Notice of Exemption

Appendix E

To:	Office of Planning and Research P.O. Box 3044, Room 113	From: (Public Agency): BAY AREA RAPID TRANSIT 300 LAKESIDE DRIVE
	Sacramento, CA 95812-3044	OAKLAND, CA 94607
	County Of: SACRAMENTO	(Address)
Proje	ect Title: MEASURE RR PROGRAM TRAC	CTION POWER SYSTEM IMPROVEMENT PROGRAM
Proje	ect Applicant: STEVE SIMS, PROJECT M	ANAGER, SAN FRANCISCO BAY AREA RAPID TRANSIT
Proje	ect Location - Specific:	
		& Adeline Street intersection(APN 053 159703904)
Proje	ect Location - City: BERKELEY	Project Location - County: ALAMEDA
Desc	ription of Nature, Purpose and Beneficiari	
The Sa substa Substa the no	an Francisco Bay Area Rapid Transit District (BART) is an e ations located along the transit line right-of-way. BART propc ation, referred herein as "RAS". RAS is an underground facil	lectricity-powered commuter transit line. Electrification is provided by "traction power" ses improvements to one of its existing traction power substations, Ashby Traction Power ity located at the southwest quadrant of the Ashby Avenue/Adeline Street intersection at rkeley, CA 94703). The project will require facility upgrades, procurement, and installation
Name	e of Public Agency Approving Project: SA	N FRANCISCO BAY AREA RAPID TRANSIT
Name	e of Person or Agency Carrying Out Proje	ct: STEVE SIMS, PROJECT MANAGER
	npt Status: (check one):	
_	Ministerial (Sec. 21080(b)(1); 15268);	
	Declared Emergency (Sec. 21080(b)(3	3); 15269(a));
	☐ Emergency Project (Sec. 21080(b)(4);	15269(b)(c));
	☐ Categorical Exemption. State type and	
	Statutory Exemptions. State code num	ber: CEQA Guidelines Article 18, Section 15275(a)
Reas	ons why project is exempt:	
exemp Public project	ct of the exemption language and no other significant efficients from CEQA are granted by legislature. A statutory Resources Code (also found in the CEQA Guidelines Astatut to that involve the institution or increase of passenger or	quipment qualifies for a statutory exemption from CEQA, as the project fits into the fects on the environment will result due to unusual circumstances. Statutory a exemption from CEQA is provided under Section 21080(b)(10) of the California Article 18 Section 15275(a)). This statutory exemption applies to mass transit are commuter service on rail lines already in use. This project proposes removing , which will support increased capacity and higher service frequencies.
Lead Conta	Agency BART, STEVE SIMS	Area Code/Telephone/Extension: 510-464-6417
1	1/ //	inding. the public agency approving the project? ☐ Yes ☐ No Date: ② 5/20→ Title: PROJECT MANAGER
gu		
	☐ Signed by Lead Agency ☐ Signed	
uthority	y cited: Sections 21083 and 21110, Public Resourd ce: Sections 21108, 21152, and 21152.1, Public R	ces Code. Date Received for filing at OPR: Jun 22 2020

STATE CLEARINGHOUSE

*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 1 4 2020

FILE NO: 20 - 185 MELISSA WILK County Clerk

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

J. UTILK.	3. 🗆	OTHER:	
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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

NOTICE OF EXEMPTION

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

FROM: San Francisco Bay Area Rapid Transit District Maintenance & Engineering Department

> 300 Lakeside Drive Oakland, CA 94607

ENDORSED FILED ALAMEDA COUNTY

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

MAY 1 4 2020

MELISSA WILK County Clerk
By Deputy

Project Title: Measure RR Program Traction Power System Improvements Project

Project Location (Specific): Southwest quadrant of the Ashby Avenue and Adeline Street intersection (APN 053 159703904)

Project Location (City): Berkeley

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, Ashby Traction Power Substation, referred herein as "RAS". RAS is an underground facility located at the southwest quadrant of the Ashby Avenue/Adeline Street intersection at the north end of the Ashby BART Station (3100 Adeline Street, Berkeley, CA 94703). The project will require facility upgrades, procurement, and installation of replacement equipment for the existing traction power substation which currently supplies power for BART rail 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 June 6, 2016; the TPF Transformer PCB Level Report dated February 15, 2019; the Preliminary 50% Geotechnical Report for BART RAS Site dated July 1, 2018; and the engineering drawings contained in BART's Traction Power Facilities Replacement 50% level of design submittal package, dated November 8, 2018 and the 95% level of design submittal package, dated November 1, 2019.

Specific engineering drawings reviewed include:

- Existing Topography and Demolition Plan (C022-, C1101-RAS), dated: 11/08/2018 (50%) and 11/01/2019 (95%)
- Site Plan (C1103-,C122-RAS), dated: 11/08/2018 (50%) and 11/02/2019 (95%)
- Site Sections (CI105-RAS), dated: i1/01/2019 (95%)
- Elevation and Framing Plan (S1150-RAS), dated: 11/01/2019 (95%)
- Grading and Drainage Plan (C422-RAS), dated: 11/08/2018 (50%), 11/01/2019 (95%)
- Construction Staging Plan (C622-, C1102-RAS), dated: 11/08/2018 (50%) and 11/01/2019 (95%)
- Composite Plan of Utility Arrangements (U022-RAS), dated: 11/08/2018 (50%)
- Ashby Substation RAS Plan (S022-RAS), dated: 11/08/2018 (50%)
- Plumbing Enlarged Plan (P303-RAS), dated: 11/08/2018 (50%)
- Demolition Plans (E321- RAS, TP603-RAS), dated: 11/08/2018 (50%)
- Site Layout Plan (TP605-RAS), dated: 11/08/2018 (50%)
- Traffic Maintenance Plan (C722-, C1141-RAS), dated: 11/08/2018 (50%) and 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); 15826	8);			
Declared Emergency (Sec. 21080(b)((3); 15 2 69 (a));			
Emergency Project (Sec. 21080(b)(4)); 15269(b)(c));			
Categorical Exemption State type and	d section number:			
Statutory Exemptions State Code nu	tatutory Exemptions State Code number: CEQA Guidelines Article 18, Section 15275(a)			
a statutory exemption from CEQA, as the project significant effects on the environment will result are granted by legislature. A statutory exemption California Public Resources Code (also found in texemption applies to mass transit projects that invon rail lines already in use. This project proposes	eplacement of the traction power substation equipment qualifies for fits into the context of the exemption language and no other due to unusual circumstances. Statutory exemptions from CEQA from CEQA is provided under Section 21080(b)(10) of the the CEQA Guidelines Article 18 Section 15275(a)). This statutory volve the institution or increase of passenger or commuter service removing aging train control equipment and upgrading to a new d higher service frequencies. Please see Attachment A for			
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 Signature: Signature: Signed by Lead Agency Signed by Applicant	ng. e public agency approving the project? Yes 12 No Date: 4123/2020 Title: Tapd Memager Date received for filing at OPR:			
Authority cited: Sections 21083 and 21110, Public Resources				

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT MEASURE RR PROGRAM: TRACTION POWER SYSTEM IMPROVEMENTS

RAS – ASHBY TRACTION POWER SUBSTATION CEQA STATUTORY EXEMPTION

ATTACHMENT A

FEBRUARY 2020

PROJECT DESCRIPTION

PROJECT SUMMARY

1. Project Title:

Bay Area Rapid Transit (BART) Measure RR Program Traction Power System Improvements Project

RAS - Ashby 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 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 June 6, 2016; the TPF Transformer PCB Level Report prepared by BART dated February 15, 2019; the Preliminary 50% Geotechnical Report for BART RAS Site dated July 1, 2018; and the engineering drawings contained in BART's Traction Power Facilities Replacement 50% level of design submittal package dated November 8, 2018, and 95% level of design submittal package dated 11/01/2019.

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- Elevation and Framing Plan (S1150-RAS), dated: 11/01/2019 (95%)
- Grading and Drainage Plan (C422-RAS), dated: 11/08/2018 (50%), 11/01/2019 (95%)
- Construction Staging Plan (C622-, C1102-RAS), dated: 11/08/2018 (50%) and 11/01/2019 (95%)
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- Site Layout Plan (TP605-RAS), dated: 11/08/2018 (50%)
- Traffic Maintenance Plan (C722-, C1141-RAS), dated: 11/08/2018 (50%) and 11/01/2019 (95%)

PROJECT LOCATION

The design for the project site will include the construction of a new at-grade traction power substation in the landscaped area south of the existing underground traction power substation, adjacent to the existing

Ashby BART station parking lot and the Ashby BART Station building (see Figures 1 and 2). The project is located in APN 053 159703904.

A systemwide map of BART stations and routes is provided in Figure 3 for reference to the regional passenger rail system.

EXISTING CONDITIONS ON THE PROJECT SITE

RAS is an existing underground traction power substation located at the southwest quadrant of the Ashby Avenue/Adeline Street intersection, at the north end of the Ashby BART Station (3100 Adeline Street, Berkeley, CA 94703). The traction power substation is situated at the BART track level, adjacent to the left side of the tracks. The project site and the facilities it contains are owned, operated, and maintained by BART.

The project site and surrounding areas are zoned "CS-A, South Area Commercial". This zoning designation permits public utility substations. The project will be replacing an existing, permitted use on BART owned, operated, and maintained right-of-way; therefore, potential conflicts with the City of Berkeley's land use plans, policies, and/or regulations are not anticipated.

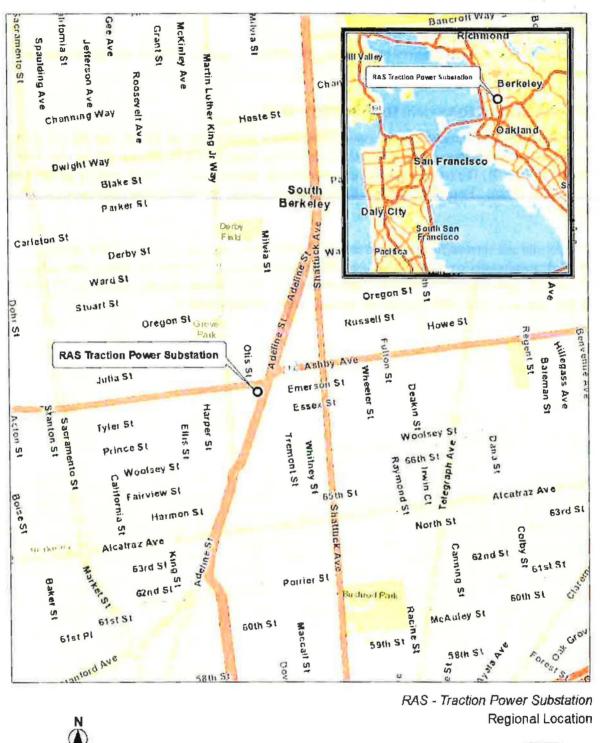




Figure 1. Regional Location



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

Figure 2. Project Location (Aerial Photo)

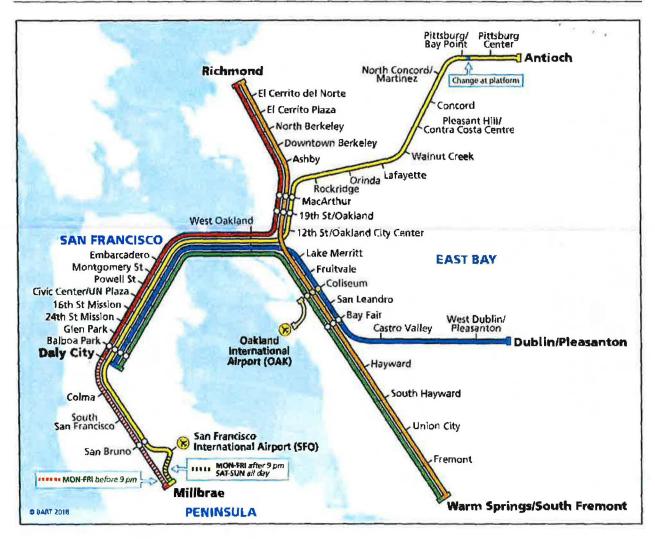


Figure 3. BART Systemwide Map

PROPOSED PROJECT AND CONSTRUCTION ELEMENTS

This project includes demolition of the existing traction power substation equipment and construction of a new at-grade substation in the landscaped area south of the existing underground substation. The existing equipment will be removed via the existing substation areaway opening. During the design process, it was determined that a building permit, demolition permit, and an engineering permit will be required from the City of Berkeley to construct the project. The construction contractor will be responsibile to verify and obtain all the necessary permits for the construction of the project's facilities.

The new traction power substation will 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 this project, key environmental considerations pertaining to the 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 will be required.

AESTHETICS

Given that this project will change from an underground facility to an above-ground facility, potential impacts with aesthetics and visual quality were considered. The project is located in an urbanized, developed location within the City of Berkeley. Existing views surrounding the project and nearby areas are generally urban and defined by commercial and residential 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 scope of work for RAS includes tree removal. BART and the construction contractor will comply with local tree preservation policies and ordinances and obtain the necessary tree removal permits/approvals from the City of Berkeley prior to construction.

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 fence on Adeline Street and a new 10-foot concrete perimeter wall in the parking lot, resulting in a less than significant impact for viewers in the project area. The new facilities will be designed in a manner consistent with existing at-grade BART facilities in this area.

BIOLOGICAL RESOURCES

As mentioned above, this project will require tree removal. Approximately six (6) trees will be removed on the project site west of Ashby Avenue and in landscaped islands in the Ashby BART station parking lot. Tree removal will be avoided from February 1 through August 31, the bird nesting period, to the extent feasible. If no tree removal is proposed during the nesting period, no further mitigation measures are required.

If any project construction activities occur during the active nesting period, a pre-construction survey for nesting birds within the immediate project footprint will be conducted by a qualified biologist hired by the construction contractor. Nesting bird surveys will be conducted within one week before initiation of construction activities. If no active nests are found, no further surveys and no further mitigation will be required.

If two weeks lapse during construction within the active nesting period (i.e., if no work takes place on site for two continuous weeks during the bird nesting period), then the survey will be repeated to ensure that any nests have not been occupied or created during the work stoppage. The survey is required each year prior to any project construction activities occurring during the active nesting period. The survey will not be required if construction does not occur during the active nesting period. With implementation of this mitigation, potential effects to biological resources associated with tree removal activities will be less than significant.

UTILITIES

An assessment of existing utilities was performed to identify utilities within the project footprint. Potential conflicts will not occur to existing utilities located within the project footprint as a result of constructing this project. For purposes of compliance with BART facility standards, the new traction power substation equipment will contain HVAC units (to maintain equipment temperatures), an emergency eye and face wash station, and a bioretention area, which will require new connections to

existing water and sewer lines, and drainage systems. Utility relocations are not anticipated for this project.

BART will work with the local jurisdiction(s) and/or utility provider(s) to obtain the necessary permits/approvals prior to the start of these construction activities, as needed.

GRADING, DEMOLITION, AND TREE REMOVAL

Activities that will occur prior to construction will include demolition of the existing RAS traction power substation equipment, site clearing, and grading. As part of this project, tree removal will also be required. The current design for this project proposes that approximately six (6) trees will be removed to construct the new at-grade traction power substation in the landscaped area south of the existing underground substation. As discussed in Aesthetics, the project will comply with tree preservation policies and ordinances and BART will work with the City of Berkeley to obtain the necessary permits/approvals prior to the start of construction.

GEOLOGICAL HAZARDS

Geological hazards consist of fault rupturing, landslide, subsidence, expansive solis, flooding, scouring, liquefaction, lateral spreading and inundation. The project site is located approximately 1.5 miles to the east of the Hayward Faultline. The project site does not intersect with the Hayward Fault, its fault zone, or any other known faultline. Therefore, there is no fault rupture hazard associated with the project site. RAS will be built in compliance with BART facility standards based on its seismic zone and the class level of the project site. The United States Geological Survey does not map this site within a landslide-prone region.

According to the Draft Geotechnical Report, the site contains Soil Type D according to the Unified Soil Classification System. Some acceleration of seismic waves should be expected at this site and can cause strong ground shaking during the life of the project.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map identifies this site located in an area of minimal flood hazard and outside of the California Geologic Survey Tsunami Inundundation Zone. The Draft Geotechnical Report notes that the proposed project is located in an area of low to moderate potential for liquefaction, but susceptibility to scour will not occur because the project is not located at a river, stream or creek crossing. RAS will be built in compliance with BART's 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 RAS, clevated levels of hazardous materials were not detected in the existing transformer according to the TPF Transformer PCB Level Report prepared by BART dated February 15, 2019. Further, according to the Preliminary 50% Geotechnical Report prepared for BART RAS Site, the Department of Toxic Substance Control (DTSC) reports that this site has no history of hazardous materials.

The project will 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 will 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 will 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 will not generate large amounts of hazardous materials that will require routine transport, use, or disposal. Use and transport of hazardous materials will 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 will 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 RAS 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 will be minor (less than I acre in size). The project will not rise to the level of causing or contributing runoff water which will 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 proposed laydown and staging area (approximately 1,548 square feet in size) will be located at the north end of the Ashby BART Station parking lot near Ashby Avenue. Approximately six (6) parking stalls will need to be temporarily removed to support the construction staging. After construction, all impacted parking stalls will be restored to original condition.

An existing walkway from the Ashby BART Station entrance to the Ashby Avenue and Adeline Street intersection will be temporarily closed during construction. A replacement walkway will be provided to safely re-route pedestrians around the project site. The replacement walkway will be installed in the parking lot area and will be equipped with pedestrian barriers and ADA accessible ramps.

Based on the current level of design, there will be no detours required for the Class II bike lane that currently runs along Adeline Street adjacent to the project site.

PUBLIC TRANSIT CONSIDERATIONS

There will be no transit-related impacts during construction or operation of this project. Potential disruptions to BART rail operations will not occur during construction because a portable traction power substation will be installed within the boundaries of the project site to keep the third rail energized during the replacement of the existing traction power substation. Additionally, potential bus stop relocations or detours to the local bus operator, AC Transit, are not anticipated during construction because activities will be generally isolated within the existing project footprint area. After construction, the rehabilitated traction power substation equipment will 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, BART will comply with the overall intent of the local regulations to the extent feasible, and will 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 by the California Legislature to be statutorily 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 a statutory exemption pursuant to CEQA Guidelines Article 18 Section 15275(a) - Specified Mass Transit Projects.

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.

The analysis contained in this document provides substantial evidence that the proposed project qualifies for an exemption pursuant to CEQA Guidelines Section 15275(a) as a Specified Mass Transit project as it will 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 BART places 775 new train cars into service. This project entails removing aging train control equipment from the BART system and upgrading to a new system.

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