brought the slaves over, they work your ass to death. They give you a minimal life existence, give you a minimal pay, and before you know it, your ass is wore out. You can't walk up; you can't sit down; you're wore out. So said that, let me go on and make these points here.

Binding legal clauses is what should be in this compact and available to the general public for review. Okay. Binding legal cause for small business and restaurant --

MR. BLEVINS: Thank you, Mr. Davis.

MR. DAVIS: Okay. One more thing.

And training programs for the young in the community and protect the environment. Once it's gone, you can't breathe dirty air. You can't drink dirty water.

MR. BLEVINS: Thank you.

Don Gosney next please.

MR. GOSNEY: Good evening. I'm Don Gosney, and a little over half a century ago I was born here in Richmond, and for almost all of those past 50-plus years, I've lived right here in my town, Richmond.

See, I really have to respect what -- the comments we've heard tonight, both sides of the fence. They've been good; they've been reasonable, but I'm afraid I have to -- I
can't allow a couple of the things that were said here to go unchallenged.

More than a third of my life I spent working on this project, on Point Molate, on cleaning it up, closing it down, making sure that it gets developed properly. I was here when the Dellums Legislation was signed into law that allowed Naval Fuel Depot Point Molate to be closed, and part of the terms of that legislation requires not only that it be an economic engine for the City of Richmond, but that if it is not, if the Department of Defense is required to come and take the property back, and when they do, the policy of the DOD right now is to sell it to the highest bidder.

You better ask yourself in this neighborhood who the highest bidder would be, and that would be Chevron, and those fences will get a little bit taller if that happens.

But one of the comments mentioned the Mayor's Blue Ribbon Advisory Committee for their development of the Re-Use Plan. Well, I was one of those 45 members on that committee. I helped draft the Re-Use Plan; I helped write the Re-Use Plan, and unlike one of the previous speakers, I have to say that what we have proposed here is exactly what I envisioned when I helped write that plan.

Something is going to bring in thousands and thousands of jobs in our area, bring in tons and tons of money in my community and turn Richmond around from the poor destitute
community to someplace proud to live in, the place where I
want to live in, place that I had been living in.

Something else that was said indicated that when the
Navy left, they just -- on the way out, they just dirtied
the place up. That's something I'm afraid I can't let go
unchallenged.

That's one of the things that I've done for the past 14
years. I've served as Community Co-Chairman of the
Restoration Advisory Board to work with the Navy to make
sure this property does not get turned over without being
cleaned up.

And when it was closed down, it wasn't the prettiest
sight around, but I can tell you right now, it is clean.
There are some areas that still have to be cleaned, but it
makes sense to clean it up during the development phase
rather than digging up the same plot of ground and filling
it back in. You do it all at the same time and clean it up.

If this lady seems to think that this site is dirty, I
want her to come out there and show me where it is dirty,
and we will make sure it gets clean because we punched
thousands of holes in the ground out there, and we can't say
that it's dirty right now.

If you want to see dirty, come to my kitchen. Want to
see toxic, come to my kitchen, but don't say Point Molate is
a dirty place.
Also, right now we got 28-and-a-half million dollars of
the Navy's money that's going to go for the further clean up
of that site, plus another four-and-a-half million dollars
of upstreams. Thank you.

MR. BLEVINS: Thank you.

Nina Smith.

Nina, if you can excuse me for a minute, I want to call
five more people up real quick.

Richard Kinney, Brenda Johnson, Sylvia Fontenot, Bennie
Johnson and Tyesha Jefferson.

Thank you.

MS. SMITH: Thank you, Design Board. My name is Nina
Smith. I've lived in Richmond for 22 years. I've also been
a therapist specializing, and among other things, addiction
for over 20 years.

Before I make my own comments, I'd like to complete the
comments of my husband, Charles T. Smith who didn't have
enough time. He was talking about the danger of locating a
big resort with lots of people right next to the Chevron
refinery. To continue his comments.

There is no way to calculate the danger; yet, according
to Chevron and our government it does exist. Apparently,
the people who did the EIR don't think so. The developer
doesn't act like he could care less, or he wouldn't build in
such a dangerous area.
There have been many refinery and chemical company accidents in Contra Costa over the past 20 years, and there will be more in the future, but the EIR is not really concerned about this.

It is unconscionable that any developer would deliberately consider putting people's lives in danger just to make money. The suggestion that sheltering a place is an inadequate response to a series of chemical leak is absurd, and it reminds me of the 1950's duck and cover when that was the response to the atomic bomb threat in the '50s.

My final comment concerns the ludicrous conclusion that there could be measures such as putting in a few therapists to reduce the negative social impacts on the community to a point that it was insignificant.

This was clearly ridiculous, and this is something that I speak to too. Having worked with addiction for 20 years, if there were -- if there was not gambling addiction, there wouldn't be casinos because that's what makes the money in casinos.

Richmond and San Pablo represent two of the poorest communities in the Bay Area, and there's a casino in San Pablo and two more being proposed for Richmond. These -- people should be ashamed of bringing this plague upon us.

And to add my own comments, exploiting the communities, these desperation and desperate need for solutions in order
to push this through.

Casinos prey upon people who have little money and fewer opportunities to earn money. Should this casino be built, there will be an increase in crime, families destroyed, children's neglected and influx of pimp, prostitutes, loan sharks, bankruptcies and employee theft.

If you want to know what the citizens want for Richmond, you should let us vote. Stacking the house, free barbecues and nice buttons doesn't really show you what the public opinion is.

And I'd just like to add real quickly on my own behalf that gambling addiction is one of the most serious addictions there is. It's tied to other addictions, drug addictions. It creates incredible social costs that the community is going to be paying for for a long time, and I really would oppose putting in a casino, and also other environmental concerns.

Thank you.

MR. BLEVINS: Thank you, Ms. Smith.

Mr. Kinney.

MS. JEFFERSON: Hi. My name is Tyesha Jefferson, and I'm 19 years old, and I think that the Point Molate vote would be good for us. I've been living in Richmond my whole life, and I've never seen nothing like this, and it's frustrating to hear people that not even a resident to come
out here and talk about we don't need this. You don't know
what we need. We only know what need and what we don't.

And 1,500 jobs, that will be an opportunity for some of
us young people to get off the streets, not paying it out.
Some people looking for jobs and can't find them, and for
them to come up here and say we don't need this. You all
can go home. You all don't have to come.

You all talking about the casinos losing our money.
Nobody beg you to come to the casinos. That's why you all
losing your money. That's all I got to say.

MR. BLEVINS: Thank you, Ms. Jefferson.

I'd like to call Brenda Johnson. Sylvia Fontenot.
Bennie Johnson.

Call another group of five. Jackie Thompson, June
Skillman, Ethal Barnes. Patricia Barnes. Martin Taylor. I
guess everybody left.


Good job.

MS. FEYER: Good evening. My name is Vivien Feyer.
I'm a Richmond resident, still here. I'm concerned
listening to the comments tonight, it feels like one of
those elephants in the middle of the room that hasn't been
addressed.

I have one very simple question that I'd like you to
consider seriously. I want to ask if a high-end casino
resort is a sustainable business right now. Is this something that really makes sense anywhere in the world? Is it something that make sense for Richmond?

This project was born many years ago. Things have changed dramatically in Richmond since then and in the larger world. We're in the midst of an economic crisis. I don't need to explain the details. This is something that affects us worldwide.

In Richmond we need opportunities. We need hope; we need jobs for our young people, for people in the community, and importantly they need to be sustainable jobs.

I need to be convinced that a huge casino resort can be successful right now. I tried to do a little bit of research on this, looked on the Internet and found a few glaring things.

First, this February, Trump Entertainment Resorts filed for bankruptcy. This is the owner and operator of three large casino resorts in Atlantic City. In their filing for bankruptcy protection, they cited the recession and declining gambling revenues.

The revenues have been battered for the company and for all of its rivals. I looked up Foxwood Resort Casino, most similar project I could find, the local tribe had massive layoffs of employees at that casino resort.

The reports on earnings for similar resorts across the
industry are terrible. They're high-end resorts sitting empty worldwide. I personally have seen what's happened to the communities that have been supported by those resorts. High-end retail, another one of the hopes for this project, closing all over the country, all over the world. Flagship stores, high-end retail, all closing.

Can this be successful in Richmond?

MR. BLEVINS: Thank you, Ms. Feyer.

I'd like to call up Ruben Luna, Latrice Madans, La'Nadreon James, Garland Ellis, Rhonda Harris.

MR. ELLIS: Hello. My name is Garland Ellis. I'm a Richmond resident. Have been for more than 50 years. It was a lot of people who came here and spoke about wanting jobs. Any development that goes to Point Molate will find jobs, any type of development. The question about this development is will it pay living wage jobs.

It won't to the residents of Richmond. It will to Pomo Indians, a few developers, and those that have invested into the development but not to the people of Richmond. They'll have the minimum wage or a little higher jobs, if they have an education.

For awhile there will be craft jobs, electricians, plumbers. Those jobs are available still in the Bay Area. They're announcing for apprenticeships even right now, but you have to have an education.
Unfortunately, a lot of the people that are here are clambering for jobs don't have that education, and so they don't qualify. There are jobs out there, but it's difficult, and you have to work hard to get them.

Regarding the EIR, this project, along the pier, what is going to support a ferry terminal to this project? There's been no testing of the mud along that area. Also, when the ferry boats come in and out, is it going to disturb what's there? We don't know what the Navy has dumped off that pier. According to the EIR, there has been no testing at this point.

Concerning traffic mitigation, there will be none for the San Anselmo area. They have traffic people who have studied it, realized that there's going to be a major problem at that corridor along the large barrier between 580 and 101. There will be a little bit of mitigation at San Rafael. There is nothing that they can do to mitigate the major traffic problem that is going to be between Western Drive and 580.

Anybody who commutes through this area already realizes that there's a backup. Even if you make San Rafael Bridge three lanes in both directions, there's still going to be a bottleneck at that major intersection, and anybody coming out from Western Drive and wanting to go back to Marin County is going to try to cut across three lanes of traffic.
to make a u-turn off the freeway and come back around and
get on the freeway and go the other direction.

There's going to be major traffic problems. There's no
way you can get around it.

Also, bus parking for this project, where do they place
it at? The most unenvironmental place you could for this
project. You're going to have 30 bus parking spaces.

Probably be full all the time.

MR. BLEVINS: Thank you, Mr. Ellis.

MR. ELLIS: Thank you.

MR. BLEVINS: Rhonda Harris.

MS. HARRIS: Good evening, Design Review Board. Rhonda
Harris, Richmond resident. I've been here for 34 years, and
I'm standing on behalf of the project. I do support option
A.

I was a member of the General Plan Committee appointed
by the council member, and it -- throughout that time when
this topic came up, we would have visitors. I said
visitors, Berkeley, Oakland, Marin, everywhere to tell us
what they felt was needed for Richmond.

I said it then; I say it at council meetings; I'll say
it now. We know what we want in Richmond. We can figure
this out. We don't need to reach to everyone else. We
don't need them to adopt us. We can do this.

And I stand -- yes, I'm standing for jobs because you
want to know why? Every Thursday morning in my office I have between 25 and sometimes 45 individuals hanging out the door who wants training because they are unemployed. We have seen over 400 individuals every single week, and, yes, they want to work.

Many of them are crying out, they do not want to go back to crime and sit back because they feel this is an opportunity, and if we miss the opportunity, what will we tell our children? What will we tell our grandchildren?

And about the casino, over and over, that’s all you hear is the negative about the casino. I don’t gamble. I go to Cache Creek for shows. My daughter lives in Las Vegas. When we go, we go to Las Vegas, we go to the shopping centers. Yes, I go to the casinos, but everybody doesn’t gamble. That’s not the point.

I like what Carolyn said, that was all my heart. What about all those opportunities out there for business owners? What about the person who wants to expand their business? How about the contractors here in Richmond?

You want to talk about crime? My daughter was in a car with her friends. A guy walks by. If my daughter didn’t pick her earring off of the floor of the car, my daughter wouldn’t be here because he fired a sawed-off shotgun in that window, and my daughter had an attack that evening.

So crime, my car has been set on fire by drug dealers
because they thought I was a snitch, so I know what the
crime is. I see it. Yes, crime is a major factor. Crime
feeds in anything you want to -- gets people employed, your
health, your takes -- takes away with employment --

MR. BLEVINS: Thank you, Ms. Harris.
MS. HARRIS: You're so welcome.

MR. BLEVINS: I'd to call Little Fawn Boland, please.

Little Fawn Boland.

MS. BOLAND: Good evening. My name is Little Fawn
Boland. I am the -- one of the attorneys for the Guidiville
Band of Pomo Indians, and I'm also a native tribal person.
I'm a member of a tribe here in the United States, and one
thing I think that's been missing tonight is a little bit of
perspective of the fact that this is actually an Indian
tribe who thrived here, who fished here, who had a family
here, who were decimated, moved away, pushed down, people
who are actually from here who deserve to be able to come
back to their land.

So one of the things that is addressed in the EIS/EIR
is the cultural connection of the actual people who make up
this tribe to this site, and they do have a connection to
this site, and this --

The descendent of the tribe council was within miles of
Point Molate. So it's not an outside Las Vegas developer or
a project that is coming from afar. These people are from
here. They're from Richmond. They are the native people of
this area.

And this opportunity is not just a casino. They're
going to have a round house there where they're going to
have their cultural ceremonies. They're going to have
tribal government buildings, housing for the landless tribe
that right now they don't have a place to be a tribe.
They're finally going to have a community and a reservation
again. And that's what this is about at least for us from a
native perspective.

I'm not a member of the tribe, but this is what I do
all day every day is trying to get the land back for native
people, and I think that's what we need to think about for
this project.

And the fact that this tribe is so willing to share
with the people of Richmond when they a lot of times don't
reach out in the way this tribe is doing, I think it's
something that needs to be honored and respected because
it's not something that they have to do. It's something
that they're choosing to do, and it's something that is
important for them to be a good neighbor.

And, finally, from a legal perspective, I wanted to
draw the attention of everyone here that not only is there
an EIS/EIR, there is a land disposition agreement that's
binding on this project, and Appendix E to that agreement is
what's called the Municipal Services Agreement.

In that agreement it does lay out the specific legal
requirement to employ 40 percent of all employees out at the
project site have to be Richmond residents, and that is
mandated in the agreement. It also mandates job training
programs.

So to say that this is smoking mirrors, or something
like that, this is actually a legally binding contract, and
they will be employing people from Richmond, so thank you.

MS. BLEVINS: Thank you, Ms. Boland.

I'd like to call Cheryl Collier, Michael Derry.

Ms. Collier.

MS. COLLIER: Good evening.

MR. BLEVINS: Could you say your name?

MS. COLLIER: Cheryl Collier. I'm a 30-year resident
of the City of Richmond, and I've worn a lot of hats, done a
lot of volunteer work. I was on the Parks and Recreation
Committee. I've been chairperson for Pan Handle
Neighborhood Council, and my position is real clear that I
do support this project. I was there -- actually, let me
step back.

There were a group of people invited to go out to that
site before there was a Blue Ribbon Committee. I was with
that group. I also was with the first group that was
invited, 20 people to come and listen to the project.
And I walked through it. I've listened to the
different positions. I haven't inspected some of them, but
my positions haven't wavered.

I believe it is a good project for the City of
Richmond. You can talk about jobs; you can talk about
training; you can talk about the opportunity for business.
They're all there, and they have to fulfill those things to
work for -- the gentleman raised the issues, the Navy
spelled that out. It can not be open land, there can not be
a park, and the City of Richmond can not afford to support
open land and take care of a park anyway.

So we have to do something with the land in order to
retain it. It can generate monies for the City of Richmond;
that is definitely needed.

I don't think the decision is being made because we're
desperate; I think we see a good idea, and I'm one of those
individuals that go back when they used to call the City of
Richmond the Jewel by the Bay, and I believe this project
will raise up to a level again where people will look at us
on that level instead of looking at us as that poor city
that's full of crime.

So I don't want to take up anymore time; it's all been
said. I thank you.

MR. BLEVINS: Thank you, Ms. Collier.

Michael Derry, please.
MR. DERRY: My name is Michael Derry. I work for the Guidiville Band of Pomo Indians. A couple of things I want to address.

In the Purpose and Need section, I think although it may be textual, Mr. Gosney pointed it out earlier, the Dellums legislation that granted the property to the City of Richmond had some requirements this be a regional economic development project that benefited the region. That was one of the contingencies, how the City got it for a dollar.

And I think it's important that maybe in the document that context should be addressed a little bit more in the Purpose and Need because it is a purpose and need of the Federal Government. It's one of the items that is in the Purpose and Need section.

Secondly, I think it's in the Cultural Resource section, Section 3.6, a lot of the sources that are cited in there, giving background information only relate to what I would call secondary sources in terms of the cultural reports, things like that.

Part of what we had to do, a different part of the Federal process that it relates to proving to the Federal Government the tribe had historic ties to the area.

We gathered probably from the Federal archives probably no less than 5,000 pages of evidence to document ties to the area, and those aren't in the primary -- secondary sources,
those are primary sources, but in the Cultural Resources section, and in the report, none of those items were -- were talked about, and, in fact, the contractors for the City and the Federal Government didn't even come and talk to the tribe about what sources we had at all.

So I think that we'll put our comment in writing too, but those sources need to be included in the document that -- portions of the evidence need to be included in there because it's consistent to make the documents consistent with the other parts of the Federal process, which is restored land process, and things like that.

So those are my comments.

MR. BLEVINS: Thank you, Mr. Derry.

And before I go on, I would like turn it over to the Design Review Board so they can vote.

MR. WOLDEMAR: If we can, we can take a break. We need a motion to continue long passed 9:00 to a time certain.

Is there a motion to continue until 9:30?

BOARD MEMBER: So moved.

MR. WOLDEMAR: It's been moved.

Is there a second?

BOARD MEMBER: Second.

MR. WOLDEMAR: All those in favor, please say aye.

BOARD MEMBERS: Aye.

MR. WOLDEMAR: We have until 9:30.
MR. Blevins: Thank you. The next guest speaker will be Cherna Silvera, Cherna. Karen Moses. John Marquez, Marquez.

MR. Marquez: Thank you. My name is John Marquez. Richmond resident, newcomer, actually only been here 41 years, but most of those years I have been working on behalf of the community. 18 of those years I worked served on Richmond City Council. I was on the Council when this project was approved, but I did vote various occasions regarding the project.

I'm not going to repeat everything that has been said here tonight, but I will reiterate some of the comments that were made by some of the previous speakers like Don Gosney, Rhonda Harris, Cheryl Collier and others about the requirements that this project has, and they're right, and they're part of a contract.

First of all, when we were part of that property for the Navy, it was under the condition that we would develop -- create economic development. It could not be open space. We knew at the time that we acquired the property, that it would require a major cleanup because those of us, by the way, many of us see a green pristine spot on the map, and think that is clean.

We have seen what's out there, and a lot of it is being cleaned up. Not a hundred percent yet, but we're getting
there.

The contract calls for jobs. A lot of people talk
negatively about the casinos, and that's part of it, but the
major emphasis, in my opinion, are jobs. I hear this every
day from people in the City.

Although I'm not on the City Council now, people still
come to me and ask me, when is the project going to come
about because people need jobs, and they give me all the
reasons why. I like I say to them, it's moving forward;
it's going through the process.

And I can tell you that's part of my vote for -- to
assure the local residents worked hard for this project.
That they were trained to earn living wages. I know some
people just focus on the negatives of the casino. They talk
about the downsides of casinos.

The fact of the matter is, if people are going to
gamble, they're going to go to San Pablo, they go to Cache
Creek, they go to Tahoe, and you can't control it. You
cannot control morality because that's what a lot of people
talk about.

The loss, control, taking note, creating homicides,
having sex, still do it, so you know what we're interested
in here is making sure that our people, residents get jobs.

This contract, this document guarantees it, and that's
why I'm here to tell you I support this project. I'm
appreciate my friend, Robert Cheasty who supports a group
that was initially opposed to it is now willing to work with
the Guidiville Band of Pomo Indians.

    Thank you very much.

    MR. BLEVINS: Thank you. At this time I'd like to ask
everyone that hasn't had time, we've gone through the names,
if you haven't been called or I pronounced your name
inappropriately, if you haven't filled out a card, and you
would like to come up, please do at this time.

    All right. That concludes our list of citizens who
signed up and shared their insights, and I thank all of you
that were in attendance.

    Mr. Chairman, we will now take comments from the Board.

    MR. WOLDEMAR: Thank you.

    Can I start down on that far end.

    Ray, do you have any comments to make?

    MR. WELTER: I don't have anything specific to say. I
think everything's been said tonight that's been said. I do
have -- I do concerns with the economics of the project as
far as sustainability, but we are five years off, and things
can change during then, so I'll reserve anything, any
comments for that time. Thanks.

    MR. WOLDEMAR: Diane.

    MS. BLOOM: I have several comments.

    MR. BLEVINS: Could you state your name?
MS. BLOOM: I'm Diane Bloom. Since we're the Design
Review Board, I would say from a design standpoint that this
is a massive undertaking in a natural area, and from a
design standpoint, I couldn't approve that from an
aesthetics standpoint. Highly visible from the bridge from
across the water, and so on.

So that's design.

I very much would want to support the tribe in being
able to return to that piece of property and to make a
contribution as well, and I'm wondering why we haven't
looked more broadly at possible uses for this piece of
property.

I cannot imagine that the economic feasibility is
solid. The numbers seem so exaggerated, the numbers of
people to come across the Bay to be gambling. It's very
hard to understand just where those figures came from and
where these projections were drawn from.

I also wonder if further down the line say this project
did go through, what is to assure that in a major security
breach that the whole area wouldn't be closed down, so just
from the -- from a pure profit standpoint, it doesn't appear
to be very solid to me.

I have not read the economic feasibility, but I would
need to see that really spelled out to believe this is a
good business deal for the business people involved.
Regarding what can be done with this area. I have always personally wanted it to be an environmental education area, a center which can house conventions, conferences, environmental education that could be provided by people from the tribe who live there. It could be a wonderful contribution to our area.

Beyond this, looking at this in a sustainable way, it appears that we could do job training centers there. There could be a cafe, like in the doggy park, and that could train kids in entrepreneurial work, and so on. There's a lot of possibilities. We just haven't really looked at the full range of what can happen.

I don't know how many of you know that originally the oil that was produced in that area was sent to. Anybody have a clue? It was sent to China, and the phrase that was on the barrels that were sent were like the lamps of China. Maybe there could be a biofuel station there and a production plant.

There's just so many possibilities. We haven't really gone to the people in Richmond and said, what do you want there? You know, let's just look at the whole picture. Let's just not take something that is presented, even though there are several parts to it and really work from that -- from that standpoint.

So I would like to see something inspired. I want very
much for the people who need jobs to have jobs. I don't imagine that one of us could stand up and say, we are unaffected by the economic downturn, maybe a few of us, but not many, you know, including when the room was full.

So I'll leave it at that.

I would like to see something inspired that looks at the long range, that is sustainable, that we can be really proud of setting an example for a piece of -- for a piece of land that really deserves the respect of its historical significance. Thank you.

MR. WOLDEMAR: Thank you, Ms. Bloom.

Andrew.

MR. BUTT: I have just a couple of comments. I'm going to try to stick to the design aspects specific to this project.

MR. BLEVINS: Excuse me. For the stenographer, could you pronounce your name?

MR. BUTT: Sorry. Andrew Butt.

MR. BLEVINS: Thank you.

MR. BUTT: So firstly, with really direction to regard to the design of this project and the EIR/EIS, I -- apparently this came up in the Historic Resources -- Historic Preservation Advisory Committee last night, but both the preferred projects A and B doing the casino appeared to demolish a historic building, one of the larger
buildings and apparently one of the older buildings, and I'd like to see that mitigation considered further than it has been. Apparently thus far, it's been shown as a substantial and unmitigated part of the project.

And secondly, I would like to see the Bay trail connector from the existing Bay trail and the future Bay trail along Point Richmond into and over 580 and into this parcel. I think that's a pretty significant part of this project potentially and certainly a hazard that needs to be mitigated.

And that's the conclusion of my comments related to the design at this point.

MR. WOLDEMAR: Thank you, Mr. Butt.

Next speaker is Don Woodrow.

MR. WOODROW: Thank you. I just have four comments to make. All of them have to do with the EIR. I am not going to try to comment about general things.

First of all, when I saw the map that shows how many other gaming sites there are within a hundred miles of us, it seemed odd to me that we could ever have another one, and I don't know that there's any kind of an economic study that is part of the EIR that would actually show that there's a chance that this could work.

Secondly, traffic, I think that anyone who has come out of the road that's coming off the Point and joining up to
580 going into the Point knows that that's a very chancy
place, and it seems to me that one of the first things
that's got to be done is not yet -- yet another study of the
quantity of cars coming through, but a design that shows how
the interchange will have to be built. We haven't seen any
of that, and that would seem to me to be first.

This came up in kind of an odd way in this very sad
shooting that we had the other day. The only cars that
could get on the bridge were the ones that came off that
small ramp that comes off of Western Avenue, and they were
coming through there with not much speed, so there can't be
much that that ramp could ever handle.

Thirdly, there's a quarry that's active on the site
now. Dutra runs it, I believe. Chevron owns the quarry,
and it is commented about it within the report. However,
it's hard to understand how there could be an active quarry
there once this is built.

I am sure that some of the folks back here who feel
that it would be a good thing have actually thought about
that, but the report does not comment on it, how you handle
dust, noise, trucks, and all of that. That have to come out
of a quarry.

Number four, I'm impressed by how the geotechnical
comments made shows conflict between the report that was
done by the Navy and the report that was done by the
consultants here.

They directly oppose each other on what they think is going to happen during the quake down along the shoreline sitting on top of the Bay runs. The consultants claim that there's not any risk. The Navy claims there was serious risks. They --

The fact is that if we aren't certain about that, then there needs to be further study done to confirm that there is no risk, or you can somehow take care of whatever kinds of risks are there.

I don't think there's a single place on a wetland of the Bay that's subject to the shaking where, I guess, almost all of us would be convinced that there's going to be a very serious effect there, so it seems to me that that's an area where the EIR is weak, and it should be cleaned up.

Those are the comments I have.

MR. WOLDEMAR: Next speaker, Otheree Christian.

MR. CHRISTIAN: Yes. What I would like say is that economic hard times, and I know that we need development in Richmond to help make Richmond a better place, and I just state, you know, that we should really look at this to really -- because we need jobs, and for the area, so basically I just wanted to say much has been said tonight, and I think we should really, you know, look at, you know, the -- you know, the project is well put together. I'm
looking at, so that's all I have to say.

MR. WOLDEMAR: Thank you, Ms. Whitty.

MS. WHITTY: I don't have much new to add, but I do want to remind everyone that we want the highest and best use possible for this piece of land, and I don't see that Alternative A, B, C provide that.

MR. BLEVINS: Thank you, Ms. Whitty.

MR. WOLDEMAR: And as the Chairperson, Michael Woldemar, I have a couple minor comments.

First, this is an amazingly complete document. There are little bits and pieces -- as we've heard from folks all evening, there are pieces that everybody is going to want some more comment about, but if I were a decision-maker, and thank God I'm not, I think this is a pretty good document to help make that decision, and that's what we elect the politicians for because they're all going to pretty much make that decision.

A couple of minor things that I think might want to be incorporated. Recognizing that the Historic Preservation Advisory Committee will have a significant role in reviewing guidelines for the renovation of the existing historical buildings out there, there's also a whole lot of new construction that's proposed, and I think the document in order for folks to better understand what's going to happen, should further address other processes by which it gets
reviewed.

And I'm referring specifically to design and the Design Review Board. That we would ultimately take another look at this project in its design form, not just some block diagrams.

I also think that there have been a number of good comments from the audience that go beyond just supporting an A or a B or a C alternative of some holes that need to be filled, and I'm sure when you go back through the minutes of the meeting, you'll find those and have to do responses.

So with that, I congratulate you all. I hope that the next meeting on this, which I think is next month before the Planning Commission goes as well, and you can get as good comments as you get tonight, and unless there's something else, I'm going to move to close the public hearing.

MR. BLEVINS: Thank you, Mr. Woldemar, Chairman.

If there are no more comments, we're prepared to concluded the City of Richmond BIA public hearing for the Guidiville Band of Pomo Indians, proposed fee to trust, land acquisition and proposed casino resort project.

MR. WOLDEMAR: Okay. We didn't catch all that. You have to do it again.

MR. BLEVINS: I can do it again.

MR. WOLDEMAR: No. All right.

I'd like to make a motion to close the public hearing.
Is there a second?

   MR. WOODROW: Comment.

   MR. WOLDEMAR: Comment before we do that.

   MR. WOODROW: Just before we close, we should all thank all those who came tonight, 50 of them who spoke and about 35 that planned to speak but then left. They did a good job, and it was good seeing them.

   MR. WOLDEMAR: Is there a second to close the public hearing?

   BOARD MEMBER: Second.

   MR. WOLDEMAR: All right. Second to close this public hearing.

   All those in favor, please say, Aye.

   BOARD MEMBER: Aye.

   MR. WOLDEMAR: None opposed.

   (Hearing concluded at 9:17 p.m.)
REPORTER'S CERTIFICATE

I, CATHERINE D. LAPLANTE, a Certified Shorthand Reporter for the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing hearing was reported in shorthand by me, CATHERINE D. LAPLANTE, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting; that the foregoing is a true and correct record of the hearing given.

IN WITNESS WHEREOF, I hereby certify this transcript at my office in the County of Placer, State of California, this 31st day of August, 2009.

CATHARINE D. LAPLANTE, CSR #10140

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PUBLIC HEARING

CITY OF RICHMOND PLANNING COMMISSION

POINT MOLATE RESORT AND CASINO PROJECT

--o0o--

Thursday, September 17, 2009

6:00 p.m.

City of Richmond Memorial Auditorium
403 Civic Center Plaza
Richmond, CA 94804

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Reported by: CATHERINE D. LAPLANTE
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City of Richmond

Janet Harbin, Principal Planner
Mary Renfro, City Attorney
Lina Velasco, Senior Planner

Michael Taggart, Analytical Environmental Services

Larry Blevins, Pacific Region of Bureau of Indian Affairs
CHAIR FINLAY: Good evening, Ladies and Gentlemen.

This meeting with the City of Richmond Planning Commission is now in session.

Ms. Harbin, would you perform your roll call?

MS. HARBIN: Chair Finlay?

CHAIR FINLAY: Here.

MS. HARBIN: Commissioner Teltschick?

COMMISSIONER TELTSCHICK-FALL: Here.

MS. HARBIN: Commissioner Duncan?

COMMISSIONER DUNCAN: Here.

MS. HARBIN: Commissioner Rao?

COMMISSIONER RAO: Here.

MS. HARBIN: Commissioner Lane?

COMMISSIONER LANE: Here.

MS. HARBIN: Commissioner Beckles?

COMMISSIONER BECKLES: Here.

MS. HARBIN: Commissioner Lee is absent.

CHAIR FINLAY: Thank you.

The members that are with us this evening of the City of Richmond staff are as follows.

On my right is Mary Renfro, who is Assistant City Attorney. Next to Ms. Renfro is Lina Velasco, Senior Planner, and next to Lina Velasco is Janet Harbin, our Principal Planner.

Commissioner Duncan, will you read the next agenda
item, please?

COMMISSIONER DUNCAN: The Next agenda item is the Brown Act.

CHAIR FINLAY: Thank you. For Brown Act speakers, the timing is three minutes per speaker.

Ms. Harbin, do we have anyone signed up to speak on the Brown Act?

MS. HARBIN: No, we don't.

CHAIR FINLAY: Thank you.

Mr. Duncan, will you please read the next agenda item?

COMMISSIONER DUNCAN: Next agenda item is PONZO8, dash, 089, Point Molate Resort and Casino Project.

CHAIR FINLAY: Thank you. We're going to handle this agenda item a little bit differently than we normally do. I'm going to ask Ms. Lina Velasco to introduce the item, and then we're going to turn it over to Member of the Bureau of Indian Affairs to actually conduct the hearing this evening.

Ms. Velasco.

MS. VELASCO: Thank you, Madam Chair.

To introduce the staff on your far left, first we have Mike Taggert who is the project manager for Analytical Environmental Services, and we also have Larry Blevins who's the Environmental Protection Specialist from the Pacific Region of the Bureau of Indian Affairs.

CHAIR FINLAY: Welcome, gentlemen.
MR. BLEVINS: Thank you.

CHAIR FINLAY: The microphone is yours.

MS. VELASCO: I'm sorry. I'm going to just do a little bit of housekeeping just to let everybody know that the restrooms are located at the far west end of the building, also near the Bermuda room in the front and upstairs in the lobby.

And also just please keep all the exits open and all the aisleways. We'll also will be calling up speakers in order of five, and we have also reserved seats in the front so we ask all the speakers to come to the front when they're called so we can move this hearing over in a timely fashion.

And what we'll go ahead and do, the speaker cards are located in the front. They're also in the lobby and turn them into the staff at the front who will then be bringing them forward so we can call everybody's name.

And so with that, I'll pass it over to Larry Blevins, who is going to be our facilitator for this comment hearing, and he'll explain the speaker rules for tonight.

CHAIR FINLAY: Thank you. I would like to make one quick comment. Normally with our agenda items, we stop taking speaker forms when we call the item. Because our meeting is starting at 6:00 and because there was some incorrect post-it on the City's website, we are not going to do that this evening.
We will continue to take speaker forms as the meeting goes on. However, at approximately 7:15, I'm going to stop the proceedings, and I'm going to ask for a count of how many speakers are remaining. At that time I'm going to make a judgment about when we're going to close this hearing.

I don't know yet whether that's going to be 9:00 or 10:00, I don't know, but I am going to close the hearing at an appropriate time, so I just wanted everyone to know that we're working a little differently this evening.

Gentlemen.

MR. BLEVINS: Thank you.

Good evening. My name is Larry Blevins, and I'm an environmental protection specialist for the Pacific Region Bureau of Indian Affairs.

The BIA is a bureau within the Department of Interior which, in turn, is a department of our Federal government. In cooperation with the City of Richmond Planning Commission and Planning Staff, I will be your facilitator at this evening's public hearing.

Representing AES, the environmental consultants for the EIS/EIR, we have Mike Taggert. Cathy LaPlante is our stenographer for the evening.

At this time I'd like to introduce the Guidiville Band of Pomo Indians Vice Chairperson Donald Duncan.

We're here tonight to receive public comments on the
draft EIS/EIR for the fee to trust land acquisition of
approximately 266 acres and subsequent proposed development
of a destination resort and casino complex for the
Guidiville Band of Pomo Indians, a federally-recognized
tribe.

The proposed resort complex will be located within the
City limits of Richmond, Contra Costa County, California.
We have asked AES to provide you with a great PowerPoint
presentation on the proposed action, its purpose and need,
the EIS process and the scope of analysis.

The purpose of tonight's hearing is to receive your
comments regarding analysis presented in the draft EIS/EIR,
as well as to present information you feel may be important
for the agencies to consider.

With that in mind, I would want it to be clear that
tonight's hearing is not a question and answer period, nor
is it a form for debate.

I will now commence with a few procedural matters. I
will then invite any Federal officials who wish to comment
followed by Vice-Chairperson of the Guidiville Rancheria,
then any State and local elected leaders followed by the
public testimony.

Members of the public will be given three minutes each
to provide verbal comments. We will be using a timing light
and will enforce the three-minute rule to ensure that
everyone who wishes the comment on the document has the
opportunity to do so.

Please be respectful with making your comments. We
will be calling individuals up to speak in groups of five.
Your name will be called in order with which we received
your speaker card.

If you wish to speak and have not yet filled out a
speaker card, please fill one out and provide it to the
nearest attendant. When you are called up to speak, please
restate your name and spell it for the stenographer.

If you have written comments, we will accept them here
tonight; otherwise, please mail them to the address in the
notice so that they can arrive on or before September 23rd,
2009.

To best participate in this formal hearing process,
I'll offer the following ground rules.

One, summarize your main points within your
three-minute public comment period. You will be able to
gauge your time with our flashcards. Be as specific as you
can. Only what are substantive comments will be reviewed
and responded to in the final EIS/EIR. In other words, if
you tell me that you do not like the project but give no
specific rationale, there will be nothing with which we can
further analyze and respond to.

Avoid personal attacks. We understand that there are
strong feelings for and against this proposed project. The best opportunity to state your views convincingly is through a brief, factual presentation.

It is okay to disagree. The key is to do it in a manner of mutual respect. I would request that there will be no interruptions that would distract from the stenographer's ability to accurately record anyone's comments. In addition, if I cannot hear a speaker's comments because of a sidebar conversation or other disturbance in the auditorium, I will stop the hearing until order is restored.

I will require you to address us specifically with your comments so that we can hear what you are saying, and so that our stenographer can accurately record your words. If you do not address us directly, I will ask the stenographer to stop the recording, and you will be required to relinquish the microphone to the next speaker in line.

Following completion of the public comment period, all comments received during the process, will be considered by the lead agencies and will be addressed in the final EIS/EIR. The final EIS/EIR will be published on the Internet and in CD format. A copy of which will be mailed to everyone on the mailing list which has been compiled during past scoping and the current comment period.

Mike Taggert, the environmental consultant from
Analytical Environmental Services will now make a brief presentation about the analysis presented and the Draft EIS/EIR.

MR. TAGGERT: Thank you, Mr. Blevins. Madam Chair.

Hello, everyone. As Mr. Blevins' just mentioned, my name is Mike Taggert. I'm from Analytical Environmental Services. I'm going to provide you with a brief presentation outlining the project that is before you tonight. Describe in brief detail the NEPA and CEQA process, that is the environmental review framework within which we are analyzing potential impacts related to this project. Go over the scope of the analysis and then we'll open it up for public comment.

I won't belabor these points. Mr. Blevins has already gone through these, but this is your opportunity to get on the record with your verbal comments. They will be limited to three minutes. Please fill out a speaker card in the back if you have not already done so. Please be respectful in making those comments.

The Guidiville Band of Pomo Indians and Upstream Point Molate are the project proponents. The Bureau of Indian Affairs and the City of Richmond are the lead and Federal and local agencies for NEPA and CEQA compliance.

There are four cooperating agencies for this joint evaluation. Those include the Guidiville Band of Pomo Indians, Upstream Point Molate, the Bureau of Indian Affairs, and the City of Richmond.
Indians, Contra Costa County, the United States
Environmental Protection Agency and the National Indian
Gaming Commission.

The document that is out for the 75-day public review
at this time is a joint NEPA CEQA analysis that considers
environmental impacts within local, State and Federal
frameworks.

We've prepared a Joint Environmental Impact Statement,
slash, Report to reduce redundancies and complete all of the
CEQA and NEPA requirements within a single document.

The document that's before you tonight is the result of
several years of work by AES, the City of Richmond, more
than 14 subconsultants with oversight by the lead agencies
and the cooperating agencies.

During this process, there has been ongoing
consultation with a number of public agencies, including the
Attorney General's Office, Caltrans, WCCTAC, State Lands
Commission, Regional Water Quality Control Board, State
Historic Preservation Officer, the US Navy, US Fish and
Wildlife Service, US Army Corps of Engineers, and a host of
other agencies.

This slide is presented to give you a sense of the
process and schedule for the NEPA and CEQA process. A
Notice of Intent and Notice of Preparation were issued in
March of 2005. A scoping hearing was held in this
auditorium in April -- I'm sorry -- March of 2005 followed
by a scoping report prepared during that same month.

The administrative Draft EIR was prepared in
October 2008 subject to review by the lead agencies and all
the cooperating agencies. The document was then revised to
reflect their input and issued to the public on July 10,
2009. It is now out for a 75-day comment period which
concludes on September 24th of this year.

Let me clarify. I believe September 23rd is the final
day for you to submit written comments for those to be
considered on the record.

This is the second of two public hearings, and we've
already completed two public workshops.

Subsequent steps in the process include drafting of
Final EIS/EIR, potentially a findings and statement of
overwriting considerations by the City of Richmond, a record
of decision on the part of the BIA to fulfill the NEPA
requirements and a mitigation monitoring enforcement plan.

The EIS/EIR considers 13 different resource issue areas
that are listed for you here on the slide. In addition to
direct impacts to each of these resource and issue areas, we
also considered growth-inducing impacts, cumulative impacts
as well as impacts of mitigation.

The project site is located on the San Pablo Peninsula
as indicated on this map. The property is roughly 415
acres. It corresponds to the former Naval Fuel Depot at Point Molate.

This is an aerial view of the project site. This is a photograph of how the project site appears today.

I'm going to briefly go through the alternatives analysis and describe for you the components, the major components of each of the projects. According to NEPA requirements, we have provided equal analysis for five project alternatives, as well as the No Project Alternative.

Alternative A is the proposed project, a mixed-used tribal destination resort and casino, which would include a fee to trust transfer of the land title back into Federal status for the benefit of the Guidiville Band of Pomo Indians. Of the 415 acres that constitute the property, roughly 266 of those acres would be conveyed into trust status under all the alternatives that include a gaming component.

Alternative B is the mixed-use destination resort and casino project with a residential component, and that is it's essentially identical to A with the addition of a residential component in the Southern portion of the project site.

Alternative C is a reduced intensity mixed-use tribal destination resort and casino alternative.

Alternative D is a non-gaming, non-trust mixed-use
redevelopment.

Alternative E is a total Parkland alternative, and finally Alternative F is the No Project alternative.

This slide presents some of the major components of Alternative A. This is non-exhaustive. I encourage you to read the EIS/EIR if you have not already done so, but I'm going to quickly outline the basic components.

First of all, there is rehabilitation of the historic Winehaven, National Register Historic District for use as a casino, restaurants, wine cellar, et cetera. Tribal government cultural facilities and dance grounds for the Guidiville Band of Pomo Indians.

Two hotels and guest cottages, a retail village, performing arts venue and conference facility. Conversion of the existing fueling terminal, the pier located on site into a passenger ferry terminal, open space preservation, and shoreline park amenities.

Construction of the Bay Trail segment through the project site, parking facilities for 7,500 cars and two garages. A police and fire emergency service center located on site. Remediation of hazardous materials conditions on site.

Historic preservation and rehabilitation of buildings on the National Register of Historic Places, habitat restoration, as well as a series of green building and
energy-efficient design components.

This is a site plan of Alternative A. I will briefly
point out some of the major components of Alternative A.

This is the historic Winehaven building located right
here. This will be used as a -- again, as a casino,
entertainment, dining facility. A new hotel structure right
here where there currently exists a building associated with
the Winehaven District.

The Point Hotel located on the point of the property
with a subterranean parking garage. Bay trail running along
the length of the shoreline. Another parking facility,
conference center and entertainment venue.

The historic cottages of Winehaven would be preserved
and rehabilitated and adaptively reused. Open space and
trails throughout the hillside upland area. Dance grounds,
cultural facilities and a seat of government for the
Guidiville Band of Pomo Indians.

And an aquatic or kayaking center located down here on
the southern portion of the property site. Western Drive
would be reconstructed and widened all the way through the
property site, and there are about 25 casitas or guest
cottages located on the ridge above the point here.

Alternative B, which is a slide here, is identical to
Alternative A, with the addition of 340 housing units here
in the southern portion of the property.
Alternative C is the reduced intensity, clearly with a smaller footprint. Most of the development is restricted to the northern portion of the property. There's only one hotel proposed under this alternative. No point hotel or subterranean parking garage. However, the Bay Trail, shoreline facilities, park amenities would be included as part of this alternative, as well as the Guidiville Band of Pomo Indians' cultural government and dance facilities up in this area, as well as this open space.

Again, this is Alternative D. This is the non-gaming component. The property would not be taken into trust for the benefit of the tribe. It would be developed as a mixed-use residential commercial retail facility. Southern portion reflects a number of detached and attached homes.

Residential units would be scattered throughout this commercial district as you see here; however, there would continue to be the shoreline park along the margin. Open space trails in the hills and a ferry terminal located off the point here.

Alternative E is the total Parkland alternative. This will provide for basic amenities required for health and safety, such as drinking water, restroom facilities, and so forth. Preservation of the buildings associated with the Winehaven National Register Historic District which would largely remain off limits to the public. However, the
public would have access to the hillside areas, as well as the shoreline, and the Bay Trail would be completed through the project site under Alternative E.

In terms of the analysis, identification of impacts and mitigation for those impacts, we have provided in this document mitigation measures for all potential impacts related to construction, operation and cumulative conditions related to implementation and development of the proposed project.

We've also recommended improvement measures throughout the document as a means of lessening impacts in the absence of exceedances of significant to thresholds.

A mitigation monitoring reporting program will be used to verify compliance, and mitigation for the alternatives that include Federal trust acquisition will be incorporated into a legally enforceable contract that provides for a limited waiver of tribal -- the tribe sovereign immunity for enforcement of the mitigation.

And with that, I think we're ready to open it up for public comment.

MR. BLEVINS: Thank you, Mike.

At this time I'd like to ask the Vice Chairperson Donald Duncan, if he'd like to come up and speak.

MR. DUNCAN: Good evening, everyone. My name is Donald Duncan, D-u-n-c-a-n. I'm the Vice Chairperson for the
Guidiville Band of Pomo Indians, and I'd just like to say thank you to the City of Richmond's Planning Commission, the Bureau of Indian Affairs for holding this hearing tonight, and I'd like to thank the public for coming out to listen to their comments tonight.

Thank you.

MR. BLEVINS: Thank you. We'll now go into our formal hearing. One final reminder, when you are called to speak, please restate your name for the stenographer.

Our first speaker will be Don Gosney, and he will be followed by the next four individuals, Rick Alcore, Alcaraz, Andres Soto, Dr. Henry Clark, and Mike Ali Raccoon Eyes Kinney.

The four can come up here and sit.

Rick Alcaraz, if you're ready. Andres Soto.

MR. SOTO: Good evening, Members of the Commission and BIA. My name is Andres Soto, S-o-t-o, and I'm a member of the Coalition of State Point Molate. I've distributed some documents here for your own investigation, but one of the things I'd like to say is that I'm very pleased to have received a copy of a letter dated September 15, which is also in your packet addressed to Ken Salizar, Secretary of Interior, signed by Senators Jon Kyl, Harry Reid, Diane Feinstein, Barbara Boxer and John Menson.

And just a couple of highlights from that.
We strongly opposed taking off reservation lands into trust for gaining purposes. We do not believe this is -- this was envisioned when we passed the Indian Gaming Regulatory Act, and also we have serious concerns about the recent practice of tribes as it is seeking gaming opportunities on lands that are not traditionally tribal lands, so that's what's going on at the Federal level.

And now I think what we're addressing here with the EIS/EIR are a number of inadequacies, and this agreement -- this document is deeply flawed.

The entire city agreement, municipal services agreement is contingent on Guidiville tribe receiving approval of the State Legislature for gaming compact. There's considerable opposition to any such action, and the City is, therefore, in real jeopardy of having the entire gaming and all negotiated mitigation measures invalidated while being struck with a -- stuck with a casino with class two gaming at Point Molate similar to the one in San Pablo.

The reports job claims are completely unsubstantiated. We've seen the numbers jump from 4,000, 6,500 to 17,000 without a single study to support the alleged increase. Most permanent positions will be low skill, low wage, and there's even a disclaimer in the report that specifically states no level, no number of jobs is guaranteed.

There's a fault economic analysis. The EIR/EIS assumes...
that Point Molate will be the only fully approved casino project in the East Bay, and does not account for the possibility that other projects could be approved.

Additionally, major traffic impacts are purposely overlooked by assumptions of future mitigations that are not actually required, unless something is mandatory, potential mitigations can be assumed.

They diminish the number of expected car trips and unprecedented usage of ferry service that does not currently exist is assumed EIS, and it claims that one and four customers will arrive by ferry.

The false assumptions are also made about bus transit shuttle service that is not required as mitigation or currently available.

The number used to analyze Richmond bridge full capacity are doubled the accepted traffic engineering standards for each lane. This exaggerated highway lane capacity estimates 4,000 cars per hour per lane is unprofessional and without precedent.

EIR/EIS fails to adequately mitigate the hazardous impacts associated with the project's proximity to the Chevron Richmond refinery. It relies upon mitigation already in place for the Chevron refinery and provides no evidence that this will be sufficient.

In addition, the final comment, the effects on the
surrounding communities like San Pablo and Contra Costa County are not even addressed.

Thank you very much.

MR. BLEVINS: Thank you, Mr. Soto.

Don Gosney.

MR. GOSNEY: Thank you. My name is Don, D-o-n, Gosney, G-o-s-n-e-y, resident here of Richmond.

14 years ago I embraced Point Molate by joining the Mayor's Blue Ribbon Advisory Committee to develop the reuse plan, and for the past 13 years, I've served as the community co-chair for the Restoration Advisory Board for Point Molate to ensure that the site has been properly cleaned before we take ownership.

After reading every one of the 5,812 pages of this draft EIR, I want to address the alternatives to the development of Point Molate. In particular, Alternatives E and F, which call for total Parkland or do nothing.

Under both of these options, there will be no financing to stabilize the historical buildings. This could easily cost the City an additional 30 -- 20 to $30 million right up front. There will be no financing for the two-plus million dollars per year that we're currently spending for bare-bone security and fire control.

There will be no financing say that which comes directly out of our pockets for any upgrades to the site,
and there will no private financing for the Bay Trail.

For 15 years I have been hearing people tell us what they want to see happen to Point Molate, so I'm putting out the challenge right here and now.

Give us the names of any person authorized to give the City $50 million for that property today. Give us the names of the people who can provide us with 6,500 good paying permanent jobs on site and another 17,000 jobs in the community.

The Parks people and Chevron can't do this. Give us the names of the people who can write a check for 18 to $20 million each and every year in lieu of fees for their use of Point Molate.

If you can't give us those names, then perhaps we need to take a closer look at what our real alternatives are for the reuse of Point Molate.

Furthermore, Alternatives E and F don't even meet the stated goals and objectives of the reuse plan. Let's not forget too that the Delin's Legislation, the specific act of Congress that authorized the closure of Point Molate directs and demands that the reuse of Point Molate must be an economic engine for this community. It is forbidden from costing the City a dime to operate.

I encourage everyone, everyone, read the draft EIR thoroughly, talk and listen to the developers. If you have
concerns, ask questions and make the necessary requests for mitigation.

Let's take a closer look at this project and find out how to make it work. Let's find a way to bring in employment with good paying jobs, tax revenue, business and respect back into our community. Thank you.

MR. BLEVINS: Thank you.

Rick Alcaraz next, please.

MR. ALCARAZ: Good morning. Good afternoon, commission. My name is Rick Alacraz, a local resident here for 63 years. Just all through school here, and everything, and I've seen this town in its worse state and this town on its best day.

The project that we're talking about can revitalize Richmond. It's an opportunity for jobs. It's an opportunity to take some of the corruption that is currently going on on our streets.

People are scared to come out of their houses right now. People are being wounded or shot at for -- by accident because of bullets are flying, and who cares where they go. My main object is to get the kids and the younger -- most of the younger kids, and there's a few older ones like me, to get them off the streets and get them in jobs so they can establish their own lives, not be guided by something, outside element.
Currently today there was a letter written by Diane Feinstein. I read the letter, but it doesn't make much sense to me because Diane's never been here, she doesn't understand the problems of Richmond. None of us really do understand the problems of Richmond.

Like I said, I've been here all my life, and I've seen the problems that occurred in the '60s, and when McDonald Avenue went down, now it's 23rd Street that threatens. They say they're going to move the downtown to San Pablo Avenue and the new green corridor. Well, that's all fine.

Point Molate is out there. It's a desolate place. I've been visiting that place since I was a little kid. We used to go swim in there, and now it's become vacant. All that's there is rats, and I've seen a lot of big rats.

I hope that you people will please understand the jobs that can occur there. We're almost guaranteed that the jobs that are going to be in the service industry will be great jobs for some of our local people.

Thank you very much.

MR. BLEVINS: Thank you.

Dr. Henry Clark.

DR. CLARK: Thank you. Members of the Commission, my name is Dr. Henry Clark. I'm the executive director of the West County Toxins Coalition, 305 Chesley Avenue in North Richmond.
As Don Gosney indicated, I've served on our Blue Ribbon Advisory Committee, as well as the Ground Now Restoration Advisory Board for the past 14 years. I've been involved in this Point Molate project.

From an environmental perspective, I'm convinced that the cleanup of the site is protective of public health and safety, and certainly with the conservation aspects of it, the inclusion of solar -- solar power, solar energy, this is a state of the art operation here.

You talking about the green leaf of Richmond, this project certainly contributes to that within that particular context.

As well as the jobs and the public access, there are parks, there are trails, there are a lot of green there, so for those particular reasons, I stand with the Guidiville Branch of Pomo Indians in supporting this project based on those reasons.

As far as the gambling part of it is concerned, personally I don't gamble, but that's a personal decision. I'm not into trying to legislate morality in terms of what a person can do and what they can't do. That's their business; that's the market. This is supposed to be a capitalistic system yet -- which means the market decides who stay in business or who don't.

But yet, all of a sudden San Pablo and others want some
special protection, you know, that's supposed to be part of
the market base system we live in, and we supposed to be
about, so you can't have it both ways.

So I want to just conclude by saying this: I think
that the people who have come up here over the period of
time and have made comments on this project suggesting that
the Guidiville Branch of the Pomo Indians would go back on
their commitments, and so forth.

You know, first of all, if you look at history, I don't
think it's been the Indians who have broke their word. You
know, they have kept their word. It's been others who have
broke their word to the Indians, so let's support this
project and cut this nonsense out. Thank you.

MR. BLEVINS: Thank you.

Mike Raccoon Eyes Kinney, please.

MR. KINNEY: Ladies and gentlemen, in the Spirit of
Creator we are all blessed to be here tonight to have a
common dialogue about human and civil rights native style in
Richmond, California.

I would like to say to this various board and our
representatives from BIA, I would like to first state that
this is not an issue, ladies and gentlemen, of casinos.
This is an issue of sovereignty, an issue of sovereignty
that speaks of a course and understandings that go back to
the historic time of we as native peoples.
For the many bands of Rancherias, reservations and bands of California Native American, there is a great endorsement of this. Native peoples are looking to this.

For many of you who have not been to Pomo country or to Cherokee country or anywhere in Native America, it's a world that most people know very little of and probably could care less about.

Today we have a common opportunity to talk about sovereignty. If it is the pleasure of the Council to have that of a casino infrastructure, so be it. I have no position on casinos either way. If they wish to do poultry or dairy [phonetic], that is fine.

A part of the process that we are seeing here tonight is that in the days of relocation and determination of the reservation system, for many natives they came to the City of San Francisco, Vallejo, Richmond, Oakland and San Jose were some of those cities, and there was an accord basically between the Department of Interior and the BIA that basically said in effect that landless native peoples had the option to buy land and go through a due process to have their own sovereign nation, what we call in mainstream culture a reservation.

And that is a very important thing with we native peoples, and so I say to you in a good way, a way with honor, that this is an opportunity. We are also in a
cultural of violence. Why are the young people angry for, they have no jobs. Young people are doing now what they have to do.

You know, they have an expression in Indian country, there is nothing like a job that stops a bullet, and so you see tonight this is where Native people and the people of Richmond come together. It can be our shining moment, and the moment should be that we have a right to live as the weigh Creator intended us to live.

And each and every one of us here, we should celebrate and honor that we have this blessing to speak together today in this dialogue, and I would ask all of the Commissioners to think very seriously about the bigger picture here.

Truly what is good for my cousins in Guidiville Band of Pomo is truly good for Richmond, and ladies and gentlemen, thank you very much, and let's make it happen. Thank you.

MR. BLEVINS: Thank you.

I'd like to call Joaquin Navas forward and to be followed up in the chairs up front, Rock Miller, John Huston, Mister Phillips and Joe Alberta.

MR. NAVAS: Hi there. My name is Joaquin Navas. I am -- I am a student at Middle College High School, and I am interning with the Coalition to Save Point Molate.

Now tonight I would like to address, usually when we come to these types of decisions, I've heard this issue
being talked about before, and, yes, we usually -- one of 
the arguments I have heard recently and what pushes most 
people is the need to look for revenue.

Now, there are many different ways to approach this, 
not necessarily building a casino.

Now, earlier there were options, and a lot of these 
options did involve the jobs that we Richmond residents do 
need because, yes, I will say that it is important that we 
do use jobs and keep people off the streets; I agree with 
that. I also agree that we do need revenue.

What I don't agree with is not searching or looking at 
alternatives effectively and looking at them as we do the 
casino.

Now, there are certainly alternatives that we can look 
at, such as, let's see building a park, building -- just 
renovating the area. There are jobs that are available, and 
I think it is important to look at these alternatives before 
we jump to any conclusions because as I'm sure all -- 

I'm a lot younger than everybody here so I can't really 
say much, but through my experience, I have observed that 
people tend to jump at what seems the most practical without 
really thinking about the consequences, and I believe that 
is at times like these where it is most important to 
observe -- to view other alternatives as opposed to jumping 
to the options that jump out at us.

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Thank you.

MR. BLEVINS: Thank you. Rock Miller, please.

MR. MILLER: Thank you. My name is Rock Miller. I'm a professional traffic engineer. I come from a company with offices throughout California. I formerly served on the Institute of Transportation Engineers on their International Board of Direction. When you hear ITE Trip Generation, that's the group I formerly was on the board of. I do not represent them here.

I've also taught classes for UC Berkeley on traffic and transportation engineering and traffic impacts. I don't represent UC Berkeley here, however.

I do represent KOA Corporation and Traffic Engineering Consulting with considerable experience in analysis of Indian gaming facilities.

I was asked to take a look at the traffic impact study for the EIR/EIS to determine whether it complied with accepted practices for providing traffic studies.

In reviewing that, I've identified a number of areas that the document does appear to depart substantially from accepted practices without any justification and substantiation. I'd like to highlight some of the key issues in the time I have remaining.

Firstly, the document does take a very interesting look towards traffic generation. That's the key and the first
step in traffic analysis. Once you've determined what the
traffic generation is for the site, other impacts translate
from that.

I might add that the traffic generation is also a very
key input into the air quality of the green house gas and
other various analyses. If the traffic generation has been
underestimated, those other impacts have also very likely
been underestimated.

The gross traffic degeneration for the site for
Alternative A and approximately Alternative B, before any
deductions is about 3,000 peak hour trips on a Friday or on
a Saturday. That's equal to the traffic generation for a
1.5 million square foot office buildings. Some of the
tallest buildings in San Francisco are not close to that
large.

A number of area attractive discounts have been applied
to that building to bring the traffic generation down to
half. Some of the discounts may be approximately reasonable
with aggressive attempts to reduce traffic generation, but
the assumption that 25 percent of the traffic would be
brought to the site and back by ferry is something that
could very easily have been analyzed and tested using
regional forecasting models; however, it was just stated as
a reason to reduce the traffic generation by 25 percent.

The net traffic generation discounts amount to almost
50 percent. I don't know exactly why they did that. Probably the full traffic as analyzed wouldn't have been produced a lot of traffic impacts, but I'd indicated before, I think there is a significant potential to air quality impacts were alluded by reducing the traffic generation substantially.

I would like to go on into a couple other areas that I do have concerns about. I've heard testimony here of as many as 6,000 jobs. There is not enough traffic generation in this document for 6,000 jobs to get people transported to and from the casino. That's a number that just doesn't seem to be related to the traffic generation for this site.

There's no consideration of traffic to the ferry terminal other than traffic that would go to and from the site. I can't imagine building a regional ferry terminal at this site without turning that ferry terminal over to the public.

How much time is left?

MR. BLEVINS: Thank you, Mr. Miller. That's it.

MR. MILLER: Okay. The showroom was not analyzed for traffic generation at all. A 3,000 seat showroom could generate as much as 1,500 --

MR. BLEVINS: Thank you, Mr. Miller.

Next speaker. John Huston.

MR. HUSTON: I'm a Chukchansi from up in the mountains
in the building docks near Yosemite.

I used to do entertainment for my tribe, and it's --
the crime has gone up considerably up in the mountains since
we put the casino in. At first we're all excited, of
course, we thought we were going, you know, have a lot of
revenue, and we're going to get our culture back, and we're
doing that now. We're learning our language again; we're
Teaching our children how to speak their language; we're
Teaching them how to dance again, and that's a blessing.
We're very thankful to our grandfather on that.

But downtown Fresno, there's a small card room, and I
have a friend who's a sheriff down there, and he says, it
just is incredible how busy the sheriff department is taking
care of that small card room with all the problems that it's
incurring.

I have a statistic here I'd like to read off real
quick, please.

162 federally-recognized tribes in the U.S.A., 429 are
gaming on res land. Less than four tribes have currently
been able to land and transfer gaming. Since Ingram was
passed on October 17, 1988. 80 tribes wrote to the
Honorable Ken Salazar, Secretary of Interior, US Department
of Interior.

Dear, Mr. Secretary. We are writing to express our
strong opposition to off reservation gaming outside of
tribes ancestral lands. We believe that numerous efforts currently underway -- underway by tribes in several regions of the country undermined the Indian gaming regulatory of IGRA and set a dangerous precedent for Indian gaming across the Country.

So I want these people -- I want the Pomo Indians to be successful. I love them. I hope that they find another way to be successful with means of gathering their culture back, and I wish this beautiful town success with getting employment for them, and I believe with prayer and positive thinking, it's all going to come back.

So thank you very much for this evening.

MR. BLEVINS: Thank you.

Mr. Phillips.

MR. PHILLIPS: The following excerpt from an article in the West County Times reaffirm our belief that there should not be anymore casinos here in West Contra Costa County.

Quote, as casinos in Nevada and on other California Indian reservations see drops in revenue, Casino San Pablo seems to be weathering the recession better, City Manager Bart Arner told the City Council this week, because it has a more local clientele in casinos at resort-type destinations, end quote.

West County is many things, but a resort destination is not one of them; therefore, despite what the land developers
say, the proposed casinos in North Richmond and Point Molate will make their money on us locals and not on tourists just like Casino San Pablo does.

That is not okay with me. Most of us are low to middle income. Many of us struggle not withstanding the recession. We cannot afford another hand in our pocket.

Lastly, to those of us who want the casinos because we need more jobs in our community, I hear you, understand you, and ask you, hold on, help is on the way.

My name is Mr. Phillips. I'm running for Contra Costa County Supervisor.

MR. BLEVINS: Thank you.

Joe Alberta.

MR. ALBERTA: Good evening, Commission. My name is Joe Alberta. I'm a tribal member in the Picayune Rancheria Chukchansi Indians.

I am carrying a message here from the tribe, the tribe of over 800 members in Cortico, California, and this comes from our Tribal Council.

It is an opposition to the Guidiville Band of Pomo Indians off reservation gaming. The Picayune Rancheria of Chukchansi Indians opposes off reservation gaming in California. The tribe adamantly opposes fee to trust acquisition for gaming, whereby the tribe proposing to conduct gaming seeks to obtain lands outside the tribe's
aboriginal territory and home land.

This type of activity is commonly referred to as reservation shopping, and as a policy matter does not serve the original intent of Indian Gaming Regulatory Act, IGRA, and should not be facilitated by the Bureau of Indian Affairs and the Department of Interior.

Supporters of this project contend that the proposed project is in line with the intent of IGRA because it is a means to promote economic development and tribal self-sufficiency. However, these supporters do not give emphasis to the fact that the economic gains will come at the expense of regional tribes who follow the letter of the law who created their gaming facilities.

Nor do the supporters discuss the negative impact reservation shopping will have on Indian gaming as a whole throughout the State of California, preventing these tribes to leap frog one another to secure the most lucrative gaming site undermines the objectives of Proposition 1A in which California has voted to support Indian gaming on reservation lands.

When the tribe lobbied for lands with minimal or no relations to the tribe's history, intent of both IGRA and Proposition 1A is lost.

Additionally, many supporters of this proposed Point Molate gaming project endorse it because they will bring
much needed jobs to the area. While we understand the extreme difficulty in the economic times, we are current -- we currently live in, it is important to not lose our site of the purpose of IGRA.

The intent of IGRA was to allow tribes to engage in gaming activity to generate tribal government revenue. The purpose has never been to generate local jobs or State government revenue.

Although, benefiting local communities through job creation has been a great effective Indian gaming, is important to understand the job creation not any community shall not be the driving force when considering allowing Indian tribe to shop for a reservation.

Building a gaming facility so many miles away from the tribe's homeland, does very little to protect the cultural and united -- unity of the tribe, but it does create great harm in jeopardizing Indian gaming as it exist in California.

Thank you for your time and your considerations.
Sincerely on behalf of the Picayune Rancheria, Chukchansi Indians.

Signed by Mark Rick, Tribal Secretary, Patrick Hamel the Third Treasurer.
Thank you.

MR. BLEVINS: Thank you. At this time I'd like to call
Mary Robert to be followed with Mildred Davis, Myrtle
Braxton, Rafael Madrigal and Margaret Morkowski to be seated
up front, please.

MS. BRAXTON: Mr. Blevins, Mary Robert has left, and
I'm Myrtle Braxton-Ellington. E-l-l-i-n-g-t-o-n.

I thank you for giving me this opportunity to speak.
First, I'd like to say that I approve of the EIR/EIS
Alternative A. I think it is very important that we do try
to bring some kind of revenue to the City of Richmond.

I can understand the concern of the other Indian
tribes, same as the concern of San Pablo that this resort
might take away some of their income, but in the meantime,
our city has to survive also.

I'm in favor of Point Molate project in Richmond
because Richmond needs the revenue. Richmond needs a hotel,
two hotels. They need a theater, they need all of the
amenities that we have to leave the City of Richmond and
take our funds elsewhere, including gaming.

Not building a casino Point Molate does not stop the
people from Richmond gambling. We all get on buses, and we
go to the other Indian casinos or to Reno. We're still
doing that.

The City presently owned Parkland that they cannot
maintain. They can't take care of it. The State is closing
Parkland because they can't take care of it, so to have
Parkland that will be taken care of by private industry or private entity would actually benefit the City.

This will probably be the best looking park in the City, so I ask you to please consider Alternative A and please approve the EIR/EIS. Thank you.

MR. BLEVINS: Thank you. Did you say Mary Robert left?

MS. BRAXTON: Yes.

MR. BLEVINS: Thank you.

I'd like to call Mildred Davis, please.

MS. DAVIS: Good evening to the panel.

My name is Mildred Davis, and I have lived in Richmond almost 40 years, and I am in favor of the Point Molate Resort. I think it's more involved in this just gambling. That seems to be the only thing that people are focusing on.

We do need jobs, and the times are where they are now we should have more revenue coming into the City of Richmond, and I think it would be a great idea for it to be.

I haven't said it about the EIR, or anything, but when we have the other hearing, I will be up to speed on that, but I am in favor of the resort, for Point Molate.

MR. BLEVINS: Thank you.

Rafael Madrigal.

MR. MADRIGAL: Good evening to the Commission. My name is Rafael Madrigal, President of the 23rd Street Merchants Association and the Contra Costa Hispanic Political Action
I am and we are all in favor of the Point Molate project. We are here to speak up. I am taming it back right now, as a matter of fact, because we hear slanderous allegations to the contrary. They are funded by lobbyists who have a different agenda, so to think that they are speaking on the goodness out of their hearts is a fallacy.

There are resorts of this magnitude throughout Asia, Latin America and Europe, and to state that Richmond cannot be a destination resort is absolutely ludicrous. Richmond is the Pearl of the Bay Area and should be exhibited as such, to promote it beyond belief here in the San Francisco Bay Area.

Not to mention Richmond has the misnomer of being the seventh most violent city in the country because of lack of jobs. We can alleviate that with 17,000 jobs within the next few years.

As was mentioned earlier, nothing stops a bullet faster than a job, and these are excellent jobs for the greenest facility that’s going to be here on the West Coast, not to mention the ferry service, as well as shuttling that would take place from 23rd and Barret to shuttle all employees as well as visitors to the facility.

This, again, needs to go through. If there are any other disputes, please be honest about it. Our side we are.
We urge you to come up and speak up on behalf of this project.

Thank you very much for your time. Good night. God bless.

MR. BLEVINS: Thank you.

Margaret Morkowski, please.

MS. MORKOWSKI: Good evening, everyone. My name is Margaret Morkowski, and I'm a resident of Richmond. I actually live in Point Richmond, which is probably the closest community to the actual site, and my neighbors and I do have some concern about the traffic, but there are so many positive things about this project that the balance will be there.

First off, I wanted to say that I had three points that our very close to my heart that will be basically addressed under Option A, and I highly recommend that you approve that alternative.

I am a member of the Restoration Advisory Board and have been for a number of years. The cleanup that's proposed under Option A is far -- is a much better cleanup and mediation process than was proposed by the Navy. That is a major plus for this project.

The historic preservation and rehabilitation of the historic buildings in the area in Point Molate can be accomplished with the funding that will be coming through in
Option A, and especially the access to the cottages, the public access that would not be fulfilled by some of the other alternatives.

And the third thing I wanted to discuss was the entry level jobs. Many people either in their attitude or in their voice tone seem to say that entry level jobs are not good jobs. The very first job I ever had was an entry level job. I cleaned rooms in a motel. It was an ideal job I think for a young person because it taught us a work ethic that carried onto my future career.

It actually is probably a highlight of my career for a couple reasons. One, is you know you clean a room, and it's awesome, and you have something in front of you you can demonstrate. Later in my career, jobs later, you would work for weeks on a project, and you would have no -- you could not say, wow, that's awesome.

An entry level job, you gain that confidence and that attitude that you carry on for the rest of your career, so entry level jobs are adequate jobs and quite valuable.

Thank you.

MR. BLEVINS: Thank you.

I'd like to call Michael Beer to be followed with Little Fawn Boland, Jim Hanson, Janie Anker and Tim Laidman up here in the seats, please.

MR. BEER: My name is Michael Beer. That's B, double
E, R. I live in Richmond. Good evening, Planning Commissioners.

Where there is no vision, the people parish. Proverbs 29:18. Who's going to support this project? Well, the building trades. Let's be honest. California's prison system is overcrowded. If the Governor announced the maximum security prisons replace San Quentin in a death row at Point Molate, I'm certain the building trades would build that too.

With all due respect to my brother and sister workers, they're desperate, and desperate people can make poor judges. Where there is no vision the people parish.

The EIR talks about traffic congestion and noise pollution and conversion of a historic building; yet, your question is this: Is this project good for Richmond under its general plan, our general plan?

Oh, yes. We understand that it's good for James Levine. People are confused the little they hear. Upstream is going to spend $1.5 million on the development. They think of all that money flowing into their pockets. Excuse the economics lesson.

If James Levine is willing to spend $1.5 million on this project, it's because he's going to make more, extract much more than that amount from somebody's pockets.

Stand outside the San Pablo casino, as I did. I looked
at the faces of the people coming out of the casino. They
didn't look happy, like people coming out of a Pixar movie.
They looked sad as if they just lost their week's wages or
their child support payment.

But the truth is is that Mr. Levine doesn't want our
money; although, I think he'll take it. Someone behind the
scenes has confided to me that the casino is designed to
lure high rollers from Japan to drop millions. I believe
they're called in the business, whales.

James' idea is to catch them before they fly to Las
Vegas. They may come, and they may not come. Las Vegas may
just have a little more to offer than Richmond.

You see, James is a gambler too, but I don't want to
gamble with the last large piece of contiguous land in the
City, the real reason that Tesla went to San Carlos. I
don't want to gamble with the future of the City where I
live and that I love.

This resort won't even be part of Richmond. Its shops
won't be local merchants but national chains like Armani and
Gregor.

Would Walnut Creek accept a casino? Casino -- people
like to come to where people are desperate, so needy that
they'll accept any kind of project and where they can be
influenced and lured by the promise of jobs, and what jobs
are we talking about, what permanent jobs?
Jobs that you would expect at a resort, house maids, valet parking, custodian help, clerks in the stores, and inevitably sex workers. Is this the kind of jobs Richmond wants?

What Richmond needs at Point Molate is a university, a conference center, a theme park, a zoo.

MR. BLEVINS: Thank you.

MR. BEER: -- needs is vision. Where there is no vision, people parish.

MR. BLEVINS: Little Fawn Boland, please.

MS. BOLAND: Good evening. My name is Little Fawn Boland, and I'm here on behalf of the Guidiville Tribe. I wanted to comment on the historical and cultural background of the tribe as described in the EIS/EIR.

We will be submitting a comment letter regarding the historic connections between the tribe and Point Molate.

What I'd like to emphasize is the tribe is a reservationless tribe. As some have been falsely stating tonight, this tribe is not reservation shopping. We do not support reservation shopping. We think it should be illegal.

Reservation shopping is when a tribe looks for a site that they have no historical connection to and then they attempt to conduct gaming there, but that is not what is happening here. This tribe is eligible to use what are
called the restored lands provisions in the Indian Gaming Regulatory Act.

Historic lands provisions require that a tribe have a historic and modern nexus to the land that will be taken into trust.

The letter that was mentioned earlier from the senators tonight does not mention Guidiville by name and shows a complete lack of understanding as to how the Indian Gaming Regulatory Act works.

IGRA requires a detailed analysis both in one's environmental documents and in numerous other submissions to the United States tying the site to the tribe. There are 5,000 plus pages that tie the tribal members to Point Molate. There's extensive genealogical research on each living tribal member showing that they're Wappo, Costanoan and Pomo.

The tribe's name does include the word Pomo, but there are three F groups that have ties here to the Richmond, San Pablo Bay Area, specifically with shell mounds and historic ties to this site.

Finally, I would like to say that a lot of people are talking about revenue generation, but this is actually about a tribe who have no place currently to worship, live with their families, have housing. This is about a reservation and a new community that's being formed.
And finally, I wanted to correct some misinformation.
Appendix E to the land disposition agreement between
the tribe and the City is called the Municipal Services
Agreement, and in that agreement the tribe is bound to hire
40 percent of its employees from the City of Richmond. That
is a legal requirement, and it is not something that can be
just thrown on the wayside that some people have said
tonight, so thank you.

MR. BLEVINS: Thank you.

Jim Hanson.

MR. HEDEN: Good evening. My name is actually Jim
Heden, spelled, H-e-d-e-n. I'm the senior pastor of Hilltop
Community Church in Richmond. I've been there for 26 years.
It's my privilege to be able to speak.

I'd like to just speak in favor of Alternative D, and
in opposition of Alternative A.

The gentleman before me mentioned, would Walnut Creek
allow a casino to come into their area? I don't think they
would, or Marin County.

It seems that there is an understanding, the
underresourced and the undereducated see a gaming
institution as an opportunity for hope, an opportunity to be
able to better themselves and find a greater avenue of
existence.

The problem with that is it's on false precepts. Those
who engage in that behavior find themselves only engaging in
hpopium that is far more addictive than any other drug that
sits on the streets of City of Richmond right now. I find
that that would be reprehensible to see those who are
underresourced and undereducated who would be given that
opportunity to destroy themselves.

Those who are educated and those that are resource see
gaming as a very expensive means of entertainment. If I
were to go to Las Vegas and engage in a show, I'd spend a
couple hundred dollars for a three-hour entertainment, but
you can lose more than $300 in less than an hour in the
gaming institution.

My objection to this endeavor is simply because I want
to stand for those who are under-resourced and those that
are undereducated because I don't want to see them
victimized in this.

Thank you, very much.

MR. BLEVINS: Thank you.

Now, I'll call again Jim Hanson. Is Jim Hanson up
here?

MR. HANSON: Thank you, very much. My name's Jim
Hanson. I'm a member of the California Native Grasslands
Association. I'm a East Bay resident, and thank you for
your time and attention.

We see this place as a gem, and I'm bringing you one of
the residents of the Point Molate grassland. This grew at Molate Point, so this is something that Richmond has a right to be proud of. Unfortunately, this is not mentioned at all that I can find in the Biological Resources section of this plan.

There's a mention of annual grasslands and the impacts to this, but your Commission and your Council and your City has an incredible set of open space policies, and if you don't recognize that there's a rare and endangered and special place there in terms of resources and grassland, then it can't be mitigated for, and I don't see it here.

Secondly, I want to speak just personally, not as a representative of the Grasslands Association, I will say that we would favor the protection preservation of this as an open space resource either by itself or with low impact development.

Secondly, I want to just say that personally my grandpappy used to say, don't take the first thing that comes along, and I had -- my first job out of school was in a casino town. I saw jobs, but I saw a lot of tired people. I saw people whose job was sweeping up tickets. I saw pit bosses, and I look at that place, that Point Molate, as I used to be a resident all my life, and I think about how Emeryville got Pixar, or how the Presidio is being cleaned up in a public private partnership with development, and all
I can say is I think of my grandpa's words, to wait for the

Thank you very much.

MR. BLEVINS: Thank you.

Janie Anker, please.

MS. ANKER: Good evening. To piggyback on the last
gentleman, if you don't stand for something, you will fall
for anything.

To correct a previous speaker, the reason, Point Molate
is a mess today is because the state made them pick up what
was called artsy-fartsy stuff. It was beautiful ten years
ago. It had artwork by all kinds of artists, but the State
made them pick it up, and it's been in disarray ever since.

What I really want to say is that divide and conquer
has always been the major methodology for the true minority
with the wealth and power that control the masses. If we
were not people of color and low income, this would not even
be a question here.

The Powers That Be want to divide the workers from
those who want to keep Point Molate as a multi-natural place
for all the people to use in this area. I have never seen
Native-Americans gain anything from the people in power.

They have always been mistrusted, sold down the river
and given nothing. We've been promised many times jobs for
Richmond employees, and it's never happened, and in one of
the papers that I received, it said specifically in Appendix C, Section 5, dash, 4, specific -- the tribe to maintain or work -- nothing shall require the tribe to maintain a work force with any specific number of Richmond residents.

EIS, slash, EIR, appendix C, Section 5 through A -- 5 through 4, so that contradicts the last quotation from a different section. They will contradict each other no matter which way we look.

We have more prostitution where I live right now since the San Pablo Casino that has ever been. I've been here 40 years. I've never seen so many prostitutes on 23rd Street. I'm sick of it. It's because of the casino. It's the riffraff that comes behind that kind of life that people change addictions, from drug addition to gambling to sex and to women, to gambling. It always goes back to an addiction. Society is an addict for something.

MR. BLEVIN5: Thank you.

MS. ANKER: And we're an addict for money.

MR. BLEVIN5: Thank you.

Tim Laidman, please.

MR. LAIDMAN: Tim Laidman. That's L-a-i-d-m-a-n, with the El Cerrito Green Party.

I support tribal sovereignty and job creation for Richmond, but the Point Molate Casino project is not the solution. The EIS/EIR is flawed in many ways. Traffic
estimates are completely ridiculous, and therefore pollution estimates are underestimated.

Promises of jobs are inflated, unsubstantiated and are not a legally binding requirement. Water usage for this project would be huge. Environmental effects severely detrimental to a sensitive area, so are collectors on rooftops. It's greenwash. This project doesn't make it as a green project. It never would.

The negative effects outweigh any benefits that are promised. This is to benefit developers. The rich get richer. Promises are made to get support of the community, but the residents will feel the negative effect. They will feel it the most.

Promises of jobs don't stop the effects of pollution and traffic congestion, crime and gambling addiction. Other uses for recreation, a conference center, anything but a casino would be better -- would better serve the people of Richmond. Save this beautiful coast land. Stop the casino. Rethink this and come up with a real solution.

Thank you.

MR. BLEVINS: Thank you.

Melissa Peebles, please.

MS. PEEBLES: My name is Melissa Peebles. I'm a renter in El Cerrito, and I hope to be a first-time home buyer in Richmond.
We do not need another casino. I visited a casino recently and took a photo without realizing that was prohibited. A very nice security guard told me photos were not allowed because there were many people there who would not be found out that they were there.

The atmosphere of gambling, sex addiction, noise and craziness made me ill and are not values I support or that I want my children to be surrounded by.

This is not an atmosphere that will be of service or appealing to the people and youth of Richmond. There's an opportunity here to Green Point Molate, to preserve the integrity of the shoreline, to create projects and jobs that will benefit the community in an environment for the next seven generations to come.

I request that we explore other options in this light.

Thank you.

MR. BLEVINS: Thank you.

I'd like to call Lech Naumovich to be followed up with Jim Levine, George McRae, Reverend Andre Shumake, and Naomi Williams to be seated up in the front, please.

MR. NAUMOVICH: Good evening, Planning Commission. Thank you very much for this opportunity to speak. My name is Lech Naumovich. I'm speaking on behalf of the East Bay Chapter of the California Native Plant Society.

We're a nonprofit organization with over 1,200 members.
We're currently working to build a coalition of environmental groups to look at the impacts of this project. First and foremost, we're not opposed to Richmond and its residents utilizing Point Molate in a way that builds the community. We have examples from the Concord Naval Weapons Station, an ongoing process which the City Council actually went out and extended their arms to the community, and they attended meetings, and they came up with a plan through consensus.

This is a plan from the top down. This is a plan from an individual who has a certain amount of financial interest in this, and we believe the EIR is inadequate in a number of ways.

First of all, EIR fails to present the full impacts of the project. It fails to correctly identify some of the basic resources there. The coastal prairie is limited in California. Probably about 95 percent of it has been removed.

There is coastal prairie there. You can talk to any expert that knows grasslands; yet, somehow it never appeared in the EIR. This level of oversight also extends to coastal strand communities and other communities that were inappropriately missed from the document.

There are a number of species that are misclassified. The work seems inadequate. Honestly, it seems sloppy.
Additionally, the eelgrass beds are not considered. Eelgrass beds are one of our most vital resources in the Baylands. These outside of Point Molate you have one thriving community of eelgrass beds that are very difficult to restore, and they don't move well, and the problem is that the intact communities there are going to be highly effected by a ferry, by development and encroachment.

We're very concerned about this because there's also a house of cards with financing. The City here is going to enter into an LDA, so the development agreement requires that the City gives the property directly to the developer when this document is approved.

Guess what? You lose all control over the land at that point. You may have an agreement as long as the corporation is fiscally solvent, but beyond that moment, you're the ones gambling, and you're gambling for everybody out here that lives in this community and the region.

Thank you very much.

MR. BLEVINS: Thank you.

Jim Levine.

MR. LEvine: Thank you, Madam Chair, Members of the Planning Commission. My name is Jim Levine with Upstream.

First, I just want to say that the -- not perfect, the EIR consultants and City staff did a Herculean job on analyzing the project, and I know that a lot of the comments
that you've heard today are in one way or another addressed
in the document. It's sometimes a little hard to find
those. I know some of them I've seen the answers to it
myself.

At the same time, the folks who have made comments and
have taken the time to read it and put in a lot effort, and
I think all their comments really need to be listened to and
addressed.

As an example during this process, some of the
environmentalists came to talk to me and asked me about the
details on eelgrass, for instance, and it wasn't until we
had the conversation that it was identified that, in fact,
the eelgrass is located in the shallow waters, and the ferry
service in the deeper waters won't have any impact at all,
and that the tribe is already engaged to help the eelgrass
restoration project that's being led by San Francisco State.

The groups also asked about since the Richmond Bart
Station is an essential element of the transit plan for the
project, what would we do to help security of the Richmond
Bart Station, and we indicated that we were fine with adding
as a mitigation measure that we would work with the City to
enhance security there, which has additional benefits for
transit use in the area.

Similarly, they asked us about ferry service. In fact,
when we shared the details with them, we got some very
encouraging feedback that it is very feasible to backload
existing commuter ferries from around the Bay and bring
thousands of people here a day from San Francisco and other
places without any additional fuel or greenhouse gases.

On job training, I know people have -- although it's
not really in the EIR, people have asked about that and said
that these really aren't good jobs. Well, I think you
should go talk to the President of Contra Costa College
college. I visited with him last week.

He indicated that his culinary arts program and their
hospitality management program is underfunded, and the
graduates have nowhere to go. We started discussions, and
we made a commitment this week that we would help him expand
the program and then provide scholarships for Richmond
residents who want to go through that program, as well as a
demonstration restaurant on the site.

There's all kinds of things that are identified as --
in the EIR that I think I would ask the EIR consultant to go
through all the comments, as I know you will. Make sure
there's really clear answers for folks.

Lastly, let me just say that while this may be the end
of the comment period, I think the Chairman Woman would
vouch for the fact that this is really a beginning of a
dialogue and a relationship, and --

MR. BLEVINS: Thank you.
MR. LEVINE: We'll work with the Planning Commission Commissioners as they choose to incorporate your ideas at any point in the project. Thank you.

MR. BLEVINS: Thank you.

George McRae.

MR. MCRAE: Yes. George McRae. I'm a resident of El Cerrito, and a member of the California Native Plant Society. I had the opportunity to visit the Point Molate, Point San Pablo area about three weeks ago with my wife, and we were -- first thing that impacted us was the sense of absolute solace and peace that you can't find in West Contra Costa County.

In a place that was heavily populated by water color painters, and I was impressed by that. I was impressed by the fact that it was a hidden gem, a resource that I think very few people have an idea that even exists in its present state.

I would just like to piggyback my comments to those who are opposed to this project. I think it's a bad idea for Richmond, it's a bad idea for West Contra Costa County, it's a bad idea for local neighborhoods on many levels from -- that have been talked about before by previous speakers.

One thing that I wanted to mention in some discussions that I've had recently with some people was the fact that, have we taken into account the fact that the Bay with global
warming is going to be rising at an unprecedented rate, somewhere like four to six to eight feet. We don't know quite -- how that's going to impact the site, if that's going to be included in the EIR.

The other thing is you've got tens of thousands of people going in there every single day. You've got tens of thousands of people coming out inebriated into the community at the end of their time at the casino.

What goes with gambling is drinking, and I think that our community already suffers from those kinds of social impacts, and I don't know if that's been taken into account or not.

Those are really are the basis of my comments. I think that we -- we have other options that were presented here, one of which from low impact to high impact.

One thing about a casino resort situation like this, this is 24-hour a day operation. This isn't a place where the lights go out at 8:00 or 9:00 at night, and it's a thriving community where people can go to sleep. That this is a commercial operation which will be operating 24 hours a day, 365 days a year.

And I think that the impacts not just from the Point Molate area but surrounding that have to be taken into account. There's no way that you can maintain it within boundaries. It will expand the impacts, and the environment
and community will obviously expand beyond all that, so I hope that's taken into consideration, and, again, it's a bad idea. Thank you.

MR. BLEVINS: Thank you.

Reverend Andre Shumake, please.

CHAIR FINLAY: While Reverend Shumake comes to the podium, I'm going to make a quick announcement.

The first is, please, let the record show that Richard Mitchell, our Director of Planning and Building Services did arrive at 7:20. Also, I said that I would be asking how many people were left to speak at 7:15. I did so. That number was 15 at that time. That means that I am going to adjourn this meeting no later than 9:00 this evening. That will still give people who have come after 7:15 and the Planning Commissioners time to address and make their comments.

I just wanted to bring everyone up to date on that. Thank you.

MR. BLEVINS: Thank you.

REVEREND SHUMAKE: To the Chairman, to the entire Committee, thank you for this opportunity to speak tonight. I humbly respect all of the positions that have come before me. I stand here tonight in full support of the Point Molate Resort. I say that again. I stand here tonight in full support of the Point Molate Resort.
All I've heard tonight is information about this casino, and, yes, there is a casino on this -- as part of this project. I understand it to be two to three percent of the footprint of the project.

We have an opportunity in the City of Richmond to create a resort destination that will be bringing people in from all over the United States, if not the world, to the City of Richmond.

It's going to create economic opportunities that have already been talked about. I'm not going to talk about the job opportunities that -- that will be presented. I'm not going to talk about the amount of revenue that will be generated for this City.

This is an opportunity, and I pray that the residents of this City and even those who don't live in this City who know what's best for the City of Richmond. I respect your opinions, but that you consider the opportunity that we have right here to create a resort destination, a place where people will want to come to the City of Richmond, where Richmond will no longer just be known for the homicides in this City.

Someone talked about the desperate people, well, there's been 40 desperate people murdered on the streets of this City. I'm going to four of their funerals tomorrow. The question is, hope, this is just a sense of hope. Yes,
it is a sense of hope, and we need hope in the City of Richmond.

And I think if we can look at how we can create this project and make this project work will be in all of our best interests.

As far as my role as a minister, here is what I see happening with that casino. I do not advocate gambling. Here is what I am going to do. I believe in putting up or shut up. Here's what I'm willing to do. All those men and women who were gambling, I plan to sit down and talk with Jim Levine to see how can we create an environment on that campus where men and women of faith can be there to help those who have a gambling issue.

Because whether you believe it or not, those who are gambling are going to gamble. If they're gambling now, they're going to continue to gamble, and I doubt very seriously that the creation of this project all of a sudden all these new gamblers going to pop up on the streets of the City.

So you talk about jobs and opportunity. Yes, I'm craving those jobs and opportunity. Everything that I've heard this man say he's going to do in the years I've been working with this project, he has done it.

You look way inside environmental justice, brothers and sisters. Why aren't they here advocating against this
project? Because they sit down with Mr. Levine, and they worked out a tragedy where this project can move forth, and they can support it. I submit to you that we can do the same thing.

Yes. I'm not promoting gambling. No, I'm not doing that, but there's a way that we can work on this. There's a way that we can make this project build. These men and women in this City need these jobs, and if not this, then what?

We always talk about what Richmond don't need, but ain't nobody bringing nothing to Richmond. Everybody complain about economic opportunity and job creation, the opportunities that come to Richmond, inside of Richmond and outside of Richmond, but you never bring anything to the table, and we've had enough of that.

We have an opportunity to do something real, something tangible in Richmond. Please, sir, please ma'am, let us not forget the process that the opportunity to create this resort destination. This is more than just a casino. Let's not do a disservice by just calling it a casino. Thank you.

MR. BLEVINS: Thank you.

Naomi Williams.

MS. WILLIAMS: Good evening. My name is Naomi Williams, and I live in the City of Richmond. Almost every speaker that came up here said what I could have said, and I
don't want to go back and say the same things.

All I want to do is to remind everybody that when the
Navy sold the land to Richmond, it was sold to them for
commercial inhabits, not open space. There's enough open
space on that area for everybody. Point Molate is going to
be in the footsteps that's already been used and built on.
They're not going up in the wilderness and putting anything
else there.

So all I can say is that I support Alternative A, and I
know that if the people that didn't live in Richmond was
here, they would support it too, but they live somewhere
else. They don't need the help. We have people in Richmond
that need the jobs, and like Reverend Shumaker said, the
gambling is going to be there. It's everywhere.

I catch buses and I go other places. If I'm going to
catch a bus anywhere, I rather spend my money in the City in
which I live, and I went to San Pablo's City Council
meeting. They weren't so worried about Richmond as they was
worried about them losing revenues. They were saying that
they were going to take a hundred million dollars away from
them. They didn't say the casinos on the other side of
town, they not going to ever to get to my side of town.

The same people that going to Point Molate is not going
to go to San Pablo. These are the local people in San
Pablo. We are talking about people coming in from other
cities, so just take all that under consideration, so
Alternative A for me. Thank you.

MR. BLEVINS: Thank you.

I'd like to call Barbara Pendegrass to be followed with
Antwon Cloird, Tarnel Abbott, Garland Ellis, Peter Birkholz
and Jerome Smith to be seated up here, please.

Barbara Pendegrass.

Antwon Cloird.

MR. CLOIRD: Good evening, Council. My name is Antwon
Cloird. I'm a long-time Richmond resident. You know, I've
been in Richmond all my life, and I watch the -- I watch
downtown Richmond disappear. I watched when they were talk
about they was going to build a mall. There was always a
catch 22 to it because Chevron owned the land, and they
leased that land, and they left Richmond desolate, and the
drugs took over. That's why we are there right now.

And now we have a little change, a jubilee you could
call it, a second chance at a first-class life for Richmond
to get back on its feet in the bottoms. When I'm thinking
about the bottom, I'm not talking about hilltop El Cerrito,
I'm talking about in the bottoms where all the killing in
the iron triangle, a lot of training, a lot of jobs, a lot
of people getting their lives back with this resort they
going to build.

I'm like Reverend Shumaker, gambling, you'll never stop
gambling like you will never stop nobody from drinking. They've been drinking for years, and they going to keep drinking until you get tired of being sick and tired of drinking, but the job that that place is going to give for the people of Richmond with that 40 percent ratio.

And I'm also a laborer for the Local 324. Our whole list is long. Sure finding jobs is gone until next year. People losing their homes, so if we don't stay ready, we never going to get ready, so this job is for --

People are crying for these jobs, and all you got to do is sign the dotted line and watch how many people pop up then. Talking about they want a peace of the pie, but they now they telling you that they don't want it.

You can say that you don't want when it ain't there. Same people who are opposing it, they crying because they going to lose money because everybody is going to be going over there. It's really simple. You know what I'm saying? It's business. It's not no -- it's business, man.

Something over here beautiful. You just got to build it, and we going -- you know what I'm saying? So we just --

Just from me, man, I'm going to go to A with the resort, man, because like I say, I got to go to Concord to a concert, I got to go to -- if I want to take my family out. I want to be right there. I can just get on the freeway, get off one exit, and I'm right there, you know.
So I know some of you all don't live here in Richmond, and you all got to go out to enjoy all self, and it would be better for us to spend our money in our own community.

Thank you very much.

MR. BLEVINS: Thank you.

Tarneil Abbott, please.

MS. ABBOTT: It's T-a-r-n-e-l, A-b-b-o-t-t.

Good evening, Planning Commission Members. I'm going to quote from the California State Library California Research Bureau Report called, Gambling in the Golden State 1998 forward. It was written of the request of attorney -- then Attorney General Bill Lockyer in May of 2006, and I'm really quoting from the Executive Summary.

Governments regulate gambling, in part, to reduce its negative impacts on society. Research suggests that crime rises as casinos attract visitors who either commit or are the victims of crime. This phenomenon may also occur in other attractions with cash bearing participants.

In addition, problem and pathological gambling increases among the local residents and is associated with crimes that generate money to gamble and/or pay off gambling debts. A study using data from every US County between 1977 and 1996 found that casinos, including Indian casinos, are associated with increased crime defined as FBI index one offenses, aggravated assault, rape, murder, robbery,
larceny, burglary and auto theft after a lag of three or four years.

Prior to the opening of a casino, casino and non-casino counties have similar crime rates, but six years after casino openings property crimes were eight percent higher and violent crimes were ten percent higher in casino counties.

That's the end of my quoting from that particular item.

I also would like to say that Mr. Levine himself has explained or admitted that once the casino opens, there is no guarantee that those jobs will remain for the local residents. There's no way to enforce that. Once the casino is open, they can hire whoever they want, so you better look very closely at what you're giving away because that man is here to make a lot of money. The money is going to come out of our community, and it is not going to stay here, and you can't get it back once it's gone.

Personally, I've been to Point Molate many times, went there as a child. I paint there. I will miss that open shoreline's face. It's beautiful open view for -- that all citizens should have to enjoy forever. Once you've built on it, you can't get it back.

There are also important archeological remains there. There are human remains there, and to disturb them would be a violation.
MR. BLEVINS: Thank you.

Garland Ellis, please.

MR. ELLIS: Commissioners, my name is Garland Ellis.

I'm a resident of Richmond, been so for more than 50 years.

I've seen Point Molate when it was owned by the Navy.

Even went out there many times. There's been various light
industrial projects out there over many years, and actually
considering the access to the area that will probably be one
of the best listings for that property still.

In the EIR, there are several things that are not
commented upon. For example, the proposal of the Sugar Bowl
Casino in North Richmond would add a lot of traffic to the
outer outskirts of Richmond.

This is going to affect all traffic flow going even
towards Point Molate, towards the proposed ferry terminal at
the end of Harbor Way, as well as many of the other
employers within the City of Richmond.

And to the traffic congestion just by Point Molate, one
needs to consider also the other proposal too and what it
will bring to the table and not each one individually but as
an accumulation. Both proposals are proposed by the Pomo
Indians and need to be considered together.

From Western Drive, there's a very short access to San
Rafael Bridge. The access goes directly into pay lanes.

Traffic is definitely going to back up there and onto
Western Drive; yet in the EIR it states that it's going to go into the FastTrak lanes, something overlooked in their traffic timing.

Another item overlooked is the access that comes out of Chevron refinery and goes down Western Drive towards 580. This is an emergency exit for the refinery. If there's ever a fire there, that's the way they have to get out. If there's a casino there with a whole lot of traffic, it's going to be very difficult to evacuate that area or even try to fight any type of fire in that area.

Another thing that's not considered is there's major employers within the City of Richmond, Kaiser, Chevron, Social Security just to name a few. Has anybody ever looked at how much that traffic comes from other communities and how it will be affected by the backup on the San Rafael Bridge trying to get to those other jobs?

Will it cause people not to want to go to those jobs anymore or look for employment in other places or to cause some of those employers to not to want to locate in Richmond because it's too difficult to get there? That was not even considered in the EIR.

MR. BLEVINS: Thank you.

Peter Birkholz.

MR. BIRKHOLZ: Hi. Thank you, Commissioners. The name's B-i-r-k-h-o-l-z.
I am an architect specializing in preservation, and DEIR acknowledges there are significant historic structures here and does propose to rehabilitate these. I've worked on similar structures at the Presidio and elsewhere, and in my experience, I understand that it's incredibly expensive to rehabilitate these buildings. The cost of doing this is often, if not always more than rebuilding similar structures, and there's currently not money elsewhere without a project like this to even stabilize these structures.

And so I just have a simple point that this is a good project because it will fully fund the rehabilitation of this National Register District, and it will provide for the preservation of this cultural resource, and I think it's a good idea. Thanks.

MR. BLEVINS: Thank you.

Jerome Smith, please.

MR. SMITH: My name is Jerome Smith, and I'm a 30-year resident of the City of Richmond. This is a drum. It is something real.

From Myahan Jolo. No loser. No weeper. I hate to lose something. Then she bent her head, even a dime, I wish I was dead. I can't explain it no more to be said. Except I hate to lose something.

I lost a doll once and cried for a week. She could
open her eyes and do all but speak. I believe she was took
by some doll-snatching sneak I tell you. I hate to lose
something.

I walked a vine once, got up and walked away. I had 12
numbers on it, and for the same of the day. I’ll never
forget it, and all I can say is I really hate to lose
something. Now, if I felt that way about a watch and a toy,
what you think I feel about my lover boy? I think of
threatening you, man, but he's my evening's joy, and I mean
I really hate to lose something.

Real versus imaginative. That's what you as a Planning
Commission have to deal with. You've been given imagine
every time Mr. Levine and his group has set before you.
You've been given imagine called an EIR. Is it complete?
Is it sufficient for you to vote your conscience with this
EIR?

It's a spiritual travesty, and those who've said
they've cast their lot with gambling because it brings jobs,
they're wrong. It's a cultural quagmire for those who want
to sell out the Bay Area, who want to sell out the internal
culture of our City built on pride and purpose and building.

We built ships to save this country. This is not
culturally consistent with the history of Richmond. Is it
economically viable?

You got a promise of temporary jobs. The capitalism of
this profit motor resort guarantees low-wage jobs in trade
for unlimited profits based on appetite not production, so
you have a choice to make as a Planning Commission if you
see this as a vision of Richmond.

Environmentally like 24/7 on our Bay makes an impact to
me, maybe not to you, but it changes things. Traffic,
traffic is a lock jam now. They may give you honest
statistics, but are they real, are they imagined, are they
something?

Please consider all those things, and you do have a
choice. You can vote not to vote. You can hold up your
dignity, hold up Richmond and don't vote because they need
your vote. The City and their reckless Chevron EIR voted
for the EIR, and it got trashed in court. We can't let this
happen to this project. Please do not vote for either
option.

MR. BLEVINS: Thank you.

Is there anyone out there that has filled out a card
and has not had an opportunity to speak?

Then that concludes our list of citizens who signed up
to share their insights, and I thank all of you that were in
attendance --

CHAIR FINLAY: However, I think that it would be
appropriate if we gave the Planning Commission an
opportunity to speak.
MR. BLEVINS: Chairman Finlay, we will now take comments from the Commission.

CHAIR FINLAY: Thank you.

MR. BLEVINS: You're welcome.

CHAIR FINLAY: Thank you.

May we begin with Commissioner Lane.

COMMISSIONER LANE: First I want to thank everyone who came out tonight to provide their public comment.

Some of the things I want to address are in the EIR around the social justice -- socioeconomic considerations, and some of the issues I will address may not be seen as directly an EIR consideration, but they support whatever comes out of this EIR in terms of considering socioeconomic considerations.

Some of the things are connected to the Local Disposition Agreement or the LDA. Some of the things that I think most excite the public is the opportunity to grow more jobs here in Richmond, so the LDA took at least 40 percent of the new hires, and the participants for construction will be City residents, and 50 percent of the operational jobs be tribe and the City Richmond residents.

However, one of the things I want to bring out, the way the language was written is vague and not very enforceable including language like contractors will make a reasonable effort.
There's only a five-day pre-noticing requirement where the contract has to give notices to the City, the tribe and the labor unions are available; whereas, in other places there is at least a ten-day up to 30-day pre-noticing period.

So I bring this up in the spirit of if we want to have true community benefits especially quality jobs in our community, some of these things should be considered.

Living wage and prevailing wage, the tribe has to pay living wage and prevailing wage, but the living wage is weakened here because the LDA says that tips can be counted as credit toward the living wage. Under other living wage policies, tips cannot be counted towards the living wage.

And, finally, I think one of the speakers talked about is the opportunities of entry level jobs, and that those can be good jobs, and I know they're working to do that under living wage requirements.

One of the things I would just mention is that we also need to look at the opportunities for community members. Also we have managerial positions, positions that provide access to higher pay professional jobs so that is something that I didn't see and would want to see in consideration as workforce development, programs and training is considered.

As far as the green, I know this project was looked at as kind of a beacon of green. One thing that I think would
be stringent in the EIR is more specificity when we're
talking about green. Some types of metrics. What are the
targets for this project? What are the certification aims?
What are the metrics that will be used to be evaluate how
sustainable this project is, so it would be great to see
lead, striving for lead certification, which I didn't see.

Transportation, especially as we talk about public
transportation specifically, our local transit system, such
as AC Transit. I think we all know that there's -- given
the current climate, there's current reductions in level of
service, and I know the EIR does talk about funding
additional service.

So one of things I think should be in there is what
level of Teichert funding would be needed by that applicant
to provide the recommended service as described in the EIR,
so it would be good to see if there's specificity around the
type -- the level of types of funding that could support the
service needed.

Finally, there is talks as far as health issues in the
EIR. There's mitigations for tobacco smoke. There's
various mitigations, I think one that should be included is
just adherent to local city ordinances that we have here in
the books that can protect public health, and I think that's
one mitigation that should be at least considered that I
didn't see in there.
And finally, I know there's a mention of sea level rise, which I also didn't see in the EIR, and there are projections from the BCDC, or the Bay Conservation Development Corporation concerning that, and specifically that era, so it would be great to see some projections or something in there, and it's looks like they're addressing those issues.

So those are my comments for now.

CHAIR FINLAY: Thank you.

We'll now hear comments from Commissioner Rao.

COMMISSIONER RAO: Good evening. I made a few statements I would like to share with you.

First of all, I would like to state that I had a chance to visit Point Molate site several times as a member of the Blue Ribbon Advisory Committee, and then a few more times as a member of the Restoration Advisory Board of US Navy and State Department of Defense.

I was part of reuse plan of Point Molate and the cleanup process of Point Molate. A total of over 15 years in this group. I liked being part of the RAB as this is where my ideas, thoughts and inputs as to the cleanup process.

US Navy folks, along with USEPA, CALEPA, Contra Costa County, and, of course, City of Richmond was represented in these meetings of RAB of 14 years.
Water Board and also the US Department of Defense Contractors who all gave inputs and agreed to a common ground and USDOD spent millions of dollars in cleaning up Point Molate and continues to do so. I think it's 90 percent is over, rest of it still being in the cleanup process.

Yes, there were disagreements in how to accomplish the cleanup process. There were no shortcuts that were followed. RAB was given full and complete details at each meeting of what was being done at each step of the way.

Initially, we heard some disagreements on the process and without any hesitation, we in the RAB, Restoration Advisory Board, sent out letters complaining about eight to the Department of Defense officials and our political leaders on the Federal level. RAB met several dozen times so far, and we continue to do so now.

Most of above mentioned agencies participated in each of our RAB meetings. Each RAB meeting is attended by about 20 or more stakeholders. RAB represents the City of Richmond citizens and the neighboring communities.

We have been doing this for over, as I said, 13 years or so, as part of the cleanup process of Point Molate. Talking about the EIS/EIR, I will say this is a great document that was prepared so professionally while it addresses all community concerns and needs.
We in the RAB Board members have put in literally thousands of hours of their time accomplishing this cleanup process, and we continue to do so.

The five different alternatives you heard tonight, and I support Plan A, the tribal casino and resort for 266 acres of this project site. The project calls for rehabilitation of Winehaven, a historic site for using as casino, restaurants and wine cellar, cultural facilities and dance grounds and government offices, et cetera.

On the site, I like the idea of two hotels and a series of guest cottages, a retail village of 300,000 square feet, a performing arts venue and conference facility. A ferry terminal with capacity of 5,000 persons per day, hillside open space and a shoreline park, you will have approximately 180 acres on the project site.

Construction of Bay trail segment through this project site, two parking facilities for 7,500 vehicles and separate parking structures for buses. There will be police and fire emergency center on site. Remediation of hazardous materials, historic preservation, habitat restoration and number of green building and energy efficient design components are included.

Alternative A is best for our city. It will bring in thousands of jobs for Richmond residents, and owners of this project have committed to this and workers will get a living
wage salary and benefits.

This will help reduce crime, drugs, gangs and violence in Richmond. This will provide an opportunity to our citizens to uplift themselves and improve themselves. These folks are just waiting to start up this project. Most congenial spot for casino as its way out of town, this thing is way out town, way up there as some speakers said, not even why Point Molate really, situated in the hills, away from town crowds, schools and kids, and I wonder how many Richmond citizens even know where Point Molate is.

The project is most well designed, well planned and well organized project. This will give opportunity to minority contractors. There will be pre-apprenticeship programs and will generate thousands of jobs.

Our City needs this project to begin now so we can economically be a more productive City. This is hope and answer for the thousands of unemployed in our City. This is the only way Indian tribes can earn some money and preserve their culture.

Ultimate owners of this facility are willing and bending backwards to fulfill requirements laid on them by various groups.

This EIR covers 5,000 pages, addresses all issues and concerns. It protects public health and safety issues. As I indicated, I am and have been part of overseeing cleanup
of this particular site for years.

This is an economic project not only for our City but for our region. In the Municipal Services Agreement, it's mandated, yes. It's mandated that meaning legal requirement that 40 percent of all employed are here in Point Molate will be Richmond residents.

It further mandates job training programs also. We taking about -- we are talking about thousands of jobs for unemployed in Richmond.

I further know that there is not a project that will have hundred percent of support from the community, and I'm positive a great majority of citizens support this project.

When I went to see Point Molate for the first time, I can hardly believe this piece of property is in Richmond. In my mind, I contemplated it as a heaven on earth. It's so beautiful, and this is the right project for this land, and I support this EIR.

I would like to talk a couple of things about statistics historical preservation approximately to Chevron. Some of the concerns that a lot of people have, as for our statistics are concerned, the workers have shown appreciate better view than dilapidated old buildings. The occasional commuter on the ferry would have but a short glimpse of the new view.

From the three closest acres of San Rafael where people
live, these residents range from 3.73 miles to 4.3 miles away. One community has their view completely blocked by the East Brother Lighthouse and the closest residential neighborhood has the lighthouse and Terminal 4 halfway between them and Point Molate. To their right, they have the San Rafael Bridge and Chevron's Long Wharf.

In any case, the view from four miles away is quite some distance away. Considering everything else in their view, is the proposed development of Point Molate a bad thing?

Comment on historical preservation.

With exception of two buildings, that is Building 6 and 17, all buildings will be preserved and rehabilitated. Building 6 is the Administration Building. It was designed as a warehouse and was significantly remodeled by the Navy for use as office cubicles. About 80 percent of this building collapsed nearly two decades ago.

Building 17 is a tin maintenance shed to the far east of the site and will be relocated. 600 square feet of cottages, which have condemned foundations, lead-based paint throughout, lead water pipes, asbestos from floor to ceiling and bad wiring will all be rehabilitated to be used as Executive Suites.

Winehaven will be repaired with the cracks in the brick facade patched. The metal windows, awnings replaced or
renewed and significant improvements made throughout. The entrances that the Navy installed will be replaced with modern entrances and the water damage will be repaired.

Few sentences about proximity to Chevron.

Although Point Molate is surrounded on three sides by Chevron to the north and south, these are vacant lands. The active part of the refinery is due east over the bridge. Chevron's Risk Management Plant claims that the greatest danger to the communities ammonia, which are housed in three horizontal bullets east of their Isocracking unit.

These bullets are never filled beyond 40 percent of the capacity and have a deluge system to quickly dissipate and dilute any leakage.

The proposed hotel at Point Molate are 1.42 miles away and separated by a ridge line that peaks at 465 feet in its elevation. While a catastrophic leak of ammonia would be hazardous to people in the immediate vicinity, it quickly dissipates in the air and would not likely even be noticed at Point Molate.

Also, the wind blows 87 percent of the time from Point Molate to the ammonia bullets. The remaining 13 percent of the time the wind blows in all different directions.

I will not go into further details. I know Madam Chair has time limits put on this by 9:00 to end the meeting, but I do want to read something because people spoke of sex
addiction, sex workers, people becoming addicted to
gambling. This will be like going to a drug shop and
getting drugs, going to a gambling casino?

I have a reply for you from the police chief of the
City of San Pablo who knows it all about what a casino is
like in their city and their town. This is from Police
Chief, City of San Pablo, Joseph P. Aita. I will read few
of his comments.

The City of San Pablo's current population is 31,155.

Beat Two, which encompasses the San Pablo Lytton Casino has
population of 7,881 or 25 percent of the total.

70 percent of those arrested in San Pablo reside
outside our City limits. The following statistics indicates
San Pablo Lytton Casino's Type II gaming establishment has
had minimal impact on local traffic and public safety, and
that our professional relationship with security and
management personnel of the Lytton Casino is a testament to
the City's successful business practices.

This stands in stark contrast to the fundamental belief
by critics that any urban gaming is detrimental to the
public's welfare. You heard a lot about that this evening.

It's well known that addiction of any large business or
entertainment -- I'm sorry. Addition, not addiction.

It's well know that addiction of any large business or
entertainment venue will naturally increase the City's
population, thus generating increased calls for service and/or medical responses by public safety providers.

Astonishingly, the casino only generated 4.5 percent of the City's total calls for service in 2008, and even less, 1.6 percent, which required actual police intervention. This is especially significant given the fact that the Lytton Casino is open 24/7 and caters to approximately 2.2 million patrons each year, or nearly six times the population of the entire City each month. Further stated, that is one police intervention for every 5,100 visiting patrons and one arrest for every 15,000 contacted.

Comparatively, the Town Center shopping mall adjacent to the casino operates extended business hours with significantly less daily operation, yet recorded 1.5 percent fewer total calls for the service than the casino. The center also averages 11 arrests per month to the casino's 14. Moreover, of the eight homicides investigated in San Pablo in 2008, none of them were associated with, in close approximately to, or within the same geographic region, they call it Beat 2, as the Lytton Casino.

Traffic-related incidents are minimal. The police department recorded only three collisions near the casino in 2008, which is a 40 percent decrease from the previous year. Has some incident report I would like to share with you for -- they have categorized it for total city and Beat 2,
which is within the area of the San Pablo Casino, and then casino itself.

Disturbances, there were total of 1,509 in 2008. In the Beat 2 there were 492, and in the casino area it's 172. Trespass 716 versus in Beat 2 it's 132. In casino region it's 107.

Auto theft was 731 in the city. In the Beat 2 area is 310. In the casino area, it was 83.

People talk a lot of about drinking. Drunk in public.

116 city wide, 58 in the Beat 2 area, and 32 casino area.

As for health and safety there were 260 incidents in the City, 82 in the Beat 2 area, only eight crack pipes and paraphernalia in the casino area.

There were 542 assaults, 181 in Beat 2, and 28 in casino area. That includes simple battery.

As for burglaries are concerned, there were 566 total in 2008 in the City, 157 in the Beat 2 area, and total of 16 in the casino area.

In robbery, 135. Beat 2 had 45. Casino has only six.

We heard a lot about prostitution. Zero in the City, Beat 2 zero, casino zero.

Rape, we heard a lot about this evening. Seven in the City, two in the Beat 2 area, none, no incidents in the casino area.

Homicides we heard a lot this evening. Total of eight
in the City, in the Beat 2, zero. Casino, none.

So basically what police chief here saying is his research indicates that San Pablo Lytton Casino has had little impact on calls for service and public safety since converting to Type II gaming in 2005.

He further states: Mutual respect and cooperation remains the landmark to success with the Lytton Casino.

I do not see a reason why it cannot happen same thing with the City of Richmond Police Department, and, of course, the gaming folks, they have their own police force there. It can be well done in the benefits and interests of the citizens of Richmond and the community around the City of Richmond and the neighborhoods.

Thank you very much.

CHAIR PINLAY: Commissioner Duncan.

MR. DUNCAN: I will confine my comments to various of my expertise and cite specific sections.

First of all, the site is a National Register District, such the project developer is obligated to CEQA to maintain historic character of the site.

This project proposes the demolition of Building 6 and the relocation of Building 17. Let me give you some proportion here. There are two very large buildings in this site that we use for warehousing and distribution.

Building 6 is approximately a third of the entire
footprint of those large buildings. To my mind that means Alternatives A through D, which all propose the demolition of Building 6 contravene requirements of CEQA. From my point of view, from that angle, the project is sort of a no-starter.

So the project developer, I think, has some obligation to doing an alternative outside of A through D that talks about starting with the historic buildings on the site and then working around them.

Contingent to that, Section 4.6.4 as well as 4.13.4 talk about the integrity of the district and how it's being maintained. That's simply not the case if you're demolishing the third of the large building footprints.

It also talks about the aesthetics of the site. In that respect, I found the design schemes, particularly A through C, to be rather heavy-handed. They're out of scale with the existing buildings. There is an intensity of use here that I think is inappropriate, particularly in Schemes A and B. Schemes C and D I think are more pallid.

Again, I think another alternative in addition to A, B, C and D is warranted here before this EIR can be considered complete.

Transportation 4.8.2 has a number of issues involved, and I won't go into them specifically, but my general impression having gone through the mitigation -- impacts and
mitigations is that there are a lot of holes in the numbers here, and I agree with the gentleman who spoke earlier who was the traffic engineer. I think there are many assumptions and assertions here that aren't supported.

In particular is the exit at Point Molate.

Understanding full well that the upgrade to Western Drive would have to happen with increased traffic. The EIR is silent on the physical treatments to the ramp at -- at the intersection of 580.

While it addresses impacts and mitigations for adjacent areas around that within the broader project study area, there are really no physical recommendations for the ramp that gets you into the site, and so I think that's a very large hole.

I understand too, getting back to Building 6, that it's in bad disrepair. The amount of deterioration, because the roof has collapsed, might suggest its demolition, and I see some evidence here that somebody is thinking about this.

In the process and schedule that was given to us tonight. There's a line item that is two items below tonight's workshop that cause findings and statement of overriding consideration.

The statement of overriding consideration is what's needed to demolish a historic building. It's the mechanism and findings are made that it has to happen.
I would remind those who think that the building should be demolished that at Shipyard Three there's a similar building, although it's not concrete, it's frame, that has a collapsed roof. The City's just put out a request for proposals to do a study for saving.

It's a salvageable building, it's a contributing building to a historic district identical in stature to Building 6, so I would suggest strongly, in my opinion, that the building should be saved, but at the very least in this document it has to be discussed and it has to be addressed.

There's absolutely no discussion of its demolition at all. The mitigations, Mitigation Measure MM5, dash, 1 doesn't address it in any way, shape or form. Yet, at the end of the analysis, we have a statement that the loss of Building 6 is significant and unavoidable.

I would suggest with an additional study that proves either one way or the other that that would be sufficient analysis to determine whether Building 6 should be saved or should be demolished.

Finally, there is almost no discussion of the Bay Trail. The Bay Trail is treated in a very light weight manner, and I would hope to see a more in-depth look at that.

So that's pretty much all I have.

CHAIR FINLAY: Thank you, Commissioner Duncan.
Commissioner Beckles.

COMMISSIONER BECKLES: Thank you, Madam Chair.

After reviewing this Draft EIR -- EIR, I found that it's vague. There are several vague -- several things that are vague. For example, the fact that there are no jobs, no specific job guarantees in it. I found that there are several inaccurate information such as the Point Richmond as being an isolated little city, and, in fact, Point Richmond is hardly isolated. That's just a brief example of some of the areas that I find that were inaccurate.

And I also found that there are several areas where it was inconsistent, and I'm not going to go through every last one of them, but just regarding the amounts of jobs that would actually be created is inconsistent.

I also found that this document assumes quite a bit. It assumes there will be such things like ferry. If there will be ferry service, there will be AC Transit service. We know that those of us who ride AC Transit are seeing a reduction in service rather than any kind of an increase, so there's many things that are -- it's assuming will occur that just can't -- cannot be.

There's also -- as Commissioner Lane mentioned, no mention of addressing the sea level rise. Also, in 516 I saw how that there was discussion -- it discusses various mitigation efforts to address cigarette smoke, but I think
that -- it doesn't mention how we can just simply conform to
State, local ordinances which, of course, would eliminate
potential impact completely, so that's one specific area.

There are several mention about social impacts that I
looked on the chapter to try to get some clarity, and I was
more confused. It was very confusing because it just
mentioned numbers, poverty levels and numbers but nothing
specific about the social impacts.

The other thing that concerns me, besides the fact that
it's vague, and there are some inadequacies and
inconsistencies that concerns me most is, of course, when I
mentioned being the social impacts of it, and I --

Research shows that in communities where we have urban
casinos, crime is increased, research shows that, and we
heard mention from one of the tribes up north somewhere
about their particular community and how the crime has
increased, so that's a huge concern of mine.

I very much am in favor of jobs, and so I'm in favor of
something that will be bring revenue into Richmond, but I'm
very, very concerned about the fact -- the negative effect
that a project like this could bring to our already -- our
city that ranks number seven in the nation for crime, so
that's a huge concern of mine.

One of the speakers, I believe it was Reverend Shumaker
mentioned that if not this, then what? And I've been
thinking about that, and I believe that this project can go forth without a casino element. I believe that there's so many examples --

Well, there are two that I can think of in particular right here in the Bay Area without a casino that would bring jobs, that would maintain those jobs and for -- well, the one project that I think about is in Silimar, which is similar -- the area is similar to Richmond, Point Richmond, and it's a wonderful destination resort. It's -- has the outdoor element, recreational element, hotels that we like, so there's still an opportunity for jobs without the social ills that a casino would bring.

An example that I can think about is, you know, when crack cocaine was created, it brought a lot of jobs to Richmond, brought a lot of jobs. Does that make it good?

So we have to think about all the different aspects of any project. Just because it brings jobs, doesn't necessarily make it -- make it good. We have to consider everything, and so in considering everything, that means, you know, besides jobs, what else? Well, besides jobs, will it reduce crime or increase crime? Besides jobs, will it support a family unity or will it destroy the family? Besides jobs will it create more addiction or reduce more -- will it create or reduce addiction?

So there's so many different questions to ask ourselves
besides, you know, settling for just jobs because in my example, I show that there are a lot of things that brings jobs that's not always good.

So those are my concerns, the social ills, the social impact and just so many vague references that I like to see clarified.

CHAIR FINLAY: Commissioner Teltschick-Fall.

MS. TELTSCHICK-FALL: Thank you, Madam Chair.

My comments are in two sort of categories. I have a few specific comments to various sections in the document, and then I just have some general comments about the project and how it measures up with respect to our general plan.

So for the specific ones first, there seems to be the overriding support for this project is all about jobs, and when I look at the document, I didn't really find a real economic analysis. I found -- I did talk to people, the experts of the workshop, and they said that all of these estimates, the estimates of jobs, were based on predictive models, but what concerns me is that I could never see any breakdown on the types of jobs, the salary ranges, stability, benefits that would come with these jobs, how long the jobs would last, and I --

If it falls outside the scope of the document, it falls outside of it, but to make a real decision, I would really want to see some real data that was based on real casinos
operating in -- all over the country, for example, Atlantic
City.

There are plenty casinos around that we can look at
their jobs and see, really study the history of what these
jobs do.

I also found there was no clear data on the overall and
long-term impact of casinos on local communities. I have
grave concerns that the economics of the casino are not
sustainable or healthy.

I saw a lot of detailed charts, tables and maps in
Section 3.7, but I became lost in the detail and came out of
it without the necessary high level analytical kind of
summary that I really would need to evaluate that.

With respect to traffic, Section 301 talks about the
fact that it must be, quote, efficient, safe and convenient,
but when I look further at the realities of the traffic that
I saw, first of all, the maps were hard to read, they don't
show road improvements and mitigations in Richmond.

And when I talked to the technical experts about that
section, they did show me that a supplemental study had been
done for the traffic impacts on Marin County and they did
have maps, and you could actually see traffic flow on real
roads that you could identify.

I don't understand why we didn't have that for
Richmond. What I saw was lists of tables and numbers, and
it was very overwhelming. I couldn't get a big picture at all.

There's traffic noise. Was stated that it will approach or exceed clearly unacceptable levels, that's 4114, and it cites mitigation in Section 5210, but when I go there, I don't find any plan whatsoever for reducing traffic noise.

Daily trips, I -- was really hard to find out what the daily trips were. Again, a lot of tables, and one of the experts helped me look through an appendix, and it was even hard to find with the both of us there, and I believe we came up with a total daily trips of 22,000, and that's a lot of cars, and I really can't imagine how they're all going to fit onto the roads we got without creating a lot of distress.

They say, don't worry because it will be during off-hours, but I've been stuck in congestion in that area in off-hours that were just caused by a minor incident, and then the whole thing backs up. You really just -- it's kind of a bottleneck area, so I have very -- very strong concerns about traffic.

Another related concern is safety and security, so we've got -- we're going to have large crowds there. We've got Chevron right across the hill, and we have an existing community of residents living at the Harbor, looking into
that long winding road, so if there were an emergency, and
people had to evacuate, what would happen. I didn't see
anything about that in the document. All I saw was that
Chevron has things in place to handle a problem that occurs
on -- in their plant, but there was nothing about what would
happen at this site in the case of an emergency and in the
case of an evacuation.

The plan assumes that we'll have ferry service, but
there's -- that could happen, that could not happen. You
can't guarantee that, so I don't think it's really fair to
base your traffic on something that may or may not exist.

So moving onto another topic away from traffic is that
tribal lands are not required to adhere to a general plan,
so if they do, that's entirely voluntarily.

Another concern I have is water, usage of water. It
says that it would have potentially significant impact, but
there's absolutely no statement of water consumption in the
document. Its talked -- usages is discussed in terms of
gallons per minute. That they will need 460 to 732 gallons
of water per minute, but that does not say anything about
consumption, overall consumption.

We have a shortage of water in this area. I've gotten
phone calls from EDMA saying, you know, conserve water,
don't water your lawn. We have to change the pricing rates,
and all of that, so I sort of can't believe that you left
this out. I think it's critical information.

We also have a waste water to think about. We have a system that's already 39 percent over capacity in wet weather. We have neighborhoods who have, you know, water backing up on their streets. It's a serious problem in Richmond, and I do believe that we've just been --

Richmond homeowners are now as of last year, the year before, paying increased taxes to tackle this problem, so this would only exacerbate a problem that is really pretty serious here.

Solid waste was deemed to be not significant, but it's 13 tons per day, and Richmond landfill has already moved to Vallejo because we closed the one down that we have here, increasing the need for fuel, increasing the carbon footprint, increasing cost and just -- yeah, so to me that's significant, and it's a concern.

Another -- someone brought up the topic that we have proposals for two casinos here in Richmond, not very far away from one another by the same tribe, and I do think that that should be analyzed together.

There is definitely a synergistic effect between that, the impact of two casinos so close to one another would be far greater than just one or the other.

So those are all my comments about specific items in the document.
Getting back to the general plan, I do want to talk about that because I served on the General Plan Update Committee with a lot of people who worked really hard on that for a period of three years, and I know that some of the people who worked on that plan are here tonight. I've seen you here, and as then we have different ideas about what's the best use for Point Molate.

However, the general plan does call for some overarching goals that we find recurrent in all of the elements, the land use of urban design element, the health and wellness element, the public safety and noise, the circulation, historic resources, natural resources in open space, and the economic element too.

These all call for a new vision of Richmond, a city that's supported by sustainable businesses, green principles and sound jobs that foster a healthy environment. It calls for infill development and revitalization of areas that are blighted and languishing and for protection of our shoreline and natural resources.

The development proposed for Point Molate is extremely intense and massive in scale. I think that the impacts are severe on many different counts. I've already touched on many of those, but as I said, if you look in each of those elements, there are impacts in all of these.

Aesthetic impacts I agree with Commissioner Duncan,
they're hard for most people to measure, but they will be extreme considering the size and intensity of the development and especially given the unique and natural setting and the history of this site.

So one last thing, and that is that when I look at Alternative D, I as a person who worked on the general plan kind of expected that to represent an option that we discussed and did a lot of work on there in that three-year long session, but I find that that particular Option 2, as we called it, is not represented at all in this EIR/EIS, and I do believe that that option is also what Commissioner Duncan and Commissioner Beckles were kind of proposing as if not this, what else?

So I'm not sure why that option sort of fell out of the running, but basically, I can summarize it for those of you who aren't familiar with it, it was based on the preferred alternative in the original Blue Ribbon Reuse Plan, and it was also the preferred alternative in four other land use studies that were conducted over the years.

So whatever name or number you want to give it, it is an alternative which calls for restoration of historic sites, moderate economic gains by means of careful development all put together for the purpose of creating a site that is suitable for healthy recreation by the general public with green jobs and a healthy and a beautiful
shoreline.

I believe that we are part of our environment, and what
we build at Point Molate will be reflected in our health and
in our behavior for generations to come.

CHAIR FINLAY: Thank you. That concludes the comments
by the commissioners.

Am I safe to say that that concludes the -- that
portion of the hearing this evening?

MR. BLEVINS: Yes, ma'am.

CHAIR FINLAY: Thank you.

(Conclusion of proceedings at 8:43 p.m.)
REPORTER'S CERTIFICATE

I, CATHERINE D. LAPLANTE, a Certified Shorthand Reporter for the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing hearing was reported in shorthand by me, CATHERINE D. LAPLANTE, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting; that the foregoing is a true and correct record of the hearing given.

IN WITNESS WHEREOF, I hereby certify this transcript at my office in the County of Placer, State of California, this 28th day of September, 2009.

CATHERINE D. LAPLANTE, CSR #10140

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