Public Review Draft

Initial Study/Mitigated Negative Declaration

Roberts Pool Complex Replacement Project

Roberts Regional Recreation Area

Unincorporated Alameda County, California

East Bay Regional Park District

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List of Abbreviations and Acronyms

ADA	Americans with Disabilities Act
APN	Accessors Parcel Number
BAAQMD	Bay Area Air Quality Management District
BMP	Best Management Practice
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CCAP	Community Climate Action Plan
CDFW	California Department of Fish and Wildlife
CDOC	California Department of Conservation
CDPR	California Department of Parks and Recreation
CEC	California Energy Commission
CH2Mhill 2013	Cultural Resources Inventory Report for the Hazardous Fire Risk Reduction Environmental Impact Statement, East Bay Hills, California
CH_4	Methane
CNDDB	California Natural Diversity Database
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CRHR	California Register of Historical Resources
DTSC	Department of Toxic Substances Control
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
GHG	Greenhouse Gas
HABS	Historic American Builds Survey
ITP	Incidental Take Permit
LUP	Land Use Plan
NAHC	Native American Heritage Commission
NO_2	Nitrogen Dioxide
N_2O	Nitrous Oxide

NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
PM	Particulate Matter
PMMP	Pallid Manzanita Management Plan
PRC	Public Resources Code
Roberts Pool Complex	the Complex
SGMA	Sustainable Groundwater Management Act
SLR	Sacred Land Search
$S0_2$	Sulfur Dioxide
Sq. ft.	Square Feet
SR	State Route
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
Pb	Lead
The Playground	Roberts Regional Recreation Area Barrier Free Playground
The Project	Roberts Regional Recreation Area Roberts Pool Complex Replacement Project
USEPA	United States environmental Protection Agency
USGS	United States Geological Survey

Chapter 1: Project Description

1. Project Title

Roberts Pool Complex Replacement Project

2. Lead Agency and Address

East Bay Regional Park District
2950 Peralta Oaks Court
Oakland, CA 94605

3. Contact Person and Phone Number:

Toby Perry – Project Manager, Project Management Unit in Design and Construction
East Bay Regional Park District
Phone/Email: 510-544-2317; tperry@ebparks.org

4. Project Location:

The proposed Project is located at 1570 Skyline Boulevard, Oakland CA (see Figure 1 Regional Project Location), Accessors Parcel Number (APN) 085-0001-002-01. The entirety of the proposed Project site is located within Roberts Regional Recreation Area. While the address states the proposed Project is in Oakland, the location is actually in unincorporated Alameda County, with Alameda County being responsible for issuing the building permit.

5. Project Sponsor's Name and Address:

East Bay Regional Park District
2950 Peralta Oaks Court
Oakland, CA 94605

6. Responsible and Trustee Agencies

Responsible Agency – California Department of Fish and Wildlife

7. General Plan Designation:

Alameda County General Plan Land Use Designation: CVGP-RM - Resource Management

8. Zoning:

Alameda County Zoning Designation: A – Agriculture

9. Description of Project:

The East Bay Regional Park District (the Park District) proposes to replace the existing Roberts Pool Complex with an updated pool complex (proposed Project). The new complex would replace the existing pool with a larger pool, the existing changing room would be demolished and replaced with an expanded changing room (within approximately the same building footprint), and the existing mechanical building would be demolished and replaced with a new, expanded building for the pool's mechanical equipment.

Project Background:

The Roberts Pool Complex (the Complex) was constructed for the park's opening in 1953, and has served as a public recreational facility ever since. The pool is open to the public from mid-April through the end of September. Programs offered at the pool include group and private swim lessons, recreational swim, and a special time set aside for disabled swimmers only.

The Complex contains a 25-yard heated swimming pool (with depths between 3 feet to 8.5 feet), vending machines, and lawn areas. Other structures include a changing room building, a building containing the pool's mechanical equipment and chemical treatments, and an entry kiosk. The Complex is fully accessible to individuals with disabilities, including the changing room and an accessible lift into the pool. The proposed Project is served by a septic system with two leach fields, which collects all of the facility's wastewater. The proposed Project is located adjacent to the Roberts Regional Recreation Area Barrier Free Playground (playground), a fully accessible playground. While the proposed Project would not include the playground, improvements to the American's With Disabilities Act (ADA) parking (discussed below) would also improve access to the playground.

The Complex is over 70 years old and the infrastructure is beginning to fail. In order to continue to serve the public as a recreational swimming facility, it must be replaced with a modernized pool, pool equipment, and support structures.

Project Components:

The new Roberts Pool Complex would be located in the exact same place, with no expansion of the developed footprint of the existing site. The Park District would renovate and expand the pool from four swim lanes (approximately 2,700 square feet [sq. ft.]) to six competition swim lanes and two cool down lanes (approximately 5,600 sq. ft.), which would approximately double the capacity of the pool. The new configuration would accommodate lap swimming and swimming lessons (and/or other programming) in the shallow end of the pool simultaneously, while the current configuration only allows one at a time. The majority of the grading on the proposed Project site would be done to expand the pool, with a maximum depth of grading of approximately 10.5 feet.

Construction of the new pool and pool deck would also include new retaining walls, plantings, and irrigation. The pool deck would remain approximately the same size, but would be pushed back from it's current location to accommodate the larger pool. Landscaped areas, including lawn areas, would be reduced to accommodate the larger pool size. Grading of an existing hillside next to the pool will be necessary to accommodate the pool deck's new location.

The Complex's parking lot (comprised of a total of 154 parking spaces, with six of those being ADA compliant) would remain the same shape and size, with no change to the majority of the parking area. However, the six existing ADA parking spots that would remain in the same location but would be slightly altered to meet new standards. A new sidewalk would be constructed adjacent to the ADA spots to improve accessibility. A limited amount of grading would occur adjacent to the parking lot to accommodate the new sidewalk. The construction equipment and materials for the proposed Project would be staged in the northern extent of the parking lot, closest to the Roberts Pool Complex. The remainder of the parking lot would remain open for public use to access the adjacent playground.

The proposed Project would demolish and replace three of the extant buildings on the proposed Project site: the entry kiosk, the public changing room, and the building for the pool's mechanical equipment. A small shed would also be demolished but not replaced. The new changing room building would be approximately 2,515 sq. ft., an increase of 565 sq. ft. over the existing structure. It would include restrooms and space for lifeguard operations and park operations. The new mechanical building will house all of the pool's mechanical and chemical materials and will also include storage space for lifeguard training equipment. The new mechanical building would be 1,450 sq. ft., an increase of approximately 985 square feet. The current mechanical building is located in the northern corner of the Complex facing to the southeast. The new mechanical building, due to its larger size, will rotate 90 degrees and face west towards the changing room. The Complex would continue to be served by the existing septic system. The current septic system would be able to accommodate the increased size of the pool and all of the new Complex's wastewater. The existing septic system would not need to be expanded.

The entire area of work would be approximately 1.02 acres. Impervious surface would increase by approximately 6,400 square feet. Under existing conditions, approximately 80% of the proposed Project site is an impervious surface. This will increase to 90% after the proposed Project is completed.

10. Project Timeline:

The proposed Project's construction would proceed in four main phases, with some overlap between each one depending on location on the proposed Project's site:

1. Demolition: The entirety of the existing Roberts Pool Complex will be demolished. This includes all buildings, the pool deck, all landscaping and other external features such as lighting. The existing concrete pool would also be removed This would take approximately one month.

2. Grading: The next phase would begin with grading the proposed Project site to meet the necessary footprint of the new pool. The majority of grading would be done to expand the existing pool site to fit the new, expanded pool. However, the enlarged pool would require that the existing pool deck and lawn would, correspondingly, be move into the existing hillslope to the south of the pool. This would be the phase with the majority of heavy equipment use on site. Grading would take approximately 3.5 months.

3. Construction: Construction would begin after grading. This would involve the building construction, installation of the pool and pool deck, and installation of the pool equipment, and planting of landscaping would take place. The construction phase would take approximately eight months.

4. Finishing: The final approximately 2.5 months of the proposed Project would include calibrating and testing the pool equipment, finalizing the landscaping, and finishing the interior of the buildings.

The proposed Project's construction is anticipated to take approximately 15 months. The Park District plans to re-open the Roberts Pool Complex to the public during the 2023 swim season.

11. Surrounding Land Uses and Setting:

The proposed Project site is surrounded by open space park land. The immediate area to the north, east, and south is also the Roberts Regional Recreation Area. Additionally, the Dr. Aurelia Reinhardt Redwood Regional Park borders the Roberts Regional Recreation Area to the north, east, and south. Joaquin Miller Park, owned and managed by the City of Oakland, is located across Skyline Boulevard from the Project site.

As mentioned above, the Roberts Regional Recreation Area Barrier Free Playground immediately borders the proposed Project site to the south. In addition to the playground, the Diablo Vista Picnic Area and Manzanita Picnic Site are also located immediately to the south. A house owned by the Park District, and used as a Park District residence, is located just to the north of the proposed Project site.

12. Other Public Agencies Whose Approval is Required

- Alameda County Public Works Agency – Building Permit
- Alameda County Department of Environmental Health
- Bay Area Air Quality Management District – Demolition Permit
- San Francisco Bay Area Regional Water Quality Control Board – SWPPP
- California Department of Fish and Wildlife -Incidental Take Permit

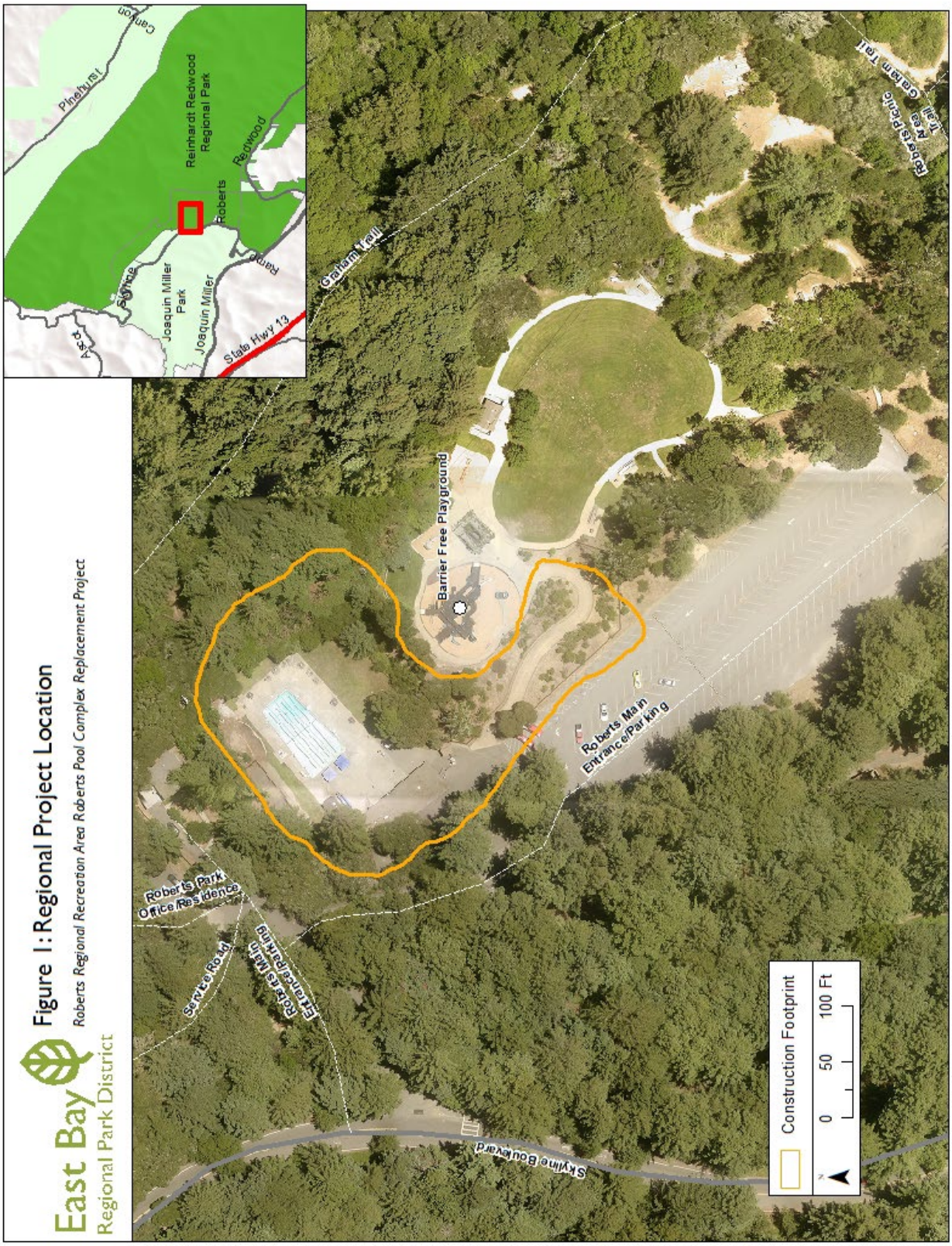
Figure 1: Regional Project Location
Roberts Regional Recreation Area Roberts Pool Complex Replacement Project
East Bay
Regional Park District
Construction Footprint
0
50
100 Ft
Barrier Free Playground
Graham Trail
Roberts Main Entrance/Parking
Roberts Park Office/Residence
Service Road
Roberts Main Entrance/parking
Skyline Boulevard
Roberts Picnic Area
Graham Trail
Reinhardt Redwood Regional Park
Redwood
Roberts
Joaquin Miller Park
Joaquin Miller
State Hwy 13
Pinehurst
Canyon

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Chapter 2: ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist in Chapter 3.0.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

2.1 Determination

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____ Date _____

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Chapter 3: Environmental Impact Analysis

3.1 Aesthetics

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

3.1.1 Discussion

a. Have a substantial adverse effect on a scenic vista? ***(No Impact)***

Park District lands offer scenic vistas from ridges and mountain tops to open space lands as well as urban areas and the San Francisco Bay. Scenic vistas are found throughout Park District lands along trails and roads where openings at higher elevations provide views of these natural areas.

However, the proposed Project site is not located on a scenic vista, nor is it within the viewshed of a scenic vista. Furthermore, the aesthetic values of the proposed Project would not change from existing conditions. The proposed Project is the replacement of an existing public pool and support structures with an updated pool and support structures. Construction related impacts to the aesthetic quality of the site would be temporary, lasting no longer than 15 months. The proposed Project would therefore have **no impact** on views from, or of, scenic vistas.

b. Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ***(Less Than Significant Impact)***

The California Department of Transportation (Caltrans) implements the State Scenic Highway Program. The program lists officially designated scenic highways and eligible highways. Officially designated State

Scenic Highways bisecting or adjacent to Park District lands include State Route (SR) 580, SR 24, SR 680, and SR 84. Highways designated as Eligible that bisect or are adjacent to Park District lands include SR 580, SR 80, and SR 13 (Caltrans 2021). The proposed Project site is not visible from any of these designated or eligible State scenic roads.

Cities and Counties may also designate scenic corridors, roadways, or trails, which are defined as lands that are visible from a highway that provide scenic and natural features. The Scenic Route Element of the Alameda County General Plan designates three classifications of scenic roads: freeways and expressways, major thoroughfares, and major rural roads. The element was adopted in 1966, and these descriptors match the state of the roads at that time. The Scenic Route Element includes a map depicting the scenic roadway system throughout the county. The Scenic Route Element designates Skyline Boulevard, which is adjacent to the proposed Project site, as a scenic route (Alameda County, 1966). However, the visual character of the proposed Project site would not change from existing conditions. The proposed Project is the replacement of an existing public pool and support structures with an updated pool and support structures. Construction related impacts to the aesthetic quality of the site would be temporary, lasting no longer than 15 months. The proposed Project would therefore have a **less than significant impact** on scenic resources near state or local scenic highways.

c. *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those which are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?* ***(No Impact)***

As described above, the visual character of the proposed Project site would not change from existing conditions. The proposed Project is the replacement of an existing public pool and support structures with an updated pool and support structures. Construction related impacts to the aesthetic quality of the site would be temporary, lasting no longer than 15 months. The proposed Project would therefore have **no impact** on the existing visual character or quality of public views of the site and its surroundings.

d. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area* ***(No Impact)***

As described above, the visual character of the proposed Project site would not change from existing conditions. The proposed Project is the replacement of an existing public pool and support structures with an updated pool and support structures. While the size of the buildings would increase, it would not be a substantial increase. Lighting on the proposed Project site would not substantially change from exiting conditions. Therefore, the proposed Project would have **no impact** on light or glare.

3.2 Agriculture and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

3.2.1 Discussion

a, b, e Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? ***(No Impact)***

The proposed Project site is a developed recreational facility that consists of a pool and associated support structures such as changing rooms, a parking lot, and other park facilities. No agricultural use is associated with the existing Project site. The California Department of Conservation (CDOC) publishes statewide farmland maps by county, which sorts land into Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Grazing Land, Other Land, Urban and Built-Up Land, and Water. The proposed Project site is identified as Other Land, and therefore is not designated as Prime, Unique, or Farmland of Statewide Importance (CDOC, 2018).

The proposed Project would continue the same use on the property as a recreational facility used for swimming with an expanded pool and new support structures. **No impacts** to farmland/agricultural land or lands under a Williamson Act contract would occur with implementation of the proposed Project.

c, d. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? Would the project result in the loss of forest land or conversion of forest land to non-forest use? ***(No Impact)***

The proposed Project site is a developed recreational facility that consists of a pool and associated support structures such as changing rooms, a parking lot, and other park facilities. The site does not contain forest land or timberland.

The proposed Project would continue the same use on the property as a recreational facility used for swimming with an expanded pool and new support structures. **No impacts** to forest land, timberland, or land zoned as timberland would occur with implementation of the proposed Project.

3.3 Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

3.3.1 Discussion

a, b. Would the project conflict with or obstruct implementation of the applicable air quality plan? Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard? ***(Less Than Significant Impact)***

The proposed Project is located in Alameda County, which is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which regulates air quality in the San Francisco Bay Area. Within the BAAQMD, ambient air quality standards for ozone, carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), particulate matter (PM10, PM2.5), and lead (Pb) have been set by both the State of California and the federal government. The State has also set standards for sulfate and visibility. The BAAQMD is under State non-attainment status for ozone and particulate matter standards. The BAAQMD is classified as non-attainment for the federal ozone 8-hour standard and non-attainment for the federal PM2.5 24-hour standard.

The proposed Project would not generate air quality emissions above the currently existing conditions. The proposed Project is the replacement of an existing public pool and support structures with an updated, expanded pool and support structures. While the size of the pool and pool changing room is being enlarged, the parking lot is not expanding, limiting the possible increase in use from the expansion. No additional onsite sources of air pollution would be added to the site with implementation of the proposed Project. Therefore, the proposed Project's long-term impacts would not conflict with BAAQMD standards or result in a considerable net increase of any criteria pollutant for which the Project area is in non-attainment ((ozone and PM_{10} and $PM_{2.5}$).

Emissions would occur during the construction phase of the proposed Project. Vehicles and heavy equipment would generate emissions of criteria air pollutants. Fuel combustion involved with vehicle and

equipment use would release particulate matter (PM), and other contaminants associated with motor vehicle operation, including carbon monoxide and ozone precursors. However, emissions would be minimal and would only occur temporarily during construction. Construction would take less than 15 months total. Heavy equipment generating diesel fumes would be used mainly during grading, which would only last approximately 3.5 months. This is the same timeframe that would generate the most construction related dust. The construction contractor will be required to implement dust control measures by the plans and specifications of the contract by applying water or a dust palliative to prevent excess dust from escaping the site. A Park District inspector will be able to suspend construction if this specification is not adhered to.

Therefore, the proposed Project would not conflict with or obstruct implementation of the applicable air quality plan or result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment. This impact would be **less than significant.**

c. *Would the project expose sensitive receptors to substantial pollutant concentrations?* ***(Less Than Significant Impact)***

Sensitive receptors are those segments of the population most susceptible to poor air quality: children, the elderly, and individuals with pre-existing serious health problems affected by air quality. Residences, schools, parks and playgrounds, daycare centers, nursing homes, and medical facilities are all locations that contain sensitive receptors.

As indicated in the Project Description, the proposed Project is located adjacent to both a Park District Residence, the playground, and is situated within a park. However, as discussed above, the proposed Project would not lead to a net long-term increase in pollutant concentrations that would impact sensitive receptors. As the proposed Project would not change the use of the Project site, any pollutants emitted from a recreational pool facility would not change over the existing conditions.

Construction related increases in pollutant concentrations would be minor and temporary, with construction lasting less than 15 months. Ground disturbing construction with heavy equipment would last a small portion of that construction timeline, concluding in approximately 3.5 months. This would minimize the amount of time diesel fumes are generated on site. The construction contractor will be required to implement dust control measures by the plans and specifications of the contract by applying water or a dust palliative, further reducing impacts from fugitive dust. Additionally, users of the playground would only be there temporarily, reducing impact from any construction related pollutants. Further, construction will only take place during weekdays, and the playground has its heaviest use during weekends, further reducing potential impacts. Therefore, the proposed Project would have a **less than signification impact** on sensitive receptors.

d. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?* ***(Less-Than-Significant Impact)***

Diesel fumes from heavy equipment have the potential to generate construction related objectional odors, however, heavy equipment use would be short in duration, occurring mainly during grading, which would last only approximately 3.5 months. Additionally, the proposed Project only has one residence nearby that would regularly experience construction related odors. While the playground is located nearby, users of the playground would only be present temporarily, reducing impact from any construction related odors.

The proposed Project would cause no long-term increase in any objectional odor over baseline conditions, as Project site's use is not changing. The proposed Project would construct a larger pool and support structures in the same location as an existing pool, so there would be no change in objectional odors from existing conditions. The proposed Project would have a **less than significant impact**.

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3.4 Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
e. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
f. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
g. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
h. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
i. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
j. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

3.4.1 Discussion

a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?* ***(Less Than Significant with Mitigation Incorporated***

Background Information

The project site consists of developed and landscaped areas, with some native plants occurring. The developed areas include existing buildings, the pool, and paved areas around the pool and buildings. The pool deck is bordered to the south by a lawn, with a vegetated northwest-facing slope immediately to the south of the lawn. This vegetated slope has been landscaped and includes planted horticultural trees such acacia (seedlings, saplings, and mature trees), and horticultural pines, cedars, and laurels. There are also several native trees present, some which may have been planted, including coast live oak (*Quercus*

agrifolia), coast redwood (*Sequoia sempervirens*), and California bay laurel (*Umbellularia californica*). Ground cover is generally sparse and includes an invasive species, common ivy (*Hedera helix*), native pink honeysuckle (*Lonicera hispidula*), and other species. There is also a vegetated slope to the north of pool, which is dominated by non-native vegetation characteristic of disturbed areas, including species such as bur clover (*Medicago polymorpha*), scarlet pimpernel (*Lysimachia arvensis*), common vetch (*Vicia* sp.), bull thistle (*Cirsium vulgare*), wand mullein (*Verbascum virgatum*), ripgut brome (*Bromus diandrus*), and veldtgrass (*Ehrharta erecta*). Several native plant species also occur on this slope, including bedstraw (*Galium* sp.) and miner's lettuce (*Claytonia perfoliata*). Adjacent to the parking area (which will serve as a staging area), there is a landscaped slope with acacia, scattered coyote brush (*Baccharis pilularis*), and a ground cover dominated by non-native annual grasses. There are no streams, wetlands, or ponds on or bordering the project site.

Developed areas bordering or near the project site include a large, paved parking area, a play structure, lawns, and paved paths. The dominant vegetation community surrounding the project site and other developed portions of Roberts Regional Recreation Area is redwood forest.

Special-Status Plants

All construction activities would occur within developed or landscaped/disturbed areas, which do not provide typical habitat for special-status plant species. However, there is a single pallid manzanita (*Arctostaphylos pallida*; Federally Threatened, California Endangered, California Rare Plant Rank 1B.1), estimated to be 5-10 years old, on the vegetated/landscaped slope immediately to the south of the swimming pool. Based on Park District surveys and records, before the discovery of this individual plant, pallid manzanita was not known to occur in Roberts Regional Recreational Area, but there are known occurrences in surrounding areas. Given the atypical location of this plant (a disturbed/landscaped slope that receives some runoff from an irrigated upslope lawn), it appears that the plant volunteered (not planted) possibly due to the construction of a pool fence (and associated soil disturbance) several years ago. No other special-status plant species are expected to occur on the project site based on habitat conditions and observations by Park District botanical staff.

Prior to the discovery of the pallid manzanita, landscaping trees providing canopy cover, as well as nearby shrubs, were removed from the site. The removal of this vegetation altered the suitability of surrounding habitat by exposing the plant to more direct sunlight. In addition, the proposed Project requires re-grading the hillslope with a retaining wall that varies from 2-5 feet in height. The pallid manzanita is within the proposed grading footprint, and therefore, the proposed Project includes relocating the pallid manzanita. Successfully transplanting the plant will be challenged by the plant's physiology (not a burl forming manzanita) and the presence of nearby pine roots growing at the base of the manzanita (making it harder to remove the root ball from ground). However, as described below in Mitigation Measure Bio-1, all feasible measures to support a successful transplanting and subsequent survival will be implemented, including the work being overseen by a qualified botanist, installing protective caging and fencing around the transplanted pallid manzanita, and long-term monitoring. A minimum of 6 inches of topsoil from the area immediately surrounding the existing pallid individual will also be translocated to the new site in case pallid seeds are present in the seed bank. Cuttings from this plant would be taken by a qualified botanist for growing out in a phytosanitary nursery setting, and if successful, then planted in an area with interpretive signs to educate the public about pallid manzanita conservation and protection.

Given that the proposed Project requires transplanting the singular pallid manzanita on the site and that the long term survival of the plant is not guaranteed, in the absence of implementing **Mitigation Measure Bio-1**, impacts to the pallid manzanita are potentially significant.

Mitigation Measures

Bio-1: Prior to relocating the subject pallid manzanita, the Park District will obtain an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) and implement all related permit conditions contained in the ITP. In addition to compliance with the ITP conditions, at a minimum, the following actions will be taken to minimize and fully mitigate for potential impacts to the subject pallid manzanita:

(1) *Construction Personnel Biological Resources Training*: Prior to mobilizing on the site and to the commencement of any construction activities, a biological resources training addressing the pallid manzanita will be conducted by a qualified botanist. The training will cover measures being implemented to protect the pallid manzanita until it can be transplanted, which include the flowing:

(A) A 25-foot no-disturbance buffer will be established around the pallid manzanita until transplanting is complete; and

(B) Plant Pathogen Protocols

1. All vehicles, equipment and boots need to arrive clean of dirt and debris. This means they are clean of dirt and debris once they turn off Skyline Blvd into Park property. This applies to all equipment (including personal vehicles, boots, tools, etc.).
2. Equipment is allowed into the "active" construction site on the paved area if they follow #1, above.
3. Any vehicle, equipment or boots that will come into contact with bare soil in the "active" construction site must be sanitized with bleach.
4. If they leave that vehicle, equipment, boot in the "active" construction area after it is sanitized, it does not need to be re-sanitized. However, any equipment that leaves the "active" construction site must be re-sanitized before touching bare dirt.
5. Once the pallid manzanita has been transplanted, the "active" construction site only needs to follow #1 for protocol.

(2) *Transplanting*: The subject individual manzanita will be transplanted by a qualified botanist as soon as possible (following the issuance of an ITP) to a location outside of the pool renovation disturbance area. The transplant location will be within a developed and landscaped recreation area to alleviate any concerns about spreading *Phytophthora* into a wildland park location. Transplanting work will be done with strict phytosanitary Best Management Practices (BMPs). Protective caging and fencing with t-posts and large gauge hardware cloth will be installed around the transplanted pallid manzanita. A minimum of 6 inches of topsoil from the area immediately surrounding the existing pallid individual will also be translocated to the new site in case pallid seeds are present in the seed bank. The proposed transplanting location is shown in **Appendix A**.

(3) *Cuttings*: At the most appropriate time, cuttings from the plant will be taken by a qualified botanist for growing out in a phytosanitary nursery setting. If successful, these cuttings will be planted in an area with interpretive signs to educate the public about pallid manzanita conservation and protection. The proposed planted cutting/interpretive signage location is shown in Appendix A.

(4) The translocated plant and planted cuttings will be monitored for a minimum of five years, including standard health monitoring using methods described in the East Bay Regional Park District Pallid Manzanita Management Plan (PMMP) (Naumovich 2017). As needed, weeding and watering will occur in April, June and October. PMMP phytosanitary protocols will be followed for all activity in these new pallid manzanita locations.

(5) *Monitoring, Management and Protection*: The Park District will continue to implement PMMP. As described in the PMMP, the Park District prioritizes and implements the following actions to protect pallid manzanitas on District lands:

- Regularly monitor known pallid manzanita populations
- Complete comprehensive surveys to maintain updated information of current distribution
- Survey areas for symptoms of *Phytophthora,* collect samples and process samples, map areas of known infection
- Restore habitat where pallid manzanita can recruit and establish near established plants
- Implement measures to avoid and minimize the spread of *Phytophthora* from recreational activities
- Increase public awareness of pallid manzanita and habitat threats
- Bank seed resources for the future

Even with the implementation of all feasible measures, the successful transplanting and/or long-term survival of the plant is not guaranteed. However, the ongoing implementation of the PMMP, including monitoring, management, and protection of all known pallid manzanita stands on Park District lands, would reduce impacts from the loss of a single, isolated pallid manzanita within a disturbed area, to less than significant.

Special-Status Wildlife Species

All construction activities would occur within developed or landscaped/disturbed areas and there are no streams, wetlands, or ponds on or near the site; these factors limit the potential of special-status wildlife species to occur. In addition, no nests of the San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a California Species of Special Concern, were observed on or bordering the project site.

The proposed Project would require the demolition of several buildings and a storage shed, which provide potential roosting habitat for locally occurring bat species, including special-status species. However, no signs of active bat roosts were detected during a recent roosting bat evaluation conducted by Park District wildlife staff with expertise in bats. A daytime survey of potential roost structures was conducted on March 15, 2022; this included investigating all potential bat roosting locations (*i.e.,* holes, crevices, soffits, recessed pockets, abutments, joints, and ledges) and searching for sign of roosting bats

(*e.g.,* urine staining, quano pellets). Bat acoustic surveys were also conducted on March 16, 2022; these included a pre-dawn/night-roosting habitat survey and a post sunset/day-roosting habitat survey. No evidence was found of an active bat colony, and due to the presence of non-native rats (*Rattus rattus*) and the amount of nocturnal artificial lighting, it is not likely a colony would be established. In addition, no bats were observed leaving the Roberts Pool Building and associated structures. Therefore, the project site is not expected to provide day-roosting and night-roosting habitat for bats and the proposed demolition of the buildings/structures will not harm roosting bats.

Alameda whipsnake (*Masticophis lateralis euryxanthus*), a state- and federally-Threatened species, has been documented by the California Natural Diversity Database (CNDDB) in the greater project area; the closest documented occurrence is approximately 0.5 mile south of the project site. Core habitat (*i.e.,* scrub, chaparral) is not present on or bordering the project site, but large areas of scrub do occur in surrounding areas (with the closest occurrence being approximately 600 feet north of the project site). Given the developed/landscaped condition of the project site, the site does not provide expected habitat for the species. However, given known occurrences and suitable habitat in surrounding areas, and the mobility of the species, there is a low potential for the species to move across the site. Any harm to this species would be considered a significant impact. Therefore, in the absence of avoidance and minimization measures, impacts to this species are potentially significant.

The trees and structures on and bordering project site provide potential nesting habitat for numerous bird species, including common and special-status species. The removal of trees/structures and construction-related noise could result in the loss or abandonment of an active bird nest(s). Therefore, in the absence of avoidance and minimization measures, related impacts are potentially significant.

Mitigation Measures

Bio-2: Prior to ground disturbing activities, a qualified biologist will provide a biological resources training to all construction personnel. At a minimum, the training will provide an overview of special-status species (*e.g.,* Alameda whipsnake) known from the greater area, the regulations protecting these resources, and instruction on actions to take if a snake is observed (which include stopping work and waiting until the animal leaves the site on its own and contacting the Park District for instruction on how to proceed). A list of employees who attend the training sessions will be maintained.

BIO-3: A qualified biologist will conduct a preconstruction survey for special-status wildlife species immediately prior to groundbreaking activities in unpaved areas. If any special-status species are found in the disturbance area, the animals will be provided with the opportunity to leave the area on their own. Special-status wildlife species may not be handled or relocated without authorization from CDFW and/or USFWS.

BIO-4: If the project will be constructed during the nesting bird season (February 1 to August 31), a preconstruction nesting bird survey will be conducted within 7 days of construction. If an active nest(s) is found, a qualified biologist will establish appropriate setbacks or construction will be delayed until nesting is complete.

With Implementation of mitigation measures Bio-1 to Bio-4, the proposed Project's impacts would be **less than significant with mitigation incorporated.**

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ***(Less Than Significant Impact)***

All construction activities would occur within developed or landscaped/disturbed areas and no streams, riparian habitat or wetlands occur on or near the site. Therefore, the proposed Project would not result in direct impacts to a sensitive natural community. Redwood forest, which is a sensitive natural community, borders portions of the project site. However, the project construction area is within the existing fenced area and surrounding forested habitats would not be disturbed. In addition, the project site has been used as a swimming facility for multiple decades and the overall footprint of the project site is not expanding. Therefore, impacts to sensitive natural communities are **less than significant**.

c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ***(No Impact)***

All construction activities would occur within developed or landscaped/disturbed areas and no streams, wetlands, or other natural aquatic features occur on or near the site. Therefore, the proposed would not result in impacts to a state or federally protected wetland or waterway, and the proposed Project would have **no impact**.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ***(Less Than Significant Impact)***

The project site is currently developed, fenced, and is a heavily used recreation area. The proposed Project would occur within existing developed/landscaped areas and would not change the existing use of the site. Therefore, impacts associated with migratory wildlife corridors are **less than significant**. Please see Special-Status Wildlife Species, above, for a discussion of potential impacts to nesting birds.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ***(Less than Significant Impact)***

The proposed Project requires the removal of numerous trees, all of which are in developed/landscaped portions of the existing pool facilities, and which the majority are non-native species such as acacia. These trees will primarily be replaced with native shrubs and other native landscaping, which is compatible with the use of the site as a swimming facility. While the Park District is exempt from local policies, such as city or county tree policies, the proposed Project is consistent with Park District policies protecting biological resources. Therefore, the proposed Project would have a **less than significant impact**

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ***(No Impact)***

The project site is not within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the proposed Project would not conflict with such a plan and the proposed Project would have **no impact.**

3.5 Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

This section describes the existing cultural resources setting of the proposed Project area and evaluates whether the proposed Project would result in significant impacts on historical resources or unique archaeological resources. CEQA Guidelines15064.5 (a)(1)-(3)) state that the term "historical resources" applies to any such resources listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR), included in a local register of historical resources, or determined to be historically significant by the lead agency. Regarding the proper criteria for the evaluation of historical significance, CEQA Guidelines Section 15064.5(a)(3)) mandates that "generally a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing on the CRHR. A resource may be listed in the California Register if it meets any of the following criteria:

> (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
>
> (2) Is associated with the lives of persons important in our past.
>
> (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
>
> (4) Has yielded, or may be likely to yield, information important in prehistory or history. (Public Resources Code Section 5024.1(c))

Public Resources Code Section 5024.1.(d) states the California Register shall include the following: (1) California properties formally determined eligible for, or listed in, the National Register of Historic Places.

The proposed Project's related impacts to historical resources include demolition activities and all areas where potential ground disturbance would occur. Direct impacts include physical alteration of a resource and indirect impacts include visual, auditory, or atmospheric intrusions on a resource.

Historical built and archaeological resources are addressed in the discussion below.

3.5.1 Environmental Setting

The complex is located in the 82-acre Roberts Regional Recreation Area, within the redwood forest of the Berkeley Hills, a range of the Pacific Coast Ranges, overlooking the San Francisco Bay. The proposed Project site is underlain by fill and bedrock (Ninyo and Moore 2020).

The Park District conducted a search of its cultural resources database, which includes a subscription to the Northwest Information Center (NWIC; File Number 21-0634) of the California Historical Resources Information System, on February 28, 2022. Site records and previous studies were reviewed for the Project site and vicinity, on the Oakland East, California United States Geological Survey (USGS) 7.5-minute quadrangle. The National Register of Historic Places (NRHP), the CRHR, and the Office of Historic Preservation Historic Properties Directory, and the Built Environment Resources Directory data files were reviewed. The background investigation to identify known and potential historical built environment resources also included review of online resources, including historic-period newspapers and architectural journals, historic-period and modern aerial photography, USGS maps, Park District archives, and other relevant sources of information.

The Park District also requested a Sacred Lands File (SLF) search for the proposed Project area from the Native American Heritage Commission (NAHC) on February 28, 2022. The Park District followed up with the NAHC on March 16, 2022. At the time of this writing, the Park District has not received a response from the NAHC. Pursuant to Public Resources Code (PRC) Section 21080.31.(b), there is one Native American tribe (the Confederated Villages of Lisjan) on file as having requested that the Park District notify them of projects undertaken in their area of traditional and cultural affiliation. The Park District notified the Confederated Villages of Lisjan of the proposed Project via certified mail, and email, on March 2, 2022. See Tribal Cultural Resources Section 3.18 for further discussion of this consultation.

Historical Built Environment and Archaeological Resources

The background research revealed that the proposed Project site has been included within one previous study (S-041082), 2013 *Cultural Resources Inventory Report for the Hazardous Fire Risk Reduction Environmental Impact Statement, East Bay Hills, California* (CH2MHill 2013).

CH2MHill's 2013 study identified the Redwood Regional Park Historic District as eligible for listing in the NRHP under Criterion A for its association with events that have made significant contributions to the history of Oakland the East Bay Hills. The boundary defined for the Historic District includes Roberts Regional Recreation Area. CH2MHill (2013) noted that, "Additional features that may be contributing but have not been evaluated include historic-era roads, bathrooms, equestrian trails, jogging or biking trails, East Bay Skyline National Trail, a water conveyance system, and Roberts Recreation area. Given its history as one of the three original parks in the EBRPD, and its ties to the equestrian community in the East Bay Hills, Redwood Regional Park is eligible for listing in the NRHP under Criterion A for its association with events that have made significant contributions to the history of Oakland and the East Bay Hills."

Although CH2MHill's (2013) report encompasses the entire 82-acre Roberts Regional Recreational Area within the NRHP-eligible Redwood Regional Park Historic District, it does not appear that a site-specific survey or study of the current proposed Project location (the Roberts Pool Complex) was conducted. As such, the report does not include an individual evaluation of Roberts Regional Recreation Area or specifically addresses the eligibility of the Complex.

No archaeological resources were identified within the Project site as a result of the NWIC records search.

SURVEY METHODS

Historical Built Environment

An intensive survey of the pool facility following the California Office of Historic Preservation's Instructions for Recording Historical Resources (March 1995) was conducted on March 2, 2022.

The pool and the associated buildings/structures (the original changing room, the original pump house, modern kiosk, a modern water tank and storage shed) were recorded on a California Department of Parks and Recreation (CDPR) 523 A, B, L, and J series forms with physical descriptions of the pool and buildings with photographs, a chronology of construction and known alterations to the property, historical themes and contexts, an evaluation under NRHP and CRHR for individual eligibility, and an integrity assessment.

Archaeological Survey

An intensive pedestrian survey of the Project site was conducted on March 2, 2022 by a Secretary of the Interior qualified archaeologist. Given that the proposed Project area is comprised of a pool complex and parking lot, the majority (approximately 80 percent) of the proposed Project site is paved. The landscaped areas within the Complex include the lawn areas bordering southeast, northwest, and northeast of the pool deck.

The lawn bordering the southeast of the pool deck includes a northwest-facing knoll. This vegetated slope has been landscaped and includes planted horticultural acacia, pines, cedars, and laurels. There are also several native trees present, some which may have been planted, including coast live oak, coast redwood, and California Bay Laurel. The lawn area bordering the northwest of the pool deck is dominated by non-native vegetation which includes bur clover, scarlet pimpernel, common vetch, bull thistle, wand mullein, ripgut brome, and veldt grass. Several native plant species also occur on this slope, including bedstraw and winter purslane. Just to the northeast of the pool deck is a small lawn area on top of a steep natural slope that descends approximately 100 feet to a narrow creek channel.

The landscaping in the parking lot includes acacia, scattered coyote brush, and ground cover dominated by non-native annual grasses.

With the exception of the steep natural slope at the northeast of the Complex (which is outside of the current Project site), all of the lawn areas are likely comprised of imported landscaping soils and non-native plantings, with a sparse occurrence of native vegetation. Nevertheless, the landscaped areas were examined for evidence of cultural resources (e.g., culturally darkened soil [midden], shell fragments, ceramic fragments, glass shards, etc). Ground visibility was relatively low (approximately 10 percent); boot scrapes were periodically employed to increase ground surface visibility. Rodent back dirt piles were also examined for evidence of cultural resources.

Non-diagnostic historic-period artifacts, characterized as domestic (e.g., white improved earthenware fragments) or structural (e.g., plate glass fragments) were identified on the modified slope adjacent to the pump house. The artifacts appeared to be jumbled and interspersed through the soil, near the base of a relatively steep slope, which had been modified/altered with the construction of the pump house into the hillside. Because the pump house is constructed into the hillside, the nexus of the low-pitched

roof and the hillside created an accessible flat, where the artifacts were observed. Given the location of the artifacts, along the roofline of the pump house and near the base of a modified slope, the artifacts were determined not to be an *in situ* archaeological feature. Rather, it is likely that the artifacts were incorporated into the fill soils used to create the slope adjacent to the pump house, and therefore, lack provenience and do not appear to be directly associated with any of the buildings within the Project site and as such, lack potential data potential.

3.5.2 Discussion

Historical Built Environment Resources

While the entire 82-acre Roberts Regional Recreation Area was identified as a potential contributor to a NRHP-eligible "Redwood Regional Park Historic District," evaluation of that entire park is beyond the scope of the current Project, which includes only the renovation of the Complex. Therefore, only the built environment resources associated with the current Project's footprint are addressed in this document. The Complex is a contributing element of the previously identified NRHP-eligible "Redwood Regional Park Historic District" because it is significant as an element of the parks and recreation district, is associated with the growth of parks in Oakland, and retains sufficient integrity to the potential historic district's period of significance (1929 to1953) that ends with the creation of the Roberts Regional Recreational Area in 1953.

CRHR Criterion 1: Roberts Regional Recreational Area Pool is not individually eligible under NRHP Criterion A or CRHR Criterion 1 because it does not have important associations with significant historic events. The pool facility was built in 1953 at the end of the period of significance of a "Redwood Regional Park Historic District" (1929 to 1953). Construction of the pool added to the two existing EBPRD swimming facilities at Lake Anza and Lake Temescal that were opened in the 1930s. The pool was a relatively late addition to a "Redwood Regional Park Historic District" which was established in 1936 (with the Park's opening) and construction of the pool did not serve as a catalyst for development in Oakland and the East Bay Hills, but served as a destination for the established population.

CRHR Criterion 2: While Roberts Pool was named after long-time regional park advocate and Secretary Thomas J. Roberts, it does not have direct associations with Roberts' career and therefore does not appear to be eligible under NRHP Criterion B or CRHR Criterion 2.

CRHR Criterion 3: The Roberts changing room and pump house are not individually eligible under NRHP Criterion C or CRHR Criterion 3 because they are not important examples of a type, period, or method of construction. The design, engineering, and construction of the pool was completed by the innovative and prolific pool design and engineering firm of Paddock Engineering Corporation. While the company may be considered a master in pool design and engineering as shown in earlier, private pools like the 1933 design at the Paley Residence in Beverly Hills, the Roberts Pool is a prosaic entry in the company's portfolio and would not rise to the level of significance to be eligible under these criteria. The Contemporary style utilized in the design of the changing room and the pump house was a popular post-war style utilized in residential, commercial, office, medical, government, recreational, and educational architecture. While the changing room and pump house include many of the hallmarks of the style, including a shed roof with a wide overhang, horizontality, and wood siding to blur the line between indoor and outdoor spaces, both lack the high artistic value that would merit listing on the NRHP or CRHR. Research did not reveal an architect for the changing room or pump house. There does not appear to be a master architect associated with these buildings and research does not indicate that building contractor Herbert E. Ellis would be considered a master builder, therefore, the changing room or pump house are not significant as the work of a master.

CRHR Criterion 4: This criterion is usually reserved for archaeological sites if they have yielded, or may likely yield, information important in prehistory or history. The property must have or have had information to contribute to our understanding in history, and the information must be considered important. In rare instances, buildings and structures can serve as sources of important information about historic construction materials or technologies; however, based on the standard construction methods and materials used, the pool and the buildings at the Complex do not appear to be principal sources of important information in this regard and are otherwise well documented.

Integrity: In addition to having historic significance, to be considered eligible to the NRHP and/or the CRHR, a property must retain sufficient integrity to a proposed period of significance. The seven aspects of integrity are: location, setting, design, workmanship, materials, feeling, and association. The proposed period of significance for the Complex would be 1953, the year it was constructed. The Complex retains integrity of location because it remains in its original location. The setting has been slightly altered with the modern upgrades to the play area on the hill southeast of the pool, but the overall secluded setting of the pool in a grove of Redwood trees remains intact. Design of the pool facility as a whole, has been minimally affected with the removal of the rear wood retaining wall and wooden benches. The concrete deck was replaced in 1988 with in-kind materials and does not affect workmanship, materials, or feeling of the pool facility. Overall, the Complex retains sufficient integrity to convey the feeling of a 1953-constructed public pool and also retains integrity of association because it is still used as a public pool within the park.

Summary

The Roberts Regional Recreational Area Pool is not individually eligible for listing in the CRHR. However, the Complex is recommended as a contributing element of the previously identified NRHP-eligible Redwood Regional Park Historic District because it is significant as an element of the parks and recreation district, is associated with the growth of parks in Oakland, and retains sufficient integrity to the historic district's period of significance (1929 to1953) that ends with the creation of the Roberts Recreational Area. Because the Complex is recommended as a contributing element of the previously identified NRHP-eligible Redwood Regional Park Historic District, it would also be automatically eligible for listing on the CRHR.

The character-defining features of the Complex, as a contributing element of the Redwood Regional Park Historic District, is its setting; the relationship of the changing room, in-ground pool with paved pool deck, and sunbathing areas; the one-story rectangular plan of the changing room with low-pitched shed roof with wide overhang and windows along the roofline, and mix of vertical and horizontal wood siding.

Historical Archaeological / Unique Archaeological Resources

No archaeological resources, which would qualify as a historical resource (pre-contact, contact-period, or tribal cultural resource) or as a unique archaeological resource, were identified as a result of the cultural resources study conducted for the proposed Project.

a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?* ***(Less Than Significant with Mitigation Incorporated)***

California Code of Regulations 14 §15064.5 defines a substantial adverse change in the significance of a historical resource as the demolition, destruction, relocation, or alteration of the resource or its immediate surroundings, that impairs its historical significance.

The Complex is not recommended as individually listing in the NRHP or the CRHR. However, it is recommended as a contributing element of the previously identified NRHP-eligible Redwood Regional Park Historic District and is therefore considered a historical resource for the purposes of CEQA.

The proposed Project would demolish and replace three of the extant buildings that are included in the contributing element of the previously identified NRHP-eligible Redwood Regional Park: the original public changing room, the original building for the pool's mechanical equipment, and the modern entry kiosk. A small, modern storage shed would be demolished and not replaced.

The new changing room building would be constructed within approximately the same footprint of the existing changing room building. However, the new changing room building would be 565 sq. ft. larger than the existing approximately 1,950 sq. ft. building bringing the new size to 2,515 sq ft. The new mechanical building would be increased by approximately 985 sq. ft. for a total of 1,450 sq. ft. The new mechanical building would continue to house mechanical and chemical materials for the pool. The increased capacity would allow for the storage of lifeguard training equipment. The mechanical building's current location cannot accommodate the increased size of the new mechanical building. Therefore, the new mechanical building would be constructed within the location of the extant shed, located to the east/northeast of the pool, which would be demolished. The Complex would continue to be served by the existing septic system, it would not be expanded.

In addition, the proposed Project would renovate and expand the pool from four swim lanes (approximately 2,700 sq. ft.) to six competition swim lanes and two cool down lanes (approximately 5,600 sq. ft.), which would approximately double the capacity of the pool. Construction of the new pool and pool deck would also include new retaining walls, plantings, and irrigation. The pool deck would remain approximately the same size, but would be pushed back to accommodate the larger pool. Landscaped areas, including lawn areas, would be reduced to accommodate the larger pool size. Grading of an existing hillside next to the pool will be necessary to accommodate the pool deck's new location.

Although the proposed Project would demolish the original changing room and pump house and renovate the pool, the Complex would be located in the exact same place, with no expansion of the developed footprint of the site. The original changing room and the original pump house would be replaced with buildings that serve the same purpose as the originals. The new changing room would be constructed within a similar footprint as the original building. Although the pump house would not be constructed in the same footprint, its location would remain within the original Roberts Pool area. The pool would be renovated and expanded, but would encompass the original footprint.

The Complex would still retain similar buildings/structures as the original, and the overall purpose and use of the Complex would remain the same. Therefore, with the implementation of **Mitigation Measure CUL-1** and **Mitigation Measure CUL-2**, the potential to directly or indirectly cause a substantial adverse change in the significance of the Complex, as a contributing element to the NRHP-eligible Redwood Regional Park Historic District, would be reduced to **less than significant**.

Mitigation Measure

CUL-1: The proposed Project includes demolition of the Complex; therefore, a full recordation of the resource shall be conducted to create a record of the significant resource. Prior to demolition, a Secretary of Interior-qualified architectural historian shall conduct an intensive-level site visit to take detailed notes and photographs of the resource to fulfill the information requirements in the Historic American Building Survey (HABS) History Guidelines (2007) outline format report. The HABS Level II report will include drawings (if available), photographs, written data including

history and description of the site setting, exterior, and interior of the buildings and structures. The HABS report shall include information from previous studies undertaken for Redwood Regional Park Historic District, as appropriate, and the recent DPR 523 series forms prepared for the Complex. The report will include color digital photographs of the buildings and grounds, per the 2015 HABS/HAER/HALS Photography Guidelines. The documentation shall be prepared using the HABS standards, but will not be submitted to the Library of Congress for their permanent collection. Following completion of the HABS documentation, the materials shall be placed on file with the EBRPD Archives.

CUL-2: In concert with HABS documentation, the EBRPD shall develop and install up to 2 (two) interpretive signage or display panels in a publicly visible location at the project site that describes/illustrates the history of the Complex. The interpretive signage shall include reproduced historic photographs and a brief narrative describing the history of the Complex. In addition, educational/interpretive information which describes the history of the Complex shall be made available to the public in a readily accessible format, such as a webpage. The interpretive signage/display/educational/interpretive material shall be based on the historic archival research and historic photographs produced in the HABS documentation and/or available in the EBRPD archives.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ***(Less Than Significant with Mitigation Incorporated)***

No archaeological resources, which would qualify as a historical resource or as a unique archaeological resource, were identified as a result of the cultural resources study conducted for the proposed Project.

Although the proposed Project site has been in continuous use from the historic-period to the modern-era, formal garbage collection was employed throughout that period and, therefore, there is a low probability for historic-period archaeological resources, which would qualify as historical resources, to be present.

No Native American archaeological resources were encountered as a result of the intensive pedestrian survey. The majority of the proposed Project site is built and includes landscaped areas, which likely includes significant amounts of imported fill. The proposed Project site is underlain by fill and bedrock (Ninyo and Moore 2020). Therefore, the potential for encountering surficial and/or buried Native American resources is low.

However, in the unlikely event that Native American or historic-period resources are encountered during the Project-related ground disturbance, the inclusion of **Mitigation Measure CUL-3 and Mitigation CUL-4** is recommended to reduce impacts to potential unidentified subsurface cultural resources to **less than significant**.

Mitigation Measures

CUL-3: Prior to Project related ground disturbance, a qualified archaeologist will conduct a cultural resources awareness training notifying Project personnel of the archaeologically sensitive nature of the area, and proper procedures and notifications to follow in the event that archaeological resources or human remains are uncovered during project excavations.

CUL-4: In the event that Native American or historic-period archaeological resources are encountered during demolition, excavation, and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Project Manager or designee shall be notified, and a qualified archaeologist shall examine the find. The archaeologist shall:

1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and

2) make appropriate recommendations regarding the disposition of such finds prior to resuming work.

If, in consultation with the Park District's Cultural Services Coordinator, the finds do not meet the definition of a historical or archaeological resource, no further study or protection is necessary prior to resuming project implementation. If the find(s) does meet the definition of a historical, unique archaeological, or tribal cultural resource, then it should be avoided by project activities. If avoidance is not feasible, the Park District shall retain a Secretary of the Interior qualified archaeologist, who will, in consultation with the Cultural Services Coordinator, provide recommendations so that adverse effects to such resources would be mitigated. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery would be submitted to the Park District's Cultural Services Coordinator.

c. Would the project disturb any humans remains, including those interred outside of formal cemeteries? ***(Less-Than-Significant Impact with Mitigation Incorporated)***

The proposed Project's location is not sensitive for harboring surface or subsurface Native American archaeological resources, therefore, there is also a low probability for encountering Native American skeletal remains.

Human burials, in addition to being potential archaeological resources, have specific provisions for treatment in Section 5097 of the California Public Resources Code. The California Health and Safety Code (Sections 7050.5, 7051, and 7054) also has specific provisions for the protection of human burial remains. Existing regulations address the illegality of interfering with human burial remains, and protects them from disturbance, vandalism, or destruction, and established procedures to be implemented if Native American skeletal remains are discovered. Public Resources Code Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and established the NAHC to resolve any related disputes.

Although the likelihood is very low, there is always the potential for as-yet identified human remains to be present within the Project footprint, which could result in potentially significant impacts. Implementation of **Mitigation Measure CUL-5** would reduce the potential for the Project to disturb any human remains to **less than significant**.

Mitigation Measures

CUL-5: In the event that human remains are discovered during Project implementation, all work in that area must halt and the Alameda County Coroner must be contacted pursuant to California Public Resources Code Sections 5097.94, 5097.98, and 5097.99.

If the county coroner determines the remains to be Native American human remains, the county coroner shall contact the NAHC. The NAHC will immediately notify those persons it

believes to be the most likely descended from the deceased. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods.

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3.6 Energy

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

3.6.1 Discussion

a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? ***(Less Than Significant Impact)***

The proposed Project would require the consumption of energy (fossil fuels) during both the construction and operational phases of the Project. Construction related emissions from construction equipment and worker vehicles traveling to and from the Project site. Operational emissions would stem from the pool equipment, lighting, HVAC systems, and Park District staff and the public traveling to and from the pool.

However, construction related consumption of energy would not be wasteful, inefficient, or unnecessary. The complex has reached the end of its useful life, with updates badly needed for continued safe use by the public of the pool facilities. Therefore, construction related energy consumption is necessary to continue to provide this service to the public.

Operational consumption of energy would not substantially change from existing conditions. The proposed Project would replace an existing pool and associated structures with a new, larger pool and expanded facilities. While the larger pool and buildings could require additional energy to maintain, efficiency improvements from modern equipment and building materials would help offset any increases. Additionally, the parking lot is not being expanded, so the increased pool and changing room capacity cannot substantially increase energy use from the public's trips visiting the Project site. Therefore, the proposed Project would have a **less than significant impact**.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ***(Less-Than-Significant Impact)***

In 2002, the Legislature passed Senate Bill 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. The CEC recently adopted the 2021 Integrated Energy Policy Report, which provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and

controlling costs. The 2021 Integrated Energy Policy Report covers a broad range of topics, including implementation of Senate Bill 350, integrated resource planning, distributed energy resources, transportation electrification, solutions to increase resiliency in the electricity sector, energy efficiency, transportation electrification, barriers faced by disadvantaged communities, demand response, transmission, and landscape-scale planning

As indicated above, energy usage in the Project area during construction would be relatively small, and the proposed Project would not greatly increase energy use above baseline conditions. Because California's energy conservation planning actions are conducted at a regional level, and because the Project's total impact to regional energy supplies would be minor, the proposed Project would not conflict with California's energy conservation plans as described in the 2021 Integrated Energy Policy Report. Thus, as shown above, the Project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and not result in any irreversible or irretrievable commitments of energy. Therefore, impacts would be **less than significant**.

3.7 Geology and Soils

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

3.7.1 Discussion

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i, ii, iii. i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? ***(Less Than Significant Impact)***

The San Francisco Bay Area is considered a highly seismically active region due to a network of active and potentially active faults associated with the San Andreas Fault. The Hayward Fault crosses near the

project site but the proposed Project is not located within an Alquist-Priolo Earthquke Fault Zone according to the California Earthquake Hazards Zone Application, the California Department of Conservation's online geologic hazards map (CDOC 2021). Additionally, an impact is only considered significant if the project would increase existing seismic hazards by increasing severity or likelihood of the hazards impacting people above the already existing conditions.

The proposed Project would replace an existing pool and associated structures with a new, larger pool and expanded facilities in the same place. The proposed new pool complex would be built to modern building standards, and would improve the ability of structure on the site to survive rupture of a known fault, strong seismic ground shaking, or seismic ground failure including liquefaction. The proposed Project's geotechnical report (available upon request) determined that the site could experience a relatively large degree of ground shaking, but seismic design criteria required in that report will reduce the impact, and these criteria are included in the approved construction documents. Therefore, the proposed Project would have a **less than significant impac**t.

iv. Landslides? ***(No Impact)***

A landslide is the downslope movement of materials such as rock, soil, or fill from a slope. Landslides may occur due to several factors related to slope stability, including slope, weathering, climate, saturation, vegetation, erosion, earthquakes, and human-induced factors. Landslide susceptibility increases with steeper slopes and weaker rocks.

The proposed Project is not located in an area that is known to be susceptible to landslides (California Geological Survey [CGS], 2011). While the proposed Project does involve grading, grading would actually reduce the likelihood of landslides on the Project site by removing portions of the hillside next to the pool. Any cleared vegetation would be replaced when the proposed Project is landscaped, which will help hold the soil in place.

The proposed Project would replace an existing pool and associated structures with a new, larger pool and expanded facilities in the same place. This would not cause an increase in the likelihood of landslides impacting the proposed Project, as the danger would remain the same as the existing conditions. The proposed Project would therefore have **no impact** on directly or indirectly causing landslides on or off the Project site.

b. Would the project result in substantial soil erosion or the loss of topsoil? ***(Less Than Significant Impact)***

The proposed Project would not result in any substantial loss of topsoil. The Project site is a developed recreational pool complex, and currently contains approximately 80% impervious surface. Topsoil on the site is already minimal. While the proposed Project would expand the impervious surface on the Project site to 90%, this 6,400 sq ft is not a substantial change when compared to the total Roberts Regional Recreation Area or the Park District as a whole.

The proposed Project does involve ground disturbing activities such as the removal of the existing pavement and pool structure and grading on multiple parts of the Project site. However, the Park District has prepared a Stormwater Pollution Prevention Plan (SWPPP) (available upon request). The SWPPP is designed to comply with California's General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (General Permit) Order No. 2009-0009-DWQ as amended in 2010 and 2012 (NPDES No. CAS000002) issued by the State Water Resources Control Board (SWRCB). The SWPPP requires the Park District and/or its construction contractor, to

implement certain BMPs to reduce soil erosion from water and wind during construction. These BMPS include silt fences, street sweeping and vacuuming, storm drain inlet protection, and other measures. With implementation of the SWPPP, the proposed Project would have a **less than significant impact**.

c. *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?* ***(Less Than Significant Impact)***

The proposed Project site is underlain by fill and bedrock materials. The fill materials generally consist of firm to stiff clay and loose to medium dense clayey sand, while the bedrock materials consisted of weathered sandstone and siltstone. These materials are not considered especially unstable but could become unstable if exposed to wet conditions. The proposed Project's geotechnical report mandates excavation and grading use temporary slopes and/or shoring to stabilize excavation sidewalls during construction.

Long term, the proposed Project would replace an existing pool and associated structures with a new, larger pool and expanded facilities in the same place. Impacts on geologic units that are unstable, or the potential for an on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse are only considered significant if the likelihood that that event occurring is increased as a result of the proposed Project. Because the proposed Project is the same use, and in the same location, as the existing complex, the risk would not be increased by the proposed Project. Therefore, the proposed Project would have a **less than significant impact**.

d. *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?* ***(No Impact)***

The proposed Project's geotechnical report conducted expansion index testing of the near surface soil in the vicinity of the proposed improvements. The testing concluded that the site has low expansion characteristics. Therefore, the proposed Project would not be located on expansive soil, and would not create a substantial direct or indirect risk to life or property. Therefore, the proposed Project would have **no impact**.

e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?* ***(Less Than Significant Impact)***

The proposed Project would generate wastewater from the bathroom facilities on site. The wastewater would drain to the complex's existing septic system. The current system is underutilized and would be able to support the wastewater from the larger pool and expanded changing room and bathrooms. The proposed Project would not involve the construction or modification of any septic tanks or alternative wastewater disposal systems. Thus, the proposed Project would have a **less than significant** impact associated with the placement of such systems on unsuitable soil in the project area.

f. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* ***(Less Than Significant Impact with Mitigation Incorporated)***

The proposed Project would have a very low potential to directly or indirectly destroy a unique paleontological resource or a unique geologic feature. Much of the proposed Project site is underlain by fill material, and most of the Project area has undergone ground disturbing activities in the past when the original pool facility was built. Thus, the potential for ground-disturbing activities to uncover or

destroy a unique paleontological resource is unlikely. However, portions of the proposed Project site are underlain by bedrock, which does have some potential to contain paleontological resources.

The Park District would implement **Mitigation Measure Geo-1**, to reduce impacts to potential paleontological resources. With the implementation, the proposed Project would have a **less than significant impact with mitigation incorporated**.

Mitigation Measure

Geo-1: Protocol for the treatment of paleontological resources:

1. Work at the location of the find will halt immediately within 50 feet of the find. A no work zone will be established using appropriate flagging to delineate the boundary of this zone, which will measure at least 50 feet in all directions from the find.

2. The Park District will retain the services of a consulting paleontologist who meets the Society for Vertebrate Paleontology's criteria for a qualified professional paleontologist (Society of Vertebrate Paleontology, 1995)

The consulting paleontologist will follow the Society for Vertebrate Paleontology's guidelines for the treatment of the find. Treatment may include preparation and recovery of fossil materials for donation to an appropriate museum or university collection and may include the preparation of a report describing the find. The Park District will be responsible for ensuring the paleontologist's recommendations are implemented.

3.8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

3.8.1 Discussion

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ***(Less Than Significant Impact)***

The BAAQMD does not have an adopted threshold of significance for construction related to greenhouse gas (GHG) emissions. Construction activities would produce combustion emissions from various sources such as the operation of construction equipment and from worker vehicles, which use fossil fuels to operate. The combustion of fossil fuels creates GHGs such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Exhaust emissions from onsite construction activities would vary daily as construction activity levels change throughout the Park District. However, worker vehicles would be limited to the minimum necessary and would have a less than significant impact on the generation of GHG emissions in the region. The proposed Project's construction activities would be short in duration, with the proposed Project finishing in less than 15 months. The use of heavy equipment on site would be confined to the beginning of the proposed Project's construction, and would cease after demolition and grading are completed.

The proposed Project would replace an existing recreational pool and support structures with a larger pool and expanded support structures in the same location. While these increases in size could increase energy needs, and therefore greenhouse gas emissions, this would be offset by increases in efficiency from modern HVAC, pool equipment systems, and building materials. While the increased pool capacity allows for more members of the public to use the facilities, the parking lot is not being expanded, which caps the amount of possible increased use and the public vehicle trips to the facility.

Therefore, the proposed Project would have a **less than significant impact** on the generation of greenhouse gasses**.**

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ***(Less Than Significant Impact)***

Alameda County has adopted a Community Climate Action Plan (CCAP) for unincorporated areas in the County, which includes measures directed at reducing GHG emissions from existing and future development. The majority of the CCAP measures concern County actions and provide direction for County staff to develop regulations for future development within the County. Polices include smart growth, bike and pedestrian infrastructure, and transit-oriented development related measures.

As discussed above, the BAAQMD does not have an adopted threshold of significance for construction related GHG emissions. While GHGs would be produced during construction, the levels would be low. The proposed Project's construction would be small in scale with low numbers of workers and construction equipment. Further, the Alameda County CCAP does not contain policies related to GHGs emitted during construction.

The proposed Project does not involve or encourage development in Alameda County. The proposed Project would replace an existing pool and support facilities with a larger pool and expanded support facilities. The proposed Project would not greatly change existing conditions on the site, and the Project does not have the capacity to involve or encourage transit-oriented development or bike or pedestrian infrastructure. As discussed in section 3.14 Population and Housing, the proposed Project would not encourage or create population growth or facilitate the construction of new housing or other development. As the Alameda County CCAP is a regional plan with policies regarding development, energy generation and efficiency, and other broad policies, the proposed Project would not conflict with it. Therefore, the proposed Project would have a **less than significant** impact.

3.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

3.9.1 Discussion

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ***(Less-Than-Significant Impact)***

Hazardous substances include chemicals regulated under both the United States Department of Transportation and the U.S. Environmental Protection Agency (USEPA) "Hazardous Materials" regulations. Hazardous waste requires specific handling and disposal procedures because of potential damage to public health and the environment. The proposed Project would involve the routine use and transport of chlorine and other chemicals used in pools. However, the proposed Project is the replacement of an existing public pool and support structures with an updated, expanded pool and support structures. Chlorine and other chemicals used in recreational pools are already used on the site, and the proposed Project would not change the existing conditions of the site.

The Park District follows all applicable Federal, State, and Local laws regarding the use and transport of chlorine and will continue to do so during construction and operation of the proposed Project. Therefore, the proposed Project would have a **less than significant impact**.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ***(Less Than Significant Impact)***

Construction at the proposed Project site would require the use and transport of hazardous materials. These materials would include fuels, oils, and other chemicals used during construction activities. Improper use and transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and environment.

However, construction activities at the project site would require implementation of a SWPPP. The SWPPP would incorporate BMPs for construction, including site housekeeping practices, hazardous material storage, inspections, maintenance, worker training in pollution prevention measures, and containment of releases to prevent runoff via stormwater. Although designed to protect stormwater quality, implementation of the SWPPP would also reduce the potential impacts from the above hazardous materials during construction to a less than significant level.

Additionally, a hazardous materials inspection was completed of the existing buildings of the Complex to search for asbestos, lead, and other hazardous materials on-site (available upon request). Asbestos and lead-based paint were found on the proposed Project site. The Park District and its contractors will follow all applicable laws and regulations in the removal of the hazardous materials. This includes the inspection, and removal of all asbestos containing materials prior to demolition, notification to all contractors that asbestos and lead are present, disposal of the hazardous materials at the appropriate facilities, and other rules and regulations. These requirements and notifications have been included in the proposed Project's plans and specifications. Therefore, the proposed Project would have **a less than significant impact**.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ***(No Impact)***

There are no existing or proposed schools within one-quarter mile of Roberts Regional Recreation Area. Therefore the proposed Project would not emit hazardous emissions or handle hazardous materials of any kind near a school. Therefore, the proposed Project would have **no impact.**

d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ***(No Impact)***

The State of California maintains two lists of hazardous materials sites, the SWRCB GeoTracker (SWRCB 2021) database, and the Department of Toxic Substances Control's (DTSC) EnviroStor database (DTSC 2021). Both were searched to determine if the proposed Project site is an identified hazardous materials site. The proposed Project site was not listed in either database and therefore construction and ground disturbing activities would not create a hazard to the public or the environment from a known hazardous materials site. The proposed Project would have **no impact**.

e. Would the project be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? ***(No Impact)***

The proposed Project is not located within an airport land use plan, or within 2 miles of any public use airport. Oakland International Airport is the closest airport and is approximately 7 miles away. Additionally, as the proposed Project is the replacement of an existing public pool and support structures with an updated, expanded pool and support structures, the existing noise levels in the Project area would not substantially change after completion of the proposed Project. Therefore, the proposed Project would have **no impact**.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ***(No Impact)***

The proposed Project is located along Skyline Boulevard in unincorporated Alameda County. The proposed Project site is located entirely within the already existing footprint of the existing Complex, and the demolition and construction activities would not block or impair any public roads. All proposed Project construction staging would take place in the existing parking lot. However, the majority of the parking lot would remain open for access to other portions of Roberts. Police and Fire Department response times to the park, and any evacuation from the park, would not be impacted in any way as the parking lot would still be open for use. The proposed Project would have **no impact**.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? ***(Less Than Significant Impact)***

The California Department of Forestry and Fire Protection (CAL FIRE) designates all of California into fire hazard severity zones. The proposed Project site is located within a State Responsibility Area Very High Fire Severity Zone (CAL FIRE, 2007), and would construct a public pool and support facilities. However, the proposed Project is the replacement of an existing pool and pool facilities. Completion of the proposed Project would not change the existing conditions on the Project site in regards to the risk of structures from wildland fires. The Park District takes wildfire very seriously, and employs its own fire department to respond to fires and emergencies within and near Park District lands. Additionally, the proposed Project does not involve the construction of new habitable structures or homes, and would not indirectly lead to the creation of new habitable structures or homes or the creation of any other structures of any kind. The proposed Project would have a **less than significant impact.**

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3.10 Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

3.10.1 Discussion

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? ***(Less Than Significant Impact)***

The proposed Project would replace an existing recreational pool facility and support facilities with a new, larger pool and expanded pool facilities. In total, construction would take place over an approximately 1-acre area. The proposed Project includes ground disturbing activities and grading to install the larger pool and expand the pool deck into an adjacent hillside.

Grading and construction of the proposed Project could cause short-term, impacts to water quality if soil erosion and consequent sediment-laden runoff, fuel, or other construction chemicals are not adequately controlled, and are accidentally or unintentionally released into area waterways. Unless

disturbed areas and stormwater runoff are adequately controlled during construction, and disturbed areas are stabilized and re-vegetated following construction, the proposed Project would violate Regional Water Quality Control Board standards and National Pollutant Discharge Elimination System (NPDES) Waste Discharge Requirements and could potentially degrade surface water quality. However, the proposed Project has prepared a SWPPP, which will be implemented as part of the proposed Project by the Park District's construction contractor. The SWPPP includes best management practices to prevent or minimize stormwater pollution during construction activities. SWPPP plan implementation is included in the proposed Project's construction documents. With implementation of the SWPPP, the proposed Project would have a **less than significant impact**.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? ***(Less than Significant Impact)***

The proposed Project does not include any activities that involve the use of groundwater. The proposed Project would not install new wells or pumps or involve the maintenance or repair of existing wells and pumps. The proposed Project would not involve any actions that would deplete groundwater supplies or affect the groundwater or aquifer volume.

The proposed Project would not substantially increase new impervious surfaces within Park District lands that would affect groundwater recharge. The proposed Project's one-acre site is currently approximately 80% impervious surface. With implementation of the proposed Project, impervious surface would increase to 90% of the proposed Project site. However, this minimal increase in impervious surface is small when compared to the entire acreage of Roberts Regional Recreation Area and the Park District as a whole and would not have a significant impact on groundwater recharge in the area. Therefore, the proposed Project would have a **less than significant impact**.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site; ***(Less Than Significant Impact)***

The proposed Project would replace an existing recreational pool facility and support facilities with a new, larger pool and expanded pool facilities in the same location. While the proposed Project does involve ground disturbance and grading during construction, the proposed Project would implement a SWPPP. The SWPPP includes best management practices to prevent or minimize stormwater pollution during construction activities. SWPPP plan implementation is included in the proposed Project's construction documents and would reduce impact from construction related erosion.

After construction is complete, the proposed Project site would be much the same as it is now, with only a slight increase in impervious surface. There would be no major change in the existing site's drainage patterns and existing flow conditions. Surface runoff would flow in the same way as it is now into the local stormwater control system and would not lead to erosion or siltation on or off-site. The proposed Project would have a **less than significant impact**.

ii, iii Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff ***(Less Than Significant Impact)***

As discussed above, the proposed Project would not substantially increase impervious surfaces throughout the Park District. The current site is 80% impervious surface, while the proposed Project would increase that to 90%. However, because the proposed Project site is only approximately 1 acre, this is only an increase of 6,400 square feet. While this one-acre site is comprised mostly of impervious surfaces, the amount is small when compared to the entirety of Roberts Regional Recreation Area, which measures 87 acres and is mostly natural parkland. While the small increase in impervious surface could create a small amount of additional runoff, it would not be a substantial amount, and would not result in flooding on or offsite. Likewise, it would not exceed the capacity of the local stormwater drainage system or add a substantial amount of polluted runoff. The proposed Project would have a **less than significant impact**.

iv. Impede or redirect flood flows? ***(Less Than Significant Impact)***

The proposed Project would not impede or redirect flood flows. The proposed Project would replace an existing recreational pool facility and support facilities with a new, larger pool and expanded pool facilities in the same location. The proposed Project site is designated Zone X, Area of Minimal Flood Hazard, by the Federal Emergency Management Agency's (FEMA) National Flood Hazard Layer (FEMA 2009). Due to the minimal flood hazard level, the minimal increase in impervious surface, and the minimal changes to the proposed Project site, the proposed Project would have a **less than significant impact**.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? ***(No Impact)***

As discussed above, the proposed Project is located in Zone X, Area of Minimal Flood Hazard, as designated by the FEMA's National Flood Hazard Layer (FEMA 2009). The proposed Project is not located in a tsunami zone, as it is in the Oakland Hills, both too far inland and too high in elevation to be impacted by a Tsunami (CDOC, 2022). A seiche is the temporary disturbance or oscillation of water levels in a lake, and the proposed Project is not located near any lake, pond, or other body of water where a seiche could occur. Therefore, the proposed Project would not pose a risk of the release of pollutants due to floods, tsunamis, or seiches. The proposed Project would have **no impact**.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? ***(No Impact)***

The proposed Project would not conflict with the RWQCB's Basin Water Quality Control Plan, or the California Sustainable Groundwater Management Act (SGMA). Each RWQCB has developed a Basin Plan that designates beneficial uses for major surface waters and groundwater basins and establishes specific water quality objectives for those waters. Beneficial uses for many of the surface waters within and downstream of Park District lands are identified in the Basin Plan. A project could conflict with a Basin Plan by degrading water quality in a manner where water-quality objectives are not met or beneficial uses are impacted or not achieved. The proposed Project would not degrade water quality in any way.

SGMA established a framework of priorities and requirements to facilitate sustainable groundwater management throughout the State. However, the proposed Project does not involve the utilization of on or off-site groundwater, nor would it significantly impact or reduce groundwater recharge in any way. Therefore, **no impact** related to water quality control plans or groundwater sustainability would occur.

3.11 Land Use and Planning

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

3.11.1 Discussion

a. Would the project physically divide an established community? ***(No Impact)***

The proposed Project site is located within the Roberts Regional Recreation Area, a developed recreational facility within Redwood Regional Park, which was renamed Reinhardt Regional Park in 2019. As the proposed Project is located within an existing recreational facility and will replace existing infrastructure to meet similar capacity as existing conditions, it would not divide or create any new permanent physical barriers between established communities. Further, it would be consistent with the existing and planned land use patterns in the area. Thus, there would be **no impact.**

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? ***(No Impact)***

The proposed Project would continue the same uses as existing conditions on site and would be consistent with uses identified in the 1977 Land Use-Development Plan for Redwood Regional Park (LUP). As such, proposed Project would not conflict with any land use plans or policies. There would be **no impact.**

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3.12 Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

3.12.1 Discussion

a Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? **(Less Than Significant Impact)**

The proposed Project would replace an existing recreational pool and related infrastructure with an expanded pool and new pool structures. While the proposed Project involves ground disturbance and grading, it would primarily be in already disturbed areas. Additionally, the proposed Project's geotechnical report found that the proposed Project's site consists of fill materials and bedrock, neither of which is a mineral resource known to be of value to the region. The proposed Project would have **a less than significant impact.**

b. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ***(No Impact)***

The proposed Project site is not identified in a local general plan, specific plan, or other land use plan to contain mineral resources of value to the region nor would the proposed Project result in the loss of an active mineral resource recovery site. As a result, **no impact** would occur.

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3.13 Noise

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

3.13.1 Discussion

a. *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* ***(Less Than Significant With Mitigation Incorporated)***

For purposes of this analysis, a significant impact would occur if construction activities would result in generation of a substantial temporary increase in ambient noise levels in excess of established standards that could result in nighttime annoyance or sleep disturbance of nearby sensitive receptors. Operational noise impacts are not expected to occur as there will be no change in use of the site once construction activities have concluded.

The proposed Project would result in intermittent and temporary increases in ambient noise levels during operation of construction equipment and use of vehicles and trucks associated with project construction. Short-term noise impacts would occur during site preparation, grading, and construction activities but would be temporary in nature. Table 3.13-1 lists typical construction equipment noise levels (L,dBA) recommended for noise impact assessments, based on a distance of 50 feet between the equipment and a noise receptor, obtained from the Federal Highway Administration (FHWA) Roadway Construction Noise Model. Construction-related short-term noise levels may be higher than existing ambient noise levels currently in the proposed Project area but would no longer occur once construction of the Project is completed.

Table 3.13-1: Typical Noise Levels from Construction Equipment

Equipment Type	L,dBA
Dump Truck	84
Backhoe	80
Excavator	85
Soil Compacter	80
Crane	85
Chainsaw	85

Two types of short-term noise impacts could generally occur during the proposed Project activities. The first type involves maintenance crew commutes and the transport of maintenance equipment and materials to the site, which would incrementally increase noise levels on roads leading to the site. The second type of short-term noise impact is related to noise generated during project construction on the project site. The noise levels could vary as the proposed Project activity progresses. Further, all proposed Project activities would incorporate and comply with the County of Alameda Noise Ordinance (Chapter 6.60 of County of Alameda Code of Ordinances. The County's Noise Ordinance provides that noise limits do not apply to temporary construction activities so long as they do not take place before seven a.m. or after seven p.m. on any day except Saturday or Sunday, or before eight a.m. or after five p.m. on Saturday or Sunday. Consistent with the above, **Mitigation Measure NOI-1** would reduce potential construction-period noise impacts for sensitive receptors to less-than-significant levels.

Mitigation Measure

NOI-1: The project contractor or maintenance staff shall implement the following measures during construction of the proposed Project:

- The operation of heavy construction equipment will be limited to occur between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and comply with applicable local noise requirements.

- Program activities in residential areas will not occur on Saturdays, Sundays, or any holidays except during emergencies, or with advance notification of surrounding residents. Powered equipment (vehicles, heavy equipment, and hand equipment such as chainsaws) will be equipped with adequate mufflers maintained in good condition. Best available noise control techniques (e.g., mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) will be used for all equipment and trucks, as necessary.

- Staging areas will be located as far as possible from noise sensitive receptors during maintenance work.

- At work sites where heavy equipment will be used within 40 feet of sensitive receptors for longer than 5 days within the project area, residents/sensitive receptors will be notified at least one week prior to performing maintenance work.

Implementation of **Mitigation Measure NOI-1** would limit project activity hours and require the project contractor or maintenance staff to implement noise-reducing measures during construction, which would reduce short-term construction noise impacts to a **less-than-significant level with mitigation incorporated.**

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels? ***(Less Than Significant)***

Common sources of ground borne vibration and noise include trains and construction activities such as blasting, pile driving, and operating heavy earthmoving equipment. Construction of the proposed Project would involve limited ground disturbance, site preparation and construction activities but would not involve the use of construction equipment that would result in substantial ground-borne vibration or ground-borne noise on properties adjacent to the proposed Project site. Construction activities would be limited to weekday, daytime hours, resulting in minimal disturbance. No pile driving or blasting are expected to occur as part of the proposed Project. Therefore, the proposed Project would not result in the generation of excessive ground-borne noise and vibration impacts are considered **less than significant.**

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ***(No Impact)***

The nearest airport to the proposed Project is approximately 7 miles away (Oakland International Airport), and the proposed Project site not located within the vicinity of any known private airstrip, public airport, or airport land use plan. There **is no impact.**

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3.14 Population and Housing

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.14.1 Discussion

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? ***(No Impact)***

The proposed Project would not involve the construction of new housing or introduce new land uses associated with population increase (such as industrial or commercial centers) that would directly induce population growth. It would continue the same use and meet the same recreational capacity as existing conditions on site. Additionally, the proposed Project would not include an extension of road or infrastructure that would indirectly induce population growth. There is **no impact.**

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ***(No Impact)***

The proposed Project would not involve the construction of new housing or introduce new land uses that would cause displacement. The proposed Project would continue the same use as a recreational facility used for swimming with an expanded pool and associated recreational infrastructure. There is **no impact.**

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3.15 Public Services

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☐	☒

3.15.1 Discussion

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i. Fire protection? ***(Less than Significant Impact)***

The proposed Project would result in a similar use and recreational capacity, and not result in a substantial increase in usage of Park District facilities. Project implementation and construction would follow the Park District's best management practices to minimize fire danger in fire-prone wildlands and to reduce the risk of fire. This may include requiring on-site fire suppression equipment, spark arrestors on all equipment with internal combustion engines, and restricting activities on high fire danger days. As a result, it is not expected that demand for fire protection services would substantially increase with implementation of the proposed Project. Therefore, the proposed Project would result in a **less than significant** impact on fire services and would not result in the need for additional or altered fire protection services.

ii. Police protection? ***(Less Than Significant Impact)***

The proposed Project would not result in a substantial increase significant increase in calls for police services and would not generate the need for additional officers or equipment. Therefore, the proposed Project would result in a **less than significant impact** on police services in the area and would not result in the need for additional or altered police protection facilities.

iii. Schools? ***(No Impact)***

The proposed Project activities would not include the construction of housing or employment-generating facilities that may necessitate additional school facilities. Therefore, it would not increase demand for school services, and the proposed Project would have **no impact** on schools.

iv. Parks? ***(Less Than Significant Impact)***

The proposed Project is located within located within the Roberts Regional Recreation Area, a developed recreational facility within Redwood Regional Park. Proposed Project activities would include demolition of existing recreational structures and the replacement of recreational facilities of a similar size and capacity, including a pool. Although recreational users of the Roberts Pool Complex may experience temporary disruptions during the implementation of proposed Project, alternative recreational opportunities would continue to be available in the proposed Project area, including a playground existing on site and adjacent recreational facilities in Roberts Regional Recreation Area. Further, implementation of the proposed Project would primarily focus on repairing and replacing old and deteriorating recreational facilities. No new large-scale demand for parks would be generated that would necessitate the need for new or expanded public facilities or cause adverse significant impacts. Thus, impacts would be **less than significant.**

v. Other public facilities? ***(No Impact)***

Other public facilities could include facilities such as libraries, post offices, community meeting rooms, or hospitals. The proposed Project would not result in an increase in population or facilities that would require other public facilities, or result in the need for physically altered or expanded facilities. Therefore, the proposed Project would have **no impact** on other public facilities.

3.16 Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

3.16.1 Discussion

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ***(Less Than Significant)***

As described in section 3.14 "Population and Housing" the proposed Project would not induce population growth in the region. The proposed Project is limited to the replacement of an existing pool and associated recreational infrastructure. Although temporary closure of the pool area for construction could temporarily increase use of nearby recreational facilities, the proposed Project would not permanently increase the demand of other recreational facilities such that any substantial deterioration would be expected to occur. Therefore, this impact would be **less than significant.**

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? ***(Less Than Significant)***

The proposed Project would include demolition of existing structures and the replacement of an existing recreational facility. This includes the replacement of a pool and associated structures of a similar size and use. No new large-scale recreational facility projects are proposed. Although recreational users of the facilities in the Roberts Pool Complex may experience temporary disruptions during the implementation of proposed project, alternative recreational opportunities would continue to be available in proposed Project area. Further, implementation of the proposed Project would primarily focus on the repairing and replacing old and deteriorating recreational facilities, and not create any long-term adverse physical effects on the environment. Thus, impacts would be **less than significant.**

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3.17 Transportation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

3.17.1 Discussion

a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? ***(Less Than Significant Impact)***

The proposed Project would take place entirely within an existing recreational facility and consist of replacement of existing infrastructure to meet similar uses and capacity as existing conditions. Construction activities would generate temporary worker and project related vehicles trips associated with construction activities. Construction-related traffic, including truck and construction worker trips, would not substantially affect traffic conditions during the duration of the proposed Project's construction as the proposed Project site is located entirely within Roberts Regional Recreation area and traffic would be temporary and intermittent. Consequently, the proposed Project would not conflict with any transportation related program plan, ordinance, or policy. Impacts would be **less than significant.**

b. Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)? ***(Less Than Significant Impact)***

State CEQA Guidelines Section 15064.3 subdivision (b) give criteria for analyzing transportation impacts from a project. Section (b) (3) of this subdivision ("Qualitative Analysis") states: "If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively." The District currently has no estimates of the vehicle miles travelled expected for the proposed Project, so this impact statement will be qualitative.

Construction

The proposed Project could generate temporary construction activities that may increase vehicle trips from both workers traveling to the proposed Project site as well as from truck haul trips associated

with construction activities. However, this increase in trips would be temporary (limited to the construction period) and there will be no substantial increase in vehicle miles travelled, when compared to existing conditions on site.

Regular Operations of the Complex

As noted earlier, the proposed Project is not increasing the 154 – space parking capacity, so the number of pool and recreation patrons are expected to remain the same with the renovation as with the existing Complex. Patrons seeking alternatives to arriving by automobile are limited to bicycles and school buses; the closest AC Transit stop is nearly a mile away at the intersection of Joaquin Miller Road and Robinson Drive (the #39 bus). Effectively, at this time, the Complex is not served by regularly operating public transit. However, as no additional parking capacity is being added and the number of patrons is not expected to increase from the existing Complex, the proposed Project would not conflict and is not inconsistent with State CEQA Guidelines Section 15064.3 subdivision (b); impacts would be **less than significant.**

c. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* ***(Less Than Significant Impact)***

The proposed Project is limited to demolition and replacement of recreational facilities. All future uses on the site will be the same as existing conditions. There are no permanent changes to roadways or intersections proposed, and the proposed Project site is located entirely within an existing recreational facility on Park District property. This impact would be **less than significant.**

d. *Would the project result in inadequate emergency access?* ***(Less Than Significant Impact)***

The proposed Project would not result in any changes to emergency access. It is limited to the demolition and replacement structures in an already disturbed area located on Park District property, and it would not be located such that it would block or imped vehicle accessibility. Impacts would be **less than significant.**

3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or	☐	☒	☐	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

3.18.1 Environmental Setting

Spanning Alameda and Contra Costa counites, Park District lands are within the traditional ancestral territory of Costanoan, Bay Miwok, and Delta Yokut language speaking peoples, who were the first managers and stewards of this land. The Costanoan language was spoken on the San Francisco Peninsula, in the Santa Clara Valley and in the mountains to both the east and west, and in much of the East Bay. The Bay Miwok language was limited to interior valleys of the East Bay, and perhaps reached the bay shore in the present East Oakland area (Milliken 1995). The Delta Yokut language was spoken in the northern San Joaquin Valley (Milliken et al. 2009).

Based on ethnographic research, the proposed Project is located with the Huchiun territory of the Chochenyo dialect of the Costanoan-speaking peoples. The Huchiuns were located in the Oakland-Richmond region and were the immediate western neighbors of the Karkins on the east side of San Francisco Bay. The Huchiuns were an "exceptionally large" East Bay tribe, with a population of over 400 people (Milliken et al. 2009).

The terms "Ohlone" and "Costanoan" are the two Euro-American terms, often used interchangeably, to refer to the Indigenous peoples who inhabited the region from where the San Joaquin and Sacramento rivers empty into the San Francisco Bay west to the San Francisco peninsula and southwards to Point Sur (generally the East Bay, Peninsula, and South Bay, in today's lexicon). The term Costanoan, is derived from the Spanish term Costanos, which translates to "coast people." The term Ohlone is derived from the anglicized version of a local tribe from the San Mateo County coast. The Spanish documented the tribe as the "Oljon" (Milliken et al. 2009). It is possible that "Oljon" arose from a single root term that signified a western area or westerly direction that was applied to them by their Sierra Miwok neighbors

to the east (Milliken et al. 2009). However, neither Costanoan nor Ohlone are terms that the native peoples would have used to refer to themselves, let alone recognized, at the time of Spanish contact. The label "Huchiun" first appeared in a 1787 baptism for a five-month-old "native of the other shore of the vicinity that they call Junchaque and the Nation Huchiun" (Milliken et al. 2009).

Per Milliken et al. (2009), the term Costanoan will be used in reference to the language family and the label "Ohlone/Costanoan" will be used when referring to the descendants of speakers of the various Costanoan languages. The Costanoan language is comprised of six different languages (Karkin, Awaswas, Mutsun, Rumsen, Chalon and Bay Costanoan), and the Bay Costanoan Ohlone language includes three different dialects (Chochenyo, Raymatush, and Tamyen).

Ethnohistory

No detailed studies were ever carried out on specific subsistence patterns in any Costanoan language family area because the early Spanish explorers and settlers who witness those practices made no more than passing comments about them (Milliken et al. 2009). However, scholars assume that geographic and ecological factors shaped some material cultural discontinuities in lands where Costanoan languages were spoken. Local tribes that controlled Pacific Coast lands probably used different fishing technologies than groups along the Bayshore sloughs or along creeks in the inland Livermore Valley. Groups near redwood trees (such as the Huchiun) constructed some shelters of redwood planks, while those along marsh edges used tule bundles to thatch semi-circular family houses (Milliken et al. 2009).

At the time of Spanish intrusion, the native peoples of the California Bay Area did not know themselves as Ohlone or Costanoan. No early diarist clearly describes the intricacies of local political organization and group decision-making among the multi-village groups that comprised the San Francisco Bay area. Early Spanish explorers and missionaries occasionally identified male village or local tribe leaders and bestowed upon them the title of Captain (Milliken et al. 2009).

In 1542 Juan Rodriguez Cabrillo anchored in Monterey, signifying the first recorded European intrusion into the lives of Indigenous people of the Bay Area. Numerous expeditions followed, by sea and land. These early encounters heralded a time of tremendous dislocation and upheaval in the lives of Indigenous people (East Bay Regional Park District [Park District] 2018). The entry of Spanish missionaries, soldiers, and later civilians introduced a tumultuous time, where extensive socio-cultural and environmental changes made it impossible for Indigenous people to continue their traditional, pre-contact way of life.

Mexico's independence from Spain in 1821, began the process of secularization of mission lands and ushered in another era of change. Although Spanish missionaries had promised to one day return mission lands to local Indigenous people, few Ohlone/Costanoan ever received any land. Instead, they became serf-like laborers on non-Indigenous owned ranchos, with most of the Indigenous labor actually being coerced through the use of force (Park District 2018; Madley 2014). Older boys and men worked as vaqueros while older girls and women worked as housekeepers, cooks, and childcare workers (Park District 2018). The Indigenous people endured another era of change when California became a state in 1850. Ohlone/Costanoan peoples (along with other California Indigenous peoples) were subject to state laws that legalized the indenture and *de facto* slavey of Indigenous people, leading to their kidnapping, buying, and selling. These laws also made it illegal for Indigenous people to testify in court, serve on juries, and vote. In 1863, the passage of the Emancipation Proclamation began to dismantle these laws; by 1924 California Indians were granted citizenship (Park District 2018).

In 1928, three main Ohlone/Costanoan communities survived, those of Mission San Jose, Mission San Juan Bautista, and Mission Carmel. The 1930s through the 1950s were decades when discrimination against them and all California Indians continued to abound. Indigenous Californians responded to this in four main ways: 1) ignoring it, 2) by keeping a low profile, 3) passing as a member of another ethnic group, or 4) creating familial and community support networks (Milliken et al. 2009). The 1960s through the 1980s were transitional decades when local tribal groups began to influence public policy at the local and state level (Milliken et al. 2009). Since the 1970s, many Bay Area tribal groups have participated in intertribal pan-Indian events (gatherings, picnics, meetings, pow-wows) that have helped to foster renewed pride in their Indigenous heritage. Concerted efforts have also been made to continue to speak and revive native languages.

Today's Ohlone/Costanoan groups retain a strong and vital presence in the San Francisco Bay Area, actively participate in educating the greater Bay Area community about Indigenous California, protecting and preserving their ancestral heritage sites, continuing and revitalizing traditional cultural practices (e.g., basket making, language preservation programs, innovative foodway practices), and stewarding and managing their ancestral homeland. They maintain their identities through their programmatic efforts to reach their goals (e.g., language programs), through their group social gatherings and internal governmental meetings, or for some, through their efforts to have their interests recognized by local representatives of federal, state, or county governments, and special districts (Milliken et al. 2009).

3.18.2 Discussion

Tribal cultural resources are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included in or determined to be eligible for inclusion in the California Register of Historical Resources (CRHR) or included in a local register of historical resources, or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant. A cultural landscape that meets these criteria is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. Historical resources, unique archaeological resources, or non-unique archaeological resources may also be tribal cultural resources if they meet these criteria.

The Park District contacted the Native American Heritage Commission (NAHC) on February 28, 2022 to request a search of the Sacred Lands File (SLF) for the proposed Project. The Park District waited two weeks for a response, and lacking one, followed up with the NAHC on March 16, 2022. At the time of this writing, the Park District has yet to receive a response from the NAHC. All correspondence with the NAHC will be kept on file with the Park District.

Tribal Consultation

Pursuant to Public Resources Code (PRC) Section 21080.31.(b), one Native American tribe (the Confederated Villages of Lisjan) has formally requested that the Park District notify them of projects in their area of traditional and cultural affiliation. The Park District notified the Confederated Villages of Lisjan of the current proposed Project via certified mail, and email, on March 2, 2022. The specific details of consultation are confidential pursuant to California law, however, a summary of events related to communication between the tribe and the Park District are provided in the following paragraph.

On March 7, 2022 the Confederated Villages of Lisjan notified the Park District, in writing via email, that they would like to engage in AB52 consultation for this Project. On March 14, 2022, the Park District's Cultural Services Coordinator and Planner met with the Confederated Villages of Lisjan to discuss the proposed Project and its potential impacts. This discussion resulted in the language reflected in

Mitigation Measures CUL-3 and **CUL-4** and **TCR-1**. With the inclusion of **CUL-3**, **CUL-4** and **TCR-1**, the Confederated Villages of Lisjan and the Park District concluded consultation.

a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

    i. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or* ***(Less Than Significant with Mitigation Incorporated)***

No Tribal Cultural Resources as defined in PCR Section 21074 have been identified within the proposed Project site, by either the NAHC or the Confederated Villages of Lisjan. However, Tribal Cultural Resources, as defined in Public Resources Code Section 21074, could still be identified during the proposed Project's implementation.

With the implementation of **Mitigation Measure CUL-4, Mitigation Measure CUL-5** and **Mitigation Measure TCR-1**, the potential to directly or indirectly cause a substantial change in the significance of a Tribal Cultural Resources would be reduced to **less than significant.**

Mitigation Measure

TCR 1: If any potential Tribal Cultural Resources are identified during Project implementation, the Confederated Villages of Lisjan will be contacted, and the potential resource will be subject to the treatment outlined in Public Resource Code 21084.3, which states that public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.

    ii. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.* ***(Less Than Significant with Mitigation Incorporated)***

Previously recorded historical resources and/or unique archaeological resources, which may also qualify as Tribal Cultural Resources and/or have significance to California Native American tribes, were not identified in the current proposed Project site as a result of the background research, intensive pedestrian survey, or as a result of the AB52 consultation with the Confederated Villages of Lisjan.

Based on the findings and analysis presented in Section 3.5, there is a very low potential for encountering a historical resource and/or unique archaeological resource, which may also qualify as a Tribal Cultural Resources and/or have significance to California Native American tribes. However, if such resources are identified during the proposed Project's implementation, they would be treated according to **Mitigation Measure TCR-1**, which includes provisions for Native American involvement and consideration of tribal concerns.

With the implementation of **Mitigation Measure CUL-4, Mitigation Measure CUL-5** and **Mitigation Measure TCR-1**, the potential to directly or indirectly cause a substantial change in the significance of a historical resource or unique archaeological resource that may also qualify as a Tribal

Cultural Resources or otherwise have significance to California Native American tribes would be reduced to **less than significant with mitigation incorporated.**

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3.19 Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

3.19.1 Discussion

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? ***(Less Than Significant Impact)***

The proposed Project involves the replacement of an existing pool, the demolishment and replacement of an expanded changing room (within approximately the same building footprint), and the replacement of a mechanical building. The proposed Project would not require or result in the construction of new water or wastewater treatment, electrical power, natural gas, or telecommunications facilities. However, existing utility infrastructure may be improved through replacement and rehabilitation of existing utilities on site. Therefore, the proposed Project would not require any new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities besides replacement and rehabilitation of existing infrastructure on site. This impact would be **less than significant**.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? ***(Less Than Significant Impact)***

Water for use in Park District facilities comes from commercial water supplies, springs, creeks, and groundwater. Construction of the proposed Project may temporarily require small amounts of water for cleanup activities and would cease when construction or routine maintenance activities are

complete. Operationally, the proposed expansion of the pool will require additional water use. The existing pool contains 110,000 gallons, and the proposed expansion will result a capacity of 205,000 gallons. While this would be an increase in one-time water use, sufficient water supplies are available to provide for the proposed Project's minimal water needs. Construction-related water demands would be short-term and minimal in volume and would be sufficiently served by existing entitlements. Following construction, the proposed Project would not directly or indirectly induce population growth and would not result in a substantial demand for water. Therefore, no new entitlements or facilities would be required, and there would be **a less than significant** to existing or future water supplies.

c. *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* ***(Less Than Significant Impact)***

Wastewater is generated from one public restrooms and pool wastewater in the Roberts Pool Complex and treated through an on-site septic system in the Park District. As noted above, the proposed Project would not include the construction of any new facilities that would generate significant demand for water or additional capacity needs for wastewater services as the proposed Project only involves the replacement of an existing recreational facility with one bathroom on site. Therefore, there would be **a less than significant** to wastewater treatment services.

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? ***(Less Than Significant Impact)***

The proposed Project could generate a small amount of solid waste or organic material waste as result of construction and site demolition and would primarily be disposed of at landfills. Alameda County landfills have an estimated capacity of 71,779,000 CY (Calrecycle, 2021). These facilities have the capacity to handle the small amount of waste that would be generated by the proposed Project. The proposed Project would not significantly affect landfill capacity and would comply with all statutes and regulations related to solid waste, and this impact would be **less than significant**.

Removed hazardous materials, including asbestos, lead based paint, and soils with hazardous levels of contaminants would be disposed of at an appropriate hazardous waste disposal facility, discussed in more detail in Section 3.9 of this IS/MND.

e. *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?* ***(Less Than Significant Impact)***

Please refer to Section 3.19.I.d

3.19 Wildfire

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

3.20.1 Discussion

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan? ***(Less Than Significant)***

The proposed Project may include the operations of equipment on roadways (such as Skyline Blvd. where the pool is located) that could potentially interfere with traffic movement and impair evacuation procedures in the event of an emergency, such as a wildfire. This may require temporary lane closures and operation of heavy equipment on public roadways could potentially impede movement of fire apparatus and vehicles, as well as residents attempting to flee a wildfire. However, the proposed Project is located entirely within the already existing Roberts Pool Complex, and the demolition and construction activities are not expected to block or impair any public road or evacuation corridor identified in an adopted emergency response plan or emergency evacuation plan, as the construction staging area would be located within the existing parking area. However, most of the parking lot would remain open for access to other portions of the Roberts Regional Recreation Area. As such, the proposed Project would have a **less than significant impact.**

b. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? ***(Less Than Significant)***

CAL FIRE designates all of California into fire hazard severity zones. The proposed Project site is located within a State Responsibility Area Very High Fire Severity Zone (CAL FIRE, 2007). However, the proposed Project is the replacement of an existing pool and pool facilities, and the completion of the

proposed Project would not significantly change the existing conditions on the project site in regard to the risk of structures from wildland fires. The proposed Project does not involve construction of additional residential or commercial structures other than replacement of what is existing on site. Construction activities would follow the Park District's best management practices to minimize fire danger in fire-prone wildlands. This may include requiring on-site fire suppression equipment, spark arrestors on all equipment with internal combustion engines, and restricting activities on high fire danger days and reducing the risk of wildfire. The Park District takes wildfire very seriously, and employs its own fire department to respond to fires and emergencies within and near Park District lands. Additionally, the Park District's Wildfire Hazard Reduction and Resource Management Plan provides sound, long-term strategies for reducing fuel loads and managing vegetation within Park District lands to minimize the risk catastrophic wildfire along the wildland-urban interface while ensuring the protection and enhancement of ecological values and resources within Park District jurisdiction (EBRPD, 2021). The proposed Project will adhere to State and local regulations regarding wildfire risk reduction and comply with the Park District's Wildfire Hazard Reduction and Resource Management Plan. The proposed Project would not exacerbate wildfire risks, increase to pollutant concentrations from a wildfire as result of the project, or expose people or structures to significant risks due to wildfire. The impact would be **less than significant.**

c. *Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The proposed Project includes the replacement and minor expansion of existing recreational infrastructure, and any new infrastructure will be limited to rehabilitation or replacement of what is already existing on site. There are no associated activities that would require the installation and maintenance of infrastructure that may result in temporary or ongoing impacts to the environment resulting in exacerbated fire risk or ongoing impacts to the environment. Any temporary impacts resulting from construction, such as use of mechanical equipment in high fire risk areas, will include specific protocols to reduce fire risk. Therefore, this impact would be **less than significant.**

d. *Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?* ***(Less Than Significant)***

Please refer to 3.20.2(b).

3.19 Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

3.21.1 Discussion

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The proposed Project does not have the potential to substantially degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory. As illustrated throughout this document and in the Project Description (Chapter 2), the proposed Project is generally replacement and minor expansion of an existing recreational facility in a disturbed area. Any potentially adverse effects to resources would be reduced to less than significant levels through implementation of mitigation measures and would be temporary. Proposed mitigation measures are included for Biological Resources (Section 3.4), Cultural Resources (Section 3.5), Geology, Soils, and Seismicity (Section 3.7), Noise (Section 3.13), and Tribal Cultural Resources (Section 3.18). Furthermore, the proposed Project would not eliminate important examples of major periods of California history or prehistory. Thus, the proposed Project's impacts would be **less than significant with mitigation incorporated.**

b. *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

The proposed Project would improve facilities at an existing recreational facility and prevent further deterioration of facilities on site. It will not induce growth or facilitate land use modifications off-site beyond what is already approved under existing local and regional plans, or beyond what already is approved under the Land Use-Development Plan for Redwood Regional Park. Mitigation measures will be implemented with the proposed Project to reduce impacts to less than significant levels. Therefore, the proposed Project would not have cumulatively considerable impacts and **less than significant** cumulative impacts are anticipated.

c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?* ***(Less Than Significant with Mitigation Incorporated)***

Potentially significant impacts or adverse effects on human beings associated with the proposed Project are of limited in scope and will be temporary and intermittent, primarily occurring during construction. Proposed Project construction activities will incorporate mitigation measures, comply with applicable regulations, and abide by standard conditions outlined in this Initial Study to reduce any significant construction and project impacts to a less than significant level. Proposed mitigation measures are included for Biological Resources (Section 3.4), Cultural Resources (Section 3.5), Geology, Soils, and Seismicity (Section 3.7), Noise (Section 3.13), and Tribal Cultural Resources (Section 3.18). Therefore, the proposed Project will not have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. This impact would therefore be **less than significant with mitigation incorporated.**

Chapter 5: References

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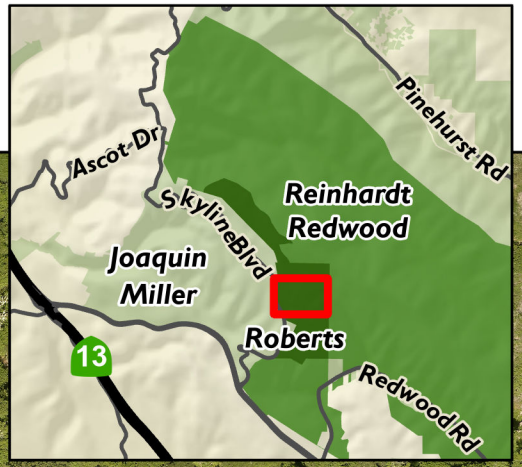
Appendix A: Bio

East Bay Regional Park District
Healthy Parks Healthy People

Roberts Regional Recreation Area

Pallid manzanita: Existing, Transplant, and Cuttings Locations

0 500 1,000 Feet



CONSTRUCTION FOOTPRINT

Existing Pallid

Graham Trail

Roberts Main Entrance/Parking

Transplant Location

Cuttings Educational Area

ROBERTS REGIONAL RECREATION AREA

Roberts Picnic Area Trail

Skyline Blvd

Manzanita Loop Trail

JOAQUIN MILLER PARK

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