

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:

Mezzanine level of Downtown Berkeley Station (2160 Shattuck Avenue)

Project Location - City: BERKELEY

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, Downtown Berkeley Traction Power Substation, referred herein as "RBE". RBE is located at the mezzanine level of the Downtown Berkeley BART station (2160 Shattuck Avenue, Berkeley, CA 94704), one level below the street level. 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.

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:

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 will result due to unusual circumstances. Statutory exemptions from CEQA are granted by legislature. 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 will support increased capacity and higher service frequencies.

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

Governor's Office of Planning & Research

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: 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 14 2020

MELISSA WILK, County Clerk
By CB Deputy

FILE NO: 20-186

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT: (PLEASE MARK ONLY ONE CLASSIFICATION)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

☒ 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

PROJECT DESCRIPTION

PROJECT SUMMARY

- 1. Project Title:**
Bay Area Rapid Transit (BART) Measure RR Program Traction Power System Improvements Project
RBE – Downtown Berkeley 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; and the engineering drawings contained in BART's Traction Power Facilities Replacement 50% level of design submittal package dated November 8, 2018, the 50% level of design resubmittal site plan dated May 22, 2019, and the 95% level of design submittal package dated November 1, 2019.

Specific engineering drawings reviewed include:

- Existing Topography and Demolition Plan (C024, C1201-RBE), dated: 11/08/2018 (50%), 11/01/2019 (95%)
- Site Plan (C124, C1203-RBE), dated: 06/06/2018 (35%), 11/08/2018 (50%), 05/22/2018 (50%), 11/01/2019 (95%)
- Construction Staging Plan (C624-RBE), dated: 06/06/2018 (35%), 11/08/2018 (50%), 11/01/2019 (95%)
- Composite Plan of Utility Arrangements (U024-RBE), dated: 06/06/2018 (35%), 11/08/2018 (50%)
- Demolition Plans (E322-RBE, TP606-RBE), dated: 11/08/2018 (50%)
- Site Layout Plan (TP608-RBE), dated: 11/08/2018 (50%)
- Traffic Maintenance Plan (C724, C1241-RBE), dated: 11/08/2018 (50%), 11/01/2019 (95%)

PROJECT LOCATION

The project site is currently occupied by the existing Downtown Berkeley traction power substation, located at the mezzanine level of the Downtown Berkeley BART Station (2160 Shattuck Avenue, Berkeley, CA 94704) below the Shattuck Avenue roadway (see Figures 1 and 2). Assessor's parcel information is not available for this site.

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

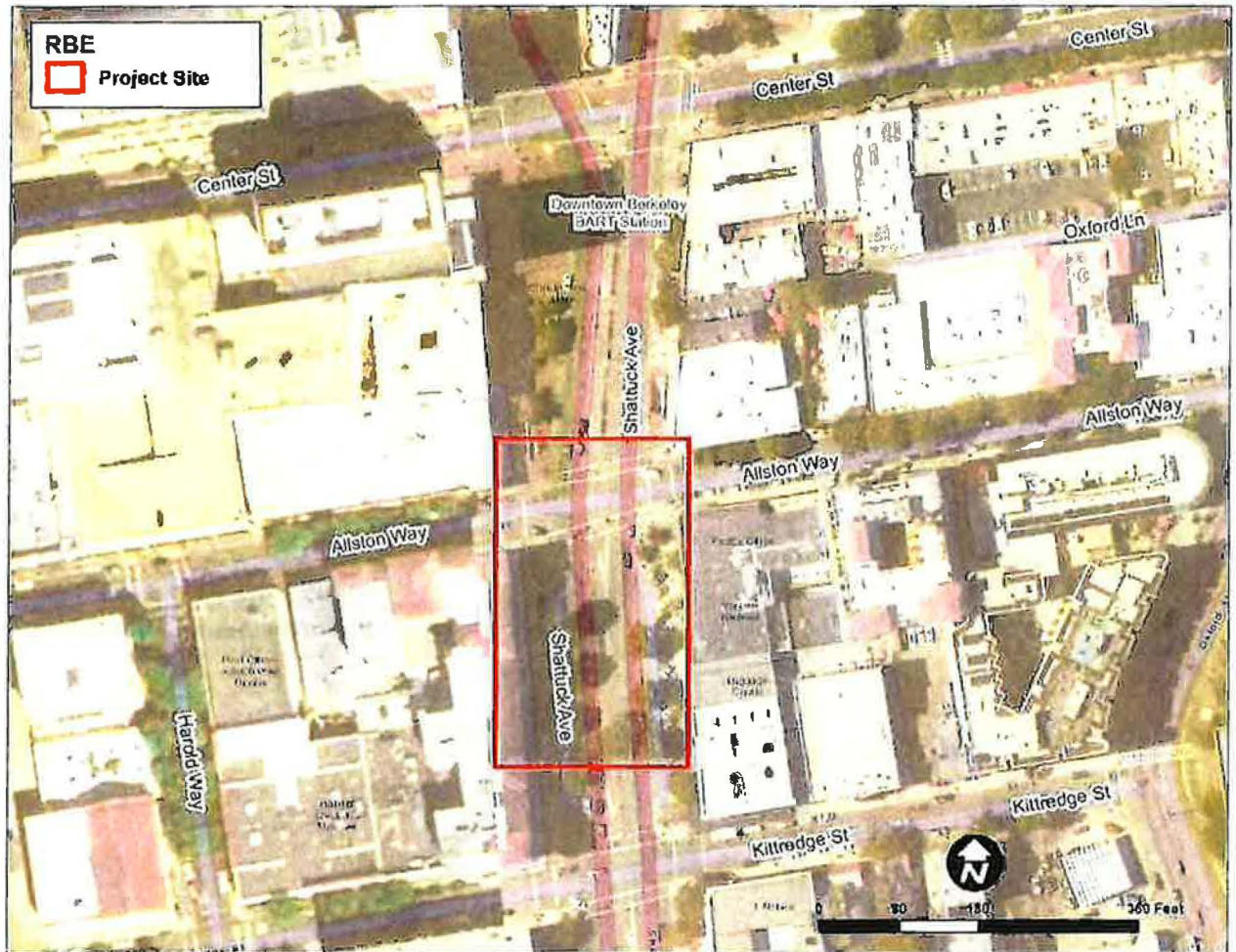
RBE is an existing, indoor traction power substation that is situated at the southern end of the Downtown Berkeley BART Station (2160 Shattuck Avenue, Berkeley, CA 94704). The traction power room is located under the tracks on the mezzanine level of the station. The removal and replacement of the existing traction power substation equipment requires opening equipment hatches that are located approximately five (5) feet below Shattuck Avenue in the southbound direction of travel, near Allston Way. The project site and the facilities it contains are owned, operated, and maintained by BART.

The project site is located in an area of Downtown Berkeley that is zoned "CDMU-Core". This zoning designation conditionally permits electrical substations. Because the project will replace an existing, conditionally permitted use on property owned, operated, and maintained by BART, there will be no conflicts with the City of Berkeley's land use plans, policies, or regulations.



RBE - Traction Power Substation
Regional Location

Figure 1. Regional Location



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

Figure 2. Project Location (Aerial Photo)

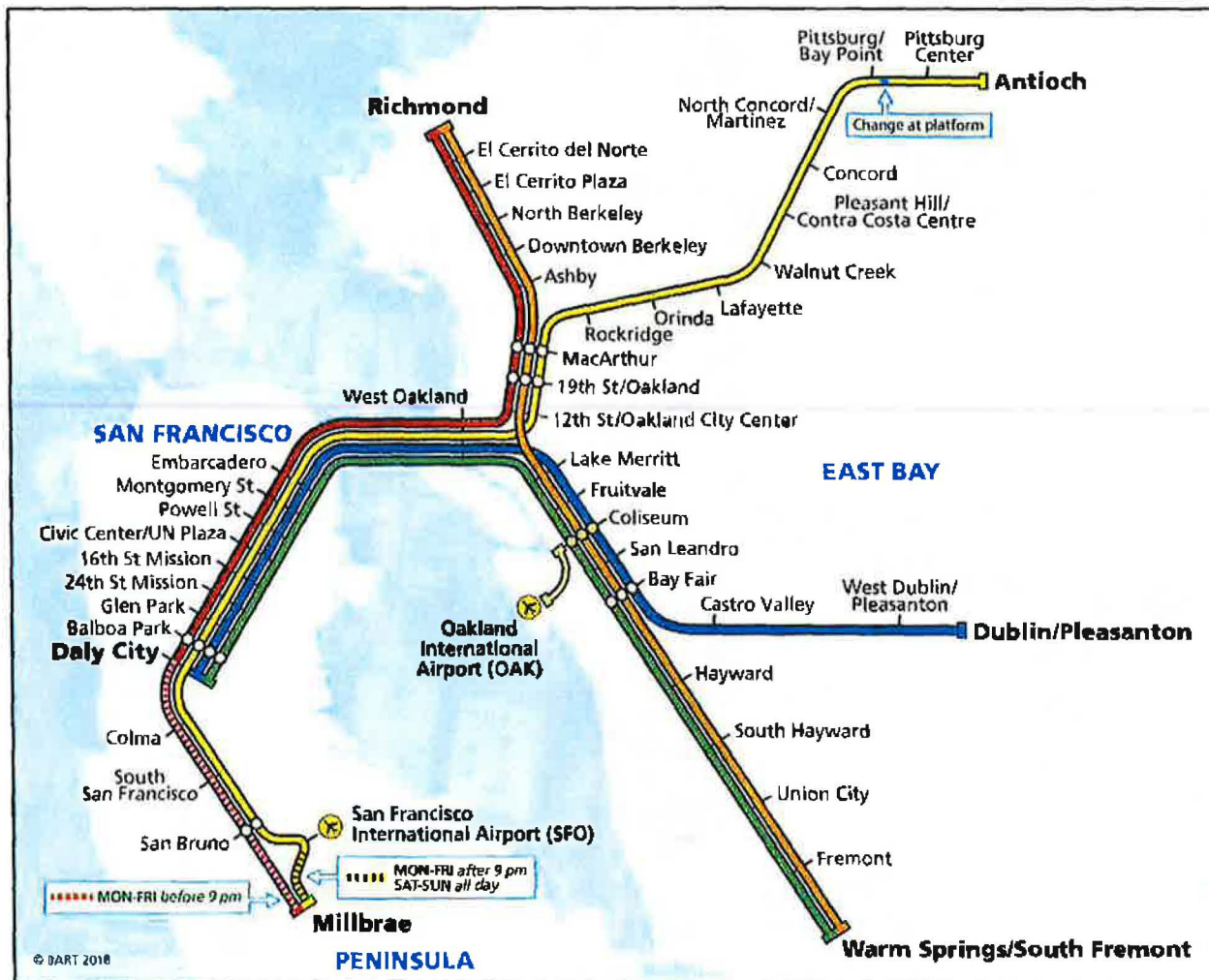


Figure 3. BART Systemwide Map

PROPOSED PROJECT AND CONSTRUCTION ELEMENTS

This project includes roadway pavement demolition and restoration, as well as demolition and restoration of the existing traction power substation equipment within the existing footprint. Existing traction power substation equipment will be removed via equipment hatches on Shattuck Avenue, and new equipment will be lowered through the openings in the existing traction power substation roof. 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 responsible to verify and obtain all necessary permits for the construction of the project's facilities.

The new traction power substation will continue to serve as 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 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. During construction, the proposed staging and laydown area will be located within a secured area at the south end of the concourse level of the Downtown Berkeley BART station.

UTILITIES

Construction of RBE does not require new water, sewer, or electrical line connections. Therefore, potential conflicts with existing utilities located within the project footprint will not occur as a result of constructing this project. Further, utility connections or relocations are not anticipated. .

GRADING, DEMOLITION, AND TREE REMOVAL

The scope of work to construct RBE does not require grading or tree removal. However, activities that will occur prior to construction of the project will include demolition of the existing RBE traction power substation equipment. BART will work with the City of Berkeley to obtain the necessary permits/approvals prior to the start of pre-construction activities, 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 is located less than one (1) mile to the west of the Hayward Faultline. 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.

The United States Geological Survey does not map the project site an area known to have land subsidence. Based on the current level of design, scouring and expansive soil information is not available for this project site. Prior to construction, a geotechnical engineering report will be prepared to recommend soil properties to be used, in addition to settlement estimates and construction methods where applicable.

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 Geological Survey Tsunami Inundation Zone. The California Geological Survey maps the project site in close proximity to a liquefaction zone. RBE 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 RBE, elevated levels of hazardous materials were not detected according to the TPF Transformer PCB Level Report prepared by BART dated February 15, 2019.

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.

TRAFFIC MANAGEMENT AND PARKING

During the replacement of the traction power substation equipment, traffic detours will be required on Shattuck Avenue due to the location of the equipment access hatches on the Shattuck Avenue roadway. A preliminary traffic maintenance plan has been prepared that prohibits vehicles traveling southbound on Shattuck Avenue, between Kittredge Street and Allston Way. The proposed detour will direct vehicles away from Shattuck Avenue, requiring vehicles to turn right onto Allston Way, left from Allston Way onto Milvia Street, left from Milvia Street onto Kittredge Street, and right onto Shattuck Avenue from Kittredge Street.

AC Transit operates bus transit service along the segment of Shattuck Avenue where construction activities will occur above-ground. During construction, AC Transit buses will continue to utilize Shattuck Avenue by temporarily removing approximately fifteen (15) on-site parking stalls on the western end of Shattuck Avenue, between Kittredge Street and Allston Way. Therefore, bus stop relocations or detours will not be required. BART will work closely with the City of Berkeley to implement traffic control measures that will help minimize disruptions to traffic, parking, and circulation during construction. In addition, outreach will occur during the pre-construction phase to notify BART passengers and the local community of the required detours and parking restrictions.

During construction, one (1) of the six (6) total station entrances will be closed to the public and utilized for access and staging. The impacted station entrance is located on the eastern side of Shattuck Avenue, north of Allston Way. Emergency access will be maintained through the other five (5) existing station entrances and exits during construction.

PUBLIC TRANSIT CONSIDERATIONS

As described in above, AC Transit bus stop relocations or detours will not be required during construction. Temporary disruptions to BART station ingress/egress may occur due to the temporary closure of one of the station entrances for access and staging; however, disruptions will be minimal as access will be maintained through the other existing five (5) entrances/exits. Additionally, there will be no disruptions to BART service as temporary traction power will be drawn from neighboring substations during construction.

HYDROLOGY AND WATER RESOURCES

The project site is located near an underground watercourse referred to as "Strawberry Creek". Given that construction will occur within the existing traction power substation footprint and BART station, construction and operation of the project will not conflict or impair with this watercourse.

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 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 facilities¹.

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.

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

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

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

ENDORSED
FILED
ALAMEDA COUNTY

MAY 14 2020

MELISSA WILK, County Clerk
By CB Deputy

Project Title: Measure RR Program Traction Power System Improvements Project

Project Location (Specific): Mezzanine level of Downtown Berkeley Station (2160 Shattuck Avenue)

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, Downtown Berkeley Traction Power Substation, referred herein as "RBE". RBE is located at the mezzanine level of the Downtown Berkeley BART station (2160 Shattuck Avenue, Berkeley, CA 94704), one level below the street level. 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 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 November 8, 2018, the 50% level of design resubmittal site plan dated May 22, 2019, and the 95% level of design submittal package dated November 1, 2019.

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- Site Plan (C124, C1203-RBE), dated: 06/06/2018 (35%), 11/08/2018 (50%), 05/22/2019 (50% resubmittal), 11/01/2019 (95%)
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- Site Layout Plan (TP608-RBE), dated: 11/08/2018 (50%)
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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 will result due to unusual circumstances. Statutory exemptions from CEQA are granted by legislature. 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 will 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: [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.

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

**RBE – DOWNTOWN BERKELEY TRACTION POWER SUBSTATION
CEQA STATUTORY EXEMPTION**

ATTACHMENT A

MARCH 2020