2020060459

NOTICE OF EXEMPTION

TO: ☐ Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

☒ Alameda County Clerk-Recorder's Office
1106 Madison Street
Oakland, CA 94607

FROM: San Francisco Bay Area Rapid Transit District
Maintenance & Engineering Department
300 Lakeside Drive
Oakland, CA 94607

ENDORSED
FILED
ALAMEDA COUNTY

MAY 14 2020

MELISSA WILK, County Clerk
By _____ Deputy

Project Title: Measure RR Program Traction Power System Improvements Project

Project Location (Specific): BART Hayward Maintenance Complex (APN 475-50-1-1)

Project Location (City): Hayward

Project Location (County): Alameda

Project Description: The San Francisco Bay Area Rapid Transit District (BART) is an electricity-powered commuter transit line. Electrification is provided by "traction power" substations located along the transit line right-of-way. BART proposes improvements to one of its existing traction power substations, Hayward Yard Traction Power Substation, referred herein as "AAY". The AAY traction power substation is an at-grade, outdoor substation located approximately 0.4 miles south of BART's Hayward Maintenance Complex building (150 Sandoval Way, Hayward, CA 94544), between Sandoval Way and the BART tracks. The project would require facility upgrades, procurement and installation of replacement equipment for the existing traction power substation and switching station which currently supplies power for BART operations. Please see Attachment A for additional information.

This Notice of Exemption from the California Environmental Quality Act (CEQA) was prepared based on the content contained in BART's Traction Power Facilities Replacements Conceptual Engineering Report (35% level of design) dated September 11, 2018; the Draft Geotechnical Report prepared by Earth Mechanics, Inc. and Parsons Corporation dated February 1, 2019; the TPF Transformer PCB Level Report prepared by BART dated February 15, 2019; and the engineering drawings contained in BART's Traction Power Facilities Replacement 50% level of design submittal package dated February 26, 2019, and 95% level of design submittal package dated November 1, 2019.

Specific engineering drawings reviewed include:

- Existing Site and Demolition Plan (C501-AAY), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Construction Staging Plan (C502-AAY), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Site Plan (C503-AAY), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Construction Access Plan (C504-AAY), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Grading and Drainage Plan (C521, C522, C523, C524-AAY), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Maintenance of Traffic Plans (C541, C542-AAY), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Right of Way Plan (W501-AAY), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)

Name of Public Agency Approving Project: San Francisco Bay Area Rapid Transit District

Name of Person or Agency Carrying Out Project: Steve Sims, Traction Power Project Manager, San Francisco Bay Area Rapid Transit District

Exempt Status: *(check one)*

☐ Ministerial (Sec. 21080(b)(1); 15268);

☐ Declared Emergency (Sec. 21080(b)(3); 15269 (a));

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☐ Categorical Exemption State type and section number:

☒ Statutory Exemptions State Code number: CEQA Guidelines Article 18, Section 15275(a)

Reasons why project is exempt: The proposed replacement of the traction power substation equipment qualifies for a statutory exemption from CEQA, as the project fits into the context of the exemption language and no other significant effects on the environment would result due to unusual circumstances. Statutory exemptions from CEQA are granted by the California Legislature, and apply regardless of the environmental impacts of the project for state policy reasons. A statutory exemption is provided under Section 21080(b)(10) of the California Public Resources Code (also found in the CEQA Guidelines Article 18 Section 15275(a)). This statutory exemption applies to mass transit projects that involve the institution or increase of passenger or commuter service on rail lines already in use. This project proposes removing aging train control equipment and upgrading to a new system, which would support increased capacity and higher service frequencies. Please see Attachment A for additional information.

Lead Agency Contact Person: Steve Sims **Area Code/Telephone/Extension:** (510) 464-6417

If filed by applicant:

1. Attach certified document of exemption filing.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☑ No

Signature: _____ Date: 4/23/2020 Title: Project Manager

☒ Signed by Lead Agency
☐ Signed by Applicant

Date received for filing at OPR: _____

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: SACRAMENTO

From: (Public Agency): BAY AREA RAPID TRANSIT
300 LAKESIDE DRIVE
OAKLAND, CA 94607
(Address)

Project Title: MEASURE RR PROGRAM TRACTION POWER SYSTEM IMPROVEMENT PROGRAM

Project Applicant: STEVE SIMS, PROJECT MANAGER, SAN FRANCISCO BAY AREA RAPID TRANSIT

Project Location - Specific:

BART HAYWARD MAINTENANCE COMPLEX (APN 475-50-1-1)

Project Location - City: HAYWARD Project Location - County: ALAMEDA

Description of Nature, Purpose and Beneficiaries of Project:

The San Francisco Bay Area Rapid Transit District (BART) is an electricity-powered commuter transit line. Electrification is provided by "traction power" substations located along the transit line right-of-way. BART proposes improvements to one of its existing traction power substations, Hayward Yard Traction Power Substation, referred herein as "AA Y". The AA Y traction power substation is an at-grade, outdoor substation located approximately 0.4 miles south ofBART's Hayward Maintenance Complex building (150 Sandoval Way, Hayward, CA 94544), between Sandoval Way and the BART tracks. The project would require facility upgrades, procurement and installation of replacement equipment for the existing traction power substation and switching station which currently supplies power for BART operations.

Name of Public Agency Approving Project: SAN FRANCISCO BAY AREA RAPID TRANSIT

Name of Person or Agency Carrying Out Project: STEVE SIMS, PROJECT MANAGER

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number:
- ☒ Statutory Exemptions. State code number: CEQA Guidelines Article 18, Section 15275(a)

Reasons why project is exempt:

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Lead Agency
Contact Person: BART, STEVE SIMS Area Code/Telephone/Extension: 510-464-6417

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature:  Date: 6/5/2020 Title: PROJECT MANAGER

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

SAN FRANCISCO BAY AREA RAPID TRANSIT
MAINTENANCE & ENGINEERING DEPARTMENT
300 LAKESIDE DRIVE
OAKLAND, CA 94607

FOR COUNTY CLERK USE ONLY

ENDORSED
FILED
ALAMEDA COUNTY

MAY 14 2020

MELISSA WILK, County Clerk
By _____ Deputy

FILE NO: 20-179

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

(PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

[x] A - STATUTORILY OR CATEGORICALLY EXEMPT

$ 50.00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

[ ] A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

$ 2,406.75 - STATE FILING FEE

$ 50.00 - COUNTY CLERK HANDLING FEE

[ ] B - ENVIRONMENTAL IMPACT REPORT (EIR)

$ 3,343.25 - STATE FILING FEE

$ 50.00 - COUNTY CLERK HANDLING FEE

3. OTHER: _____

*****A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.*****

BY MAIL FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

IN PERSON FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPES.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2020

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
MEASURE RR PROGRAM: TRACTION POWER SYSTEM IMPROVEMENTS
AAY – HAYWARD YARD TRACTION POWER SUBSTATION
CEQA STATUTORY EXEMPTION

ATTACHMENT A

MARCH 2020

PROJECT DESCRIPTION

PROJECT SUMMARY

1. **Project Title:**
   Bay Area Rapid Transit (BART) Measure RR Program Traction Power System Improvements Project
   AAY – Hayward Yard Traction Power Substation

2. **Lead Agency Name and Address:**
   San Francisco Bay Area Rapid Transit District
   Maintenance & Engineering Department
   300 Lakeside Drive
   Oakland, CA 94607

3. **Contact Person and Phone Number:**
   Steve Sims
   Traction Power Project Manager
   (510) 464-6417

INTRODUCTION

This Notice of Exemption was prepared based on the content contained in BART's Traction Power Facilities Replacements Conceptual Engineering Report (35% level of design) dated September 11, 2018; the Draft Geotechnical Report prepared by Earth Mechanics, Inc. and Parsons Corporation dated February 1, 2019; the TPF Transformer PCB Level Report prepared by BART dated February 15, 2019; and the engineering drawings contained in BART's Traction Power Facilities Replacement 35% level of design submittal package dated September 11, 2018, 50% level of design submittal package dated February 26, 2019, and 95% level of design submittal package dated November 1, 2019.

Specific engineering drawings reviewed include:

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- Maintenance of Traffic Plans (C541, C542-AAY), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Right of Way Plan (W501-AAY), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)

PROJECT LOCATION

The project site is currently occupied by the existing traction power substation, which is an outdoor traction power substation located approximately 0.4 miles south of the Hayward Maintenance Complex building (150 Sandoval Way, Hayward, CA 94544), between Sandoval Way and the BART tracks (see Figures 1 and 2). The project site is located in APN 475-50-1-1.

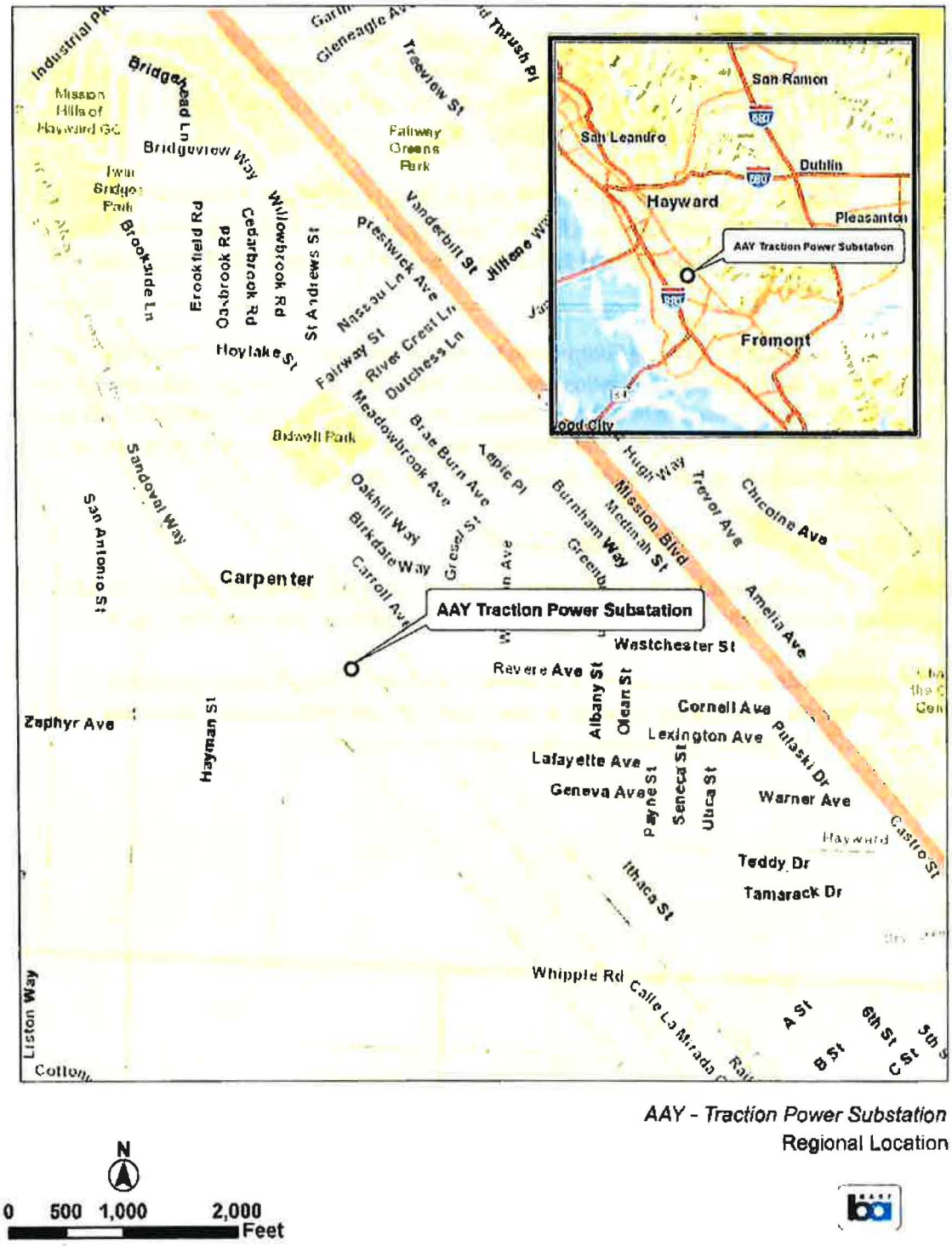
The traction power substation is located approximately 2.5 miles north via rail of the Union City BART Station and approximately 1.5 miles south via rail of the South Hayward BART Station. A systemwide map of BART stations and routes is provided in Figure 3 for reference to the regional passenger rail system.

The new substation would utilize the existing footprint to the maximum extent possible. However, the west side and the east side of the existing substation area would also be used to provide the additional area required for the new traction power substation equipment. According to the Conceptual Engineering Report prepared for AAY, the existing substation footprint is approximately 44 feet by 82 feet in size. The new substation would require at a minimum 40 feet by 200 feet in area.

EXISTING CONDITIONS ON THE PROJECT SITE

AAY is an existing at-grade, outdoor traction power substation that supplies electrical power for BART trains. The project site and the facilities it contains are owned, operated, and maintained by BART.

The project site and surrounding area is zoned "I, Industrial". This zoning designation permits public agency facilities. Because the project would be replacing an existing permitted use, there would be no conflicts with the City of Hayward's land use plans, policies, or regulations.



AAY - Traction Power Substation
Regional Location

N

0 500 1,000 2,000 Feet

Figure 1. Regional Location

Project site boundaries depict approximate project area and are not exact.

Figure 2. Project Location (Aerial Photo)

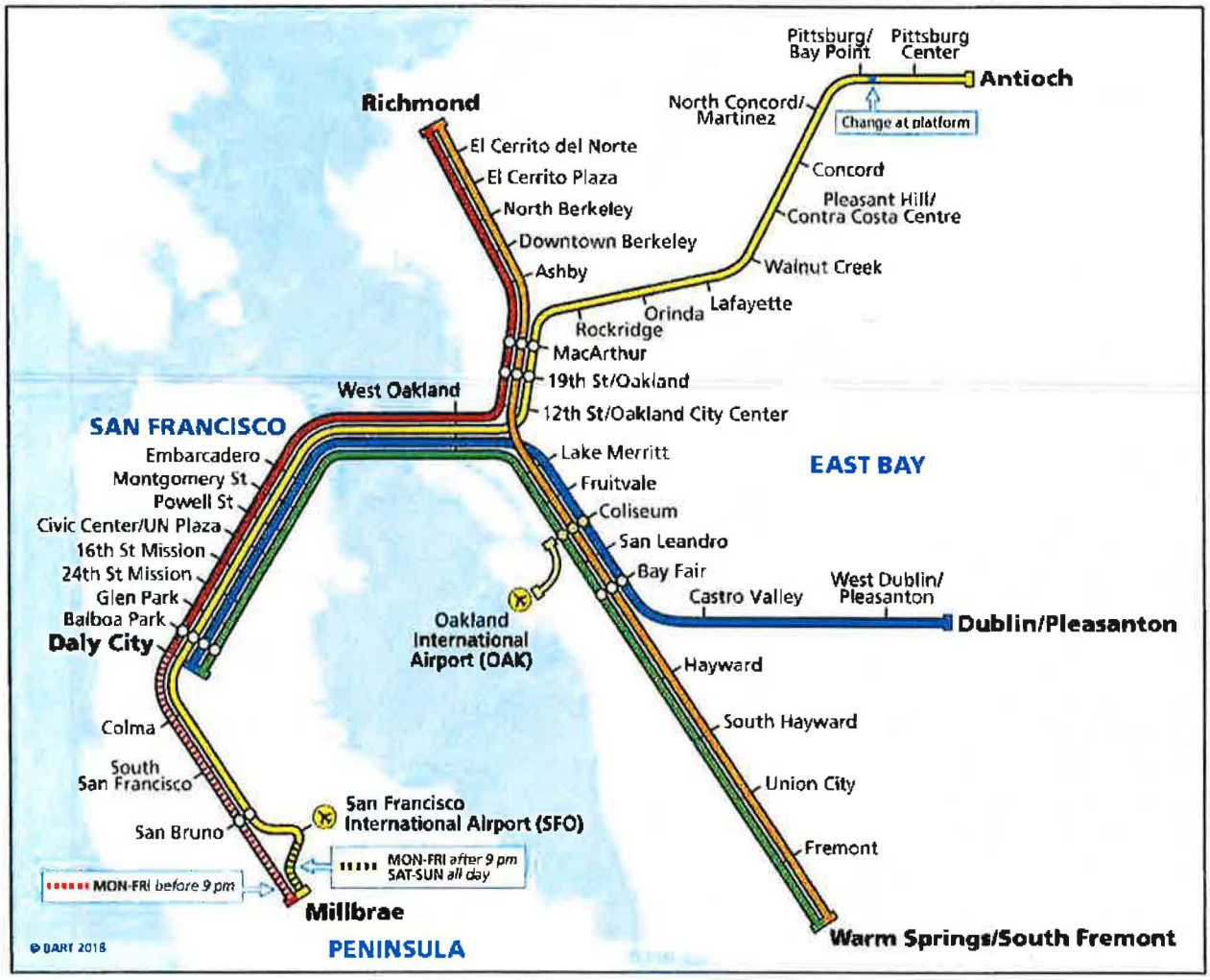


Figure 3. BART Systemwide Map

PROPOSED PROJECT AND CONSTRUCTION ELEMENTS

This project includes demolition and restoration work of the existing traction power substation beyond its existing footprint on BART owned, operated, and maintained right-of-way. The new traction power substation would continue to help serve the feeding point for the third rail. The associated equipment upgrades are necessary to continue the conversion of electricity to be utilized by the BART trains for propulsion and auxiliary power supply need.

Given the scope of the project, key environmental considerations pertaining to construction and operation of the project is provided below.

PROPERTY NEEDS

Based on the current level of design, all work will occur within BART right-of-way and no temporary or permanent easements would be required on property that is not owned, operated, or maintained by BART.

AESTHETICS

Given that this project will construct new traction power facilities and parking beyond the existing facility footprint, potential impacts with aesthetics and visual quality was considered. The project is located in an

industrial, developed location within the City of Hayward. Existing views surrounding the project and nearby areas are generally urban and defined by industrial and commercial buildings. No scenic vistas are within the project area and the project site is not within or adjacent to a state scenic highway. The project is not designated or identified as a scenic resource and it does not contain a scenic resource.

The project will alter the visual landscape of the study area by adding traction power substation equipment at-grade approximately 10-15 feet above grade. However, the height of the traction power equipment will generally be screened by a new 10-foot concrete perimeter wall, resulting in a less than significant impact for viewers in the project area.

UTILITIES

A new water line connection will be required to supply water to the project site to support an emergency eye wash for maintenance personnel (requirement of BART facility standards). In addition, a new sewer line connection will be required to discharge stormwater from the project site. The proposed connections will not result in a conflict to existing water lines and relocation of this utility type will not be required. Prior to construction, BART will coordinate with the City of Hayward for review and approval of this new connection.

Surveys of telecommunication lines within the project area are still being evaluated. If it is determined at a later time that potential conflicts or relocations may result, BART will work with the affected utility owner(s) and additional evaluation may be necessary.

GRADING, DEMOLITION, AND TREE REMOVAL

The scope of work to construct AAY does not require tree removal. However, activities that would occur prior to construction would include demolition of the existing traction power substation equipment, site clearing, and grading of the project site. BART will work with the City of Hayward to obtain the necessary permits/approvals prior to the start of construction, as needed.

GEOLOGICAL HAZARDS

Geological hazards consist of fault rupturing, landslide, subsidence, expansive soils, flooding, scouring, liquefaction, lateral spreading and inundation. The project site does not intersect with the Hayward Fault, its fault zone or any other known faultline; the project site runs parallel to the Hayward Fault and is located less than one mile to the southwest. Therefore, there is no fault rupture hazard associated with the project site. The California Geological Survey does not map this site within a landslide-prone region.

According to the Draft Geotechnical Report prepared for this project, no significant land subsidence is known to have occurred at the project site in the past and the risk associated with land subsidence is considered to below. In addition, the Draft Geotechnical Report states that the project site has low risks associated with flooding, scouring, and expansive soils.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map does not map this site in a flood or an inundation zone. The Draft Geotechnical Report notes that susceptibility to scour would not occur because the project is not located at a river, stream or creek crossing. However, the proposed traction power substation is located in an area with high liquefaction potential and therefore, may be subject to lateral spreading. AAY will be built in compliance with BART facility standards based on its seismic zone and the class level of the project site.

HAZARDS AND HAZARDOUS MATERIALS

Recent tests have confirmed that existing traction power substation transformers may contain elevated levels of carbon monoxide, methane, ethylene, and ethane gases or a PCB level (ppm) > = 50, which are

considered hazardous. For AAY, elevated levels of hazardous materials were detected in the existing transformer according to the TPF Transformer PCB Level Report prepared by BART dated February 15, 2019.

The project would comply with all applicable local, state, and federal regulations governing the routine transport, use, or disposal of hazardous materials during construction. Operation of the project would involve the occasional use, storage, and disposal of hazardous materials that could include limited quantities of battery acid, vehicle fuels, oils, transmission fluids, paints, solvents, cleaners, and pesticides. No industrial uses or activities are proposed that would result in the use or discharge of unregulated hazardous materials and/or substances, or create a public hazard through transport, use, or disposal, and the project would not generate large amounts of hazardous materials that would require routine transport, use, or disposal. Use and transport of hazardous materials would be regulated by the California Division of Occupational Safety and Health, local fire codes, and all other federal, state, and local regulations. All hazardous materials would be required to be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations.

Hydrology and Water Quality

The project will incorporate design features to address water quality impacts. Stormwater runoff from impervious surfaces will be routed through one bioretention basin on-site. Biorention is characterized by a depressed planted area designed to collect stormwater runoff from a contributing area, while utilizing the physical and chemical processes of plants, soils, and microbes to slow, store and/or convey, filter, and infiltrate stormwater runoff. The bioretention basin constructed as part of AAY will filter stormwater runoff from the project site prior to discharge into the stormwater drainage system. The project may result in an increase in impervious surface but this increase would be minor (less than 1 acre in size). The project would not rise to the level of causing or contributing runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Traffic Management and Parking

During construction, the main construction access route to the Hayward Maintenance Complex is via Whipple Road on the south side of the Hayward Maintenance Yard. Another access route could be used from the north of the project site off Industrial Parkway and Sandoval Way. A 22-foot roadway clearance on Sandoval Way would remain open to two-way traffic within the Hayward Maintenance Complex during construction. BART will coordinate with the City of Hayward to to mitigate any potential traffic-related impacts during construction. A traffic maintentenance plan has been prepared for coordination and approval.

The proposed construction staging and laydown area would be located on the south end of the project site and would require removal of approximately twelve (12) parking stalls. After construction, twelve (12) parking stalls will be provided on the west side of the new substation to replenish the lost parking.

Public Transit Considerations

During construction, disruptions to BART operations would not occur because a portable traction power substation would be installed to he kept energized during the replacement of the existing traction power substation. There are no bus stops within the immediate vicinity of the project site; therefore, potential impacts to bus transit providers are not anticipated. After construction, the rehabilitated switching station equipment would support increased capacity and higher service frequencies on the BART system.

SPECIAL DISTRICT PARAMETERS

BART was formed as a county-based special district in 1957 by the California State Legislature. The special district formation was made in response to identifying the transit needs in the San Francisco Bay Area Region. Special districts are defined as local government agencies that provide public infrastructure and other essential services, including transportation, water, and recreation and parks. Special districts operate within a defined boundary that can include areas as small as neighborhoods to areas as large as multi-county regions, depending on the demand of services being provided.

California Government Code Section 53090 states that local agencies that provide governmental or proprietary function within limited boundaries, such as rapid transit districts like BART, are exempt from complying with local land use plans, policies, zoning ordinances and building ordinances (including building permits).

Although BART's transportation facilities may be exempt from some local regulations, the District would comply with the overall intent of the local regulations to the extent feasible and would work closely with the local jurisdictions to ensure that they are included in the overall project development process.

STATUTORY EXEMPTION APPLICABILITY

Article 18 of CEQA (CEQA Guidelines Sections 15260 to 15285), includes a list of classes of projects that have been determined to not have a significant impact on the environment and are therefore exempt from environmental review under CEQA. Due to the nature of the proposed project, the proposed replacement of the traction power substation equipment qualifies for an exemption pursuant to CEQA Guidelines Article 18 Section 15275(a) - Specified Mass Transit Projects, and would not have a significant impact on the environment.

CEQA Guidelines Article 18 Section 15275(a) states that CEQA does not apply to mass transit projects that involve the institution or increase of passenger or commuter service on rail lines or high-occupancy vehicle lanes already in use, including the modernization of existing stations and parking facilities[1]. The analysis contained in this document provides substantial evidence the proposed project qualifies for an exemption pursuant to CEQA Guidelines Section 15275(a) as a Specified Mass Transit project and would not have a significant effect on the environment.

In summary, this document demonstrates that the proposed project qualifies for an exemption under CEQA Guidelines Section 15275(a) as it would involve the institution or increase of passenger or commuter service on rail lines already in use. Modernizing BART's 45+year old train control is an important component in addressing critical capacity, reliability and safety needs as the District places 775 new BART train cars into service. This project entails removing aging train control equipment from the BART system and upgrading to a new system.

[1] Authority cited: Section 21083, Public Resources Code; Reference: Section 21080(b)(11), (12), and (13), Public Resources Code.