

Notice of Determination**- 1 -****To:**

Office of Planning and Research
 For U.S. Mail:
 P.O. Box 3044
 Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street
 Sacramento, CA 95814

From:

California Department of Fish and Wildlife (CDFW)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: Marcia Grefsrud
 Phone: (707) 644-2812

Lead Agency (if different than CDFW)
 East Bay Regional Park District
 2950 Peralta Oaks Court, Oakland, CA 94605
 Contact: Drake Hebert
 Phone: (510) 544-2334

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108

State Clearinghouse Number: 2022030740]

Project Title: Roberts Pool Renovation Project (California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2022-032-03 (ITP))

Project Location: The Roberts Pool Renovation Project (Project) is located within Roberts Regional Recreation Area at 10570 Skyline Boulevard, Oakland, CA 94611 within the City of Oakland, Alameda County. The Project is located approximately 1.2 miles east of State Route 13 at approximately 37.812816°, -122.174289°.

Project Description: The Project involves replacing the existing Roberts Pool Complex with an updated pool complex. The new complex will replace the existing pool with a larger pool, the existing changing room will be demolished and replaced with an expanded changing room, and the existing mechanical building will be demolished and replaced with a new, expanded building for the pool's mechanical equipment.

The Project will result in impacts to 300 square feet of pallid manzanita (*Arctostaphylos pallida*) habitat including one pallid manzanita. The Project is expected to result in incidental take of one pallid manzanita and propagation of a minimum of five surviving pallid manzanita, which are designated as an endangered species under CESA. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 6/14/2022 and made the following determinations regarding the above-described project:

1. The project [will / will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
2. [An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.
3. Additional mitigation measures [were / were not] made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan [was / was not] adopted by CDFW for this project.
5. A Statement of Overriding Considerations [was / was not] adopted by CDFW for this project.
6. Findings [were / were not] made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment was submitted to CDFW.

Responsible Agency statement: The Negative Declaration prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:

Erin Chappell

Signature

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Date: 6/14/2022

Erin Chappell, Regional Manager

Date Received for filing at OPR: _____