

4.13 AESTHETICS

This section identifies the impacts to aesthetics that could result from the development of each alternative described in **Section 2.0**. Impacts are measured against the environmental baseline presented in **Section 3.13**. Indirect and cumulative impacts are identified in **Section 4.14** and **Section 4.15**, respectively. Aesthetics mitigation measures are presented in **Section 5.2.12**.

SIGNIFICANCE CRITERIA

An impact to aesthetics from the implementation of one the project alternatives would be significant if it would:

- Have a substantial adverse effect on a scenic vista;
- Substantially degrade scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings;
or
- Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

ANALYSIS METHODOLOGY

This section identifies any impacts to aesthetics that could occur from construction and operation of the project alternatives. Impacts to aesthetics were analyzed based on an examination of the project site; a review of maps, photos, and site plans; and field studies.

4.13.1 ALTERNATIVE A – MIXED-USE TRIBAL DESTINATION RESORT AND CASINO

IMPACTS OF ALTERNATIVE A

4.13.1 Alternative A could have a substantial adverse effect on a scenic vista. This is a potentially significant impact.

Significance After Mitigation

With implementation of **Mitigation Measure 12-1**, a *less-than-significant* impact would occur.

Impact Discussion

Alternative A would place casino, hotel, and dining uses within existing buildings on the project site. These buildings are depicted in **Photo 1** on **Figure 3.13-2a**. Because these

existing buildings are contributing elements of the Winehaven Historic District (see **Section 3.6**), they would be rehabilitated in such a way as to not substantially alter their historic character; these buildings would not have a significant impact on any scenic vista. As shown on **Figure 2-2** and **Figure 2-3**, there would also be new construction, which would include the casino, hotel, dining, conference, entertainment, and Tribal facilities, as well as a parking structure. The new construction would affect the view of the project site from off-site locations. Alternative A would be most visible from points on the San Francisco Bay (Bay), directly west of the project site. A *potentially significant* impact would occur, and therefore mitigation is recommended.

4.13.2 Alternative A would not substantially degrade scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impact would occur.

The nearest highway eligible for designation as a State Scenic Highway is located five miles directly west of the project site, across the Bay. The highway does not afford clear views of the project site. *No impact* would occur.

4.13.3 Alternative A could substantially degrade the existing visual character or quality of the site and its surroundings. This is a potentially significant impact.

Significance After Mitigation

With implementation of **Mitigation Measures 12-2** and **5-1**, a *less-than-significant* impact would occur.

Impact Discussion

As shown on **Figure 2-2** and **Figure 2-3**, Alternative A would include renovating most of the existing buildings, replacing one existing building, relocating one existing building, and adding new structures to the project site. Although the visual character of the remaining historic buildings would not be degraded, the addition of modern buildings could affect the overall visual character of the site. See **Section 4.6** for a discussion of potential impacts to the Winehaven Historic District. A *potentially significant* impact would occur, and therefore mitigation is recommended.

4.13.4 Alternative A could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. This is a potentially significant impact.

Significance After Mitigation

With implementation of **Mitigation Measure 12-3**, a *less-than-significant* impact would occur.

Impact Discussion

The casinos, hotels, and other facilities proposed under Alternative A would be open 24 hours per day. Therefore, lighting would be required outside the casinos and hotels and in and around the parking structures for operations and for safety. This would introduce a new potential source of light and glare to the project area. A *potentially significant* impact would occur, and therefore mitigation is recommended.

4.13.2 ALTERNATIVE B – MIXED-USE TRIBAL DESTINATION RESORT AND CASINO WITH RESIDENTIAL COMPONENT

IMPACTS OF ALTERNATIVE B

4.13.5 Alternative B could have a substantial adverse effect on a scenic vista. This is a potentially significant impact.

Significance After Mitigation

With implementation of **Mitigation Measure 12-1**, a *less-than-significant* impact would occur.

Impact Discussion

The discussion of existing buildings and new construction under **Impact 4.13.1** applies to Alternative B with the exception that, under Alternative B, there would also be 340 homes constructed on 32 acres on the southwestern portion of the project site. Because of the residential development component of Alternative B, which is depicted on **Figure 2-8**, this alternative would have a greater impact on views of the project site from off-site locations than would Alternative A. Alternative B would be most visible from points on the Bay, directly west of the project site. A *potentially significant* impact would occur, and therefore mitigation is recommended.

4.13.6 Alternative B would not substantially degrade scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impact would occur.

The nearest highway eligible for designation as a State Scenic Highway is located five miles from the project site, and does not afford clear views of the project site. *No impact* would occur.

4.13.7 Alternative B could substantially degrade the existing visual character or quality of the site and its surroundings. This is a potentially significant impact.

Significance After Mitigation

With implementation of **Mitigation Measure 12-2**, a *less-than-significant* impact would occur.

Impact Discussion

As shown on **Figure 2-7** and **Figure 2-8**, Alternative B would include renovating most of the existing buildings, replacing one existing building, relocating one existing building, and adding new structures to the project site. Although the visual character of the remaining historic buildings would not be degraded, the addition of modern buildings could affect the overall visual character of the site. See **Section 4.6** for a discussion of potential impacts to the Winehaven Historic District. Because of the residential development component of Alternative B, this alternative would alter the visual character of the project site to a greater degree than would Alternative A. A *potentially significant* impact would occur, and therefore mitigation is recommended.

4.13.8 Alternative B could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. This is a potentially significant impact.

Significance After Mitigation

With implementation of **Mitigation Measure 12-3**, a *less-than-significant* impact would occur.

Impact Discussion

The casinos, hotels, and other facilities proposed under Alternative B would be open 24 hours per day. Therefore, lighting would be required outside the casinos and hotels and in and around the parking structures for operations and for safety. There would also be some exterior lighting associated with the residential development on the southwestern portion of the project site. This would introduce a new potential source of light and glare to the project area. A *potentially significant* impact would occur, and therefore mitigation is recommended.

4.13.3 ALTERNATIVE C – REDUCED INTENSITY MIXED-USE TRIBAL DESTINATION RESORT AND CASINO

IMPACTS OF ALTERNATIVE C

- 4.13.9 Alternative C could have a substantial adverse effect on a scenic vista. This is a potentially significant impact.**

Significance After Mitigation

With implementation of **Mitigation Measure 12-1**, a *less-than-significant* impact would occur.

Impact Discussion

The discussion of existing buildings and new construction under **Impact 4.13.1** applies to Alternative C with the exception that, under Alternative C, the Point Hotel would not be constructed, the other new-construction hotel would be reduced in size, the conference and entertainment facilities and the retail village would be reduced in size, and the shoreline park and hillside open space would be increased in size. Because the amount of new development under Alternative C, as depicted on **Figure 2-10** and **Figure 2-11**, would be substantially reduced as compared to Alternatives A and B, this alternative would have a lesser impact on views of the project site from off-site locations. Alternative C would be most visible from points on the Bay, directly west of the project site. A *potentially significant* impact would occur, and therefore mitigation is recommended.

- 4.13.10 Alternative C would not substantially degrade scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impact would occur.**

The nearest highway segment eligible for designation as scenic is located five miles from the project site, and does not afford clear views of the project site. *No impact* would occur.

- 4.13.11 Alternative C could substantially degrade the existing visual character or quality of the site and its surroundings. This is a potentially significant impact.**

Significance After Mitigation

With implementation of **Mitigation Measure 12-2**, a *less-than-significant* impact would occur.

Impact Discussion

As shown on **Figure 2-10** and **Figure 2-11**, Alternative C would include renovating most of the existing buildings, replacing one existing building, relocating one existing building, and adding new structures to the project site. Although the visual character of the remaining historic buildings would not be degraded, the addition of modern buildings could affect the overall visual character of the site. See **Section 4.6** for a discussion of potential impacts to the Winehaven Historic District. Because the amount of new development under Alternative C would be substantially reduced as compared to Alternatives A and B, this alternative would alter the visual character of the project site to a lesser degree. A *potentially significant* impact would occur, and therefore mitigation is recommended.

- 4.13.12 Alternative C could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. This is a potentially significant impact.**

Significance After Mitigation

With implementation of **Mitigation Measure 12-3**, a *less-than-significant* impact would occur.

Impact Discussion

The casinos and hotel proposed under Alternative C would be open 24 hours per day. Therefore, lighting would be required outside the casinos and hotel and in and around the parking structure for operations and for safety. This would introduce a new potential source of light and glare to the project area. A *potentially significant* impact would occur, and therefore mitigation is recommended.

4.13.4 ALTERNATIVE D – NON-TRUST ACQUISITION WITH NON-GAMING MIXED-USE DEVELOPMENT

IMPACTS OF ALTERNATIVE D

- 4.13.13 Alternative D could have a substantial adverse effect on a scenic vista. This is a potentially significant impact.**

Significance After Mitigation

With implementation of **Mitigation Measure 12-1**, a *less-than-significant* impact would occur.

Impact Discussion

The conference facility and the office, dining, and retail components proposed under Alternative D would be located within existing buildings. These buildings are depicted in **Photo 1** on **Figure 3.13-2a**. Because these existing buildings are contributing elements of the Winehaven Historic District (see **Section 3.6**), they would be renovated in such a way as to not substantially alter their historic character; these buildings would not have a significant impact on any scenic vista.

As shown on **Figure 2-13** and **Figure 2-14**, the hotel and residential components would be new construction. Alternative D would be most visible from points on the Bay, directly west of the project site. It would have a greater impact than Alternatives A through C, as there would be more new construction, including 1,100 homes on 70.5 acres. A *potentially significant* impact would occur, and therefore mitigation is recommended.

4.13.14 Alternative D would not substantially degrade scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impact would occur.

The nearest highway eligible for designation as a State Scenic Highway is located five miles from the project site, and does not afford clear views of the project site. *No impact* would occur.

4.13.15 Alternative D could substantially degrade the existing visual character or quality of the site and its surroundings. This is a potentially significant impact.

Significance After Mitigation

With implementation of **Mitigation Measure 12-2**, a *less-than-significant* impact would occur.

Impact Discussion

As shown on **Figure 2-13** and **Figure 2-14**, Alternative D would include renovating most of the existing buildings, replacing one existing building, relocating one existing building, and adding new structures to the project site. Although the visual character of the remaining historic buildings would not be degraded, the addition of modern buildings could affect the overall visual character of the site. See **Section 4.6** for a discussion of potential impacts to the Winehaven Historic District. Because of the greater square footage of new construction, Alternative D would alter the visual character of the project site to a greater degree than would Alternatives A through C. A *potentially significant* impact would occur, and therefore mitigation is recommended.

- 4.13.16 Alternative D could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. This is a potentially significant impact.**

Significance After Mitigation

With implementation of **Mitigation Measure 12-3**, a *less-than-significant* impact would occur.

Impact Discussion

The hotel proposed under Alternative D would be open 24 hours per day. Other facilities proposed under this alternative could also be open at night. Therefore, lighting would be required outside the hotel and in and around the parking structure for operations and for safety. There would also be some exterior lighting associated with the residential development occurring throughout the project site. This would introduce a new potential source of light and glare to the project area. A *potentially significant* impact would occur, and therefore mitigation is recommended.

4.13.5 ALTERNATIVE E – TOTAL PARKLAND

IMPACTS OF ALTERNATIVE E

- 4.13.17 Proposed development under Alternative E would retrofit existing buildings to eliminate deterioration of the Winehaven buildings and thus, would prevent a substantial adverse impact on a scenic vista. This would be a beneficial impact.**

As discussed in **Section 2.6.2**, the historic buildings on the project site are in an advanced state of disrepair and a significant amount of financial resources are necessary to stabilize the structures. Under Alternative E, the structures comprising the Winehaven Historic District would be stabilized to prevent additional deterioration, but would not be adaptively reused. Specifically, damage to the structures incurred as a result of deferred maintenance, as detailed in the structural assessment included as **Appendix E**, would be addressed. Such repairs would conform to the Secretary of the Interior's Standards for Treatment of Historic Properties and would likely be limited to re-installing failed portions of roofs and facades, correcting water damage, as well as reinforcement of structurally deficient framing. As the historic buildings would undergo minimal infrastructure improvements, the historic district would not continue to deteriorate; therefore, views of the project site would not be adversely affected and result in a *less-than-significant* impact.

- 4.13.18 Alternative E would not substantially degrade scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impact would occur.**

The nearest highway eligible for designation as a State Scenic Highway is located five miles from the project site, and does not afford clear views of the project site. *No impact* would occur, as the project site would remain in its current state, with only a minimal amount of infrastructure upgrades on site.

4.13.19 Alternative E would not substantially degrade the existing visual character or quality of the site and its surroundings. No impact would occur.

As discussed in **Section 2.6.2** and under **Impact 4.13.17**, on-site historic buildings would undergo basic infrastructure stabilization upgrades to prevent future deterioration. No other development would occur onsite; therefore, *no impacts* to the existing visual character would occur.

4.13.20 Alternative E would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. No impact would occur.

Under Alternative E, the shoreline park would have hours of operation similar to regional parks within Contra Costa and Alameda Counties and would also include appropriate down-cast lighting during hours of operation past dusk to minimize impacts of lighting. As such, no new substantial sources of light or glare would be created and *no impact* would occur.

4.13.6 ALTERNATIVE F – NO ACTION

IMPACTS OF ALTERNATIVE F

4.13.21 Alternative F could have a substantial adverse effect on a scenic vista. This is a potentially significant impact.

Significance After Mitigation

There is no feasible, legally enforceable mitigation that would lessen the significance of this impact. As such, this is a potentially *significant and unavoidable* impact.

Impact Discussion

As discussed in **Section 4.6.6**, the Winehaven Historic District is currently in a state of disrepair as a result of deferred maintenance and it would continue to deteriorate as a result of neglect under the No Action Alternative. Any future development would be required to provide for the appropriate treatment of the historic resources located within the project site. However, left alone, the historic buildings would continue to deteriorate and may have an

adverse effect on a scenic vista. This is a *potentially significant* impact; however, no feasible mitigation is available due to the lack of a funding source.

4.13.22 Alternative F would not substantially degrade scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impact would occur.

The nearest highway eligible for designation as a State Scenic Highway is located five miles from the project site, and does not afford clear views of the project site. *No impact* would occur.

4.13.23 Alternative F could substantially degrade the existing visual character or quality of the site and its surroundings. This is a significant impact.

Significance After Mitigation

There is no feasible, legally enforceable mitigation that would lessen the significance of this impact. As such, this is a *potentially significant and unavoidable* impact.

Impact Discussion

As discussed in **Section 4.6.6**, the Winehaven Historic District is currently in a state of disrepair as a result of deferred maintenance and it would continue to deteriorate as a result of neglect under the No Action Alternative. Any future development would be required to provide for the appropriate treatment of the historic resources located within the project site. However, left along, the historic buildings would continue to deteriorate and could substantially degrade the existing visual character or quality of the site and immediate surroundings. This is a *significant* impact; however, no feasible mitigation is available due to the lack of a funding source.

4.13.24 Alternative F would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. No impact would occur.

Under Alternative F, no foreseeable development would occur on the project site; therefore, no new sources of light or glare would be created. *No impact* would occur.