



**EAST BAY REGIONAL PARK DISTRICT  
BOARD OF DIRECTORS MEETING  
AGENDA STAFF REPORT**

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**DATE** Tuesday, March 19, 2024

**TITLE** A Resolution Certifying the Addendum to the Approved Routine Maintenance and Restoration Program Initial Study/Mitigated Negative Declaration to Add Nutrient Remediation as an Activity of the Program: District-wide

**DIVISION** Acquisition, Stewardship, and Development

**FROM** Matt Graul, Chief of Stewardship  
Ken Wysocki, Assistant General Manager of ASD

**APPROVED** Sabrina Landreth, General Manager 

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**RECOMMENDATION**

The General Manager recommends that the Board of Directors of the East Bay Regional Park District (Park District) adopt a resolution: Certifying an Addendum to the Routine Maintenance and Restoration Program Initial Study/Mitigated Negative Declaration, which adds nutrient remediation as an activity of the Program.

**BACKGROUND**

The Park District's Routine Maintenance and Restoration Program (RMRP) Initial Study/Mitigated Negative Declaration (IS/MND) (SCH 2022060373) was certified by the Park District's Board of Directors on August 23, 2022 (Resolution No. 2022-08-205). The RMRP streamlines permitting and environmental review for routine maintenance and restoration projects.

The Park District seeks to add nutrient remediation as an activity allowed in the RMRP, but this activity was not evaluated in the original, certified IS/MND. The proposed annual nutrient remediation would reduce phosphorous in lakes and reservoirs, thereby improving water quality and minimizing algal growth. Phosphorus in water bodies and sediment is the leading cause of algal blooms. Nutrient remediation involves applying phosphorus-binding compounds to the water and sediments, preventing the mineral from causing algal blooms. Initial treatments would occur in Lake Temescal, located at Temescal Regional Recreation Area in Oakland, and Lake Anza, located at Tilden Regional Park in Berkeley. Treatment locations could expand to other areas as needed. Annual nutrient remediation is anticipated to reduce algal blooms and prevent the closure of the lakes and reservoirs to recreational swimmers.

Best Management Practices would be implemented to ensure harm does not occur to biological resources or water quality. In the long term, nutrient remediation activities will improve water quality in lakes and reservoirs.

## **ANALYSIS**

The proposed nutrient remediation was not evaluated in the original RMRP IS/MND and, therefore, additional evaluation of potential impacts from the activity is required for CEQA compliance. An Addendum to an IS/MND is appropriate when a previously certified IS/MND has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in new or substantially more severe significant environmental impacts (CEQA Guidelines Sections 15162 and 15164). In this case, there are no changed circumstances, but the proposed revision or change in the project is the inclusion of an additional maintenance activity, nutrient remediation, to the RMRP.

An Addendum to the RMRP IS/MND was prepared pursuant to Section 15164 of the CEQA Guidelines. The Addendum finds that the proposed activity would not result in new or more severe impacts from those documented in the RMRP IS/MND, and subsequent environmental analysis is not required.

The Park District is the lead agency in evaluating the Project's potential environmental effects. Therefore, the Board of Directors is requested to take the following action: adopt a resolution certifying the Addendum to the RMRP IS/MND.

## **FISCAL IMPACT**

There are no filing fees associated with filing the California Environmental Quality Act (CEQA) notices. There are no other direct costs related to the proposed actions.

## **ATTACHMENTS**

1. Addendum to the Routine Maintenance and Restoration Program Initial Study/Mitigated Negative Declaration
2. Link to Routine Maintenance and Restoration Program Initial Study/Mitigated Negative Declaration: <https://ceqanet.opr.ca.gov/2022060373>



**EAST BAY REGIONAL PARK DISTRICT  
RESOLUTION NO. 2024 – 03 -  
MARCH 19, 2024**

**A RESOLUTION CERTIFYING THE ADDENDUM TO THE APPROVED ROUTINE MAINTENANCE AND RESTORATION PROGRAM INITIAL STUDY/MITIGATED NEGATIVE DECLARATION TO ADD NUTRIENT REMEDIATION AS AN ACTIVITY OF THE PROGRAM: DISTRICT-WIDE**

**WHEREAS**, the East Bay Regional Park District (Park District) Board of Directors approved the Routine Maintenance and Restoration Program (RMRP) and certified the Initial Study/Mitigated Negative Declaration (IS/MND) for the Program on August 23, 2022 (Resolution No. 2022-08-205); and

**WHEREAS**, the RMRP streamlines the permitting and environmental review for a variety of routine maintenance and restoration activities in streams, catch basins, seeps, springs, ponds, reservoirs, beaches, tidal marshes, and shoreline levees; and

**WHEREAS**, the Board of Directors certified that implementation of feasible mitigation measures would either avoid or reduce the identified environmental impacts of the RMRP to a level of insignificance; and

**WHEREAS**, the Park District proposes to add nutrient remediation as an activity to the RMRP to reduce phosphorous in lakes and reservoirs, improve water quality and minimize algal growth; and

**WHEREAS**, to comply with the California Environmental Quality Act (CEQA), the Park District analyzed the potential environmental impacts of the proposed new activity and determined that an Addendum to the RMRP IS/MND is the appropriate level of review under CEQA; and

**WHEREAS**, an Addendum to the RMRP IS/MND was prepared pursuant to Section 15164 of CEQA and determined that the proposed activity would not result in new or more severe impacts from those documented in the RMRP IS/MND, and subsequent environmental analysis is not required;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors of the East Bay Regional Park District hereby certifies the Addendum to the RMRP IS/MND as presented to the Board on March 19, 2024; and

**BE IT FURTHER RESOLVED**, that the General Manager is hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director \_\_\_\_\_, and seconded by Director \_\_\_\_\_, and  
adopted March 19, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: