

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:

200 feet Northwest of Coliseum BART Station (7200 San Leandro Street) (APN 41-417)

Project Location - City: OAKLAND

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, Coliseum Traction Power Substation, referred herein as "ACO". The traction power substation is located along San Leandro Street, approximately 200 feet northwest of the Coliseum BART Station (7200 San Leandro Street, Oakland, CA 94621), below the aerial BART track guideway. The project will require facility upgrades, procurement, and installation of replacement equipment for the existing traction power substation 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:

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 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)(1) of the California Public Resources Code (also included 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: [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: 20-180

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

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

Project Title: Measure RR Program Traction Power System Improvements Project

MELISSA WILK, County Clerk
By Deputy

Project Location (Specific): 200 feet northwest of Coliseum BART Station (7200 San Leandro Street)
(APN 41-4170-5-5)

Project Location (City): Oakland

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, Coliseum Traction Power Substation, referred herein as "ACO". The traction power substation is located along San Leandro Street, approximately 200 feet northwest of the Coliseum BART Station (7200 San Leandro Street, Oakland, CA 94621), below the aerial BART track guideway. The project will require facility upgrades, procurement, and installation of replacement equipment for the existing traction power substation 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 (C101-ACO), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Construction Staging Plan (C102-ACO), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Site Plan (C103-ACO), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Grading and Drainage Plan (C121, C123, C124-ACO), dated: 02/26/2019 (50%), 11/01/2019 (95%)
- Maintenance of Traffic Plans (C141-ACO), dated: 02/26/2019 (50%), 11/01/2019 (95%)
- Right of Way Plan (W101-ACO), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Utility Plan (U101-ACO), dated: 09/11/2018 (35%), 02/26/2019 (50%)

Name of Public Agency Approving Project: San Francisco Bay Areas 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); 158268);
- ☐ 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 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 included 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: _____

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**

**ACO – COLISEUM 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
ACO – Coliseum 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 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.

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- Utility Plan (U101-ACO), dated: 09/11/2018 (35%), 02/26/2019 (50%)

PROJECT LOCATION

The project site is currently occupied by the existing ACO traction power substation, which is located at-grade on San Leandro Street in the City of Oakland, CA 94621 (see Figures 1 and 2). The project site is located north of the Coliseum BART Station (7200 San Leandro Street, Oakland, CA 94621), below the aerial BART track guideway, in APN 41-4170-5-5.

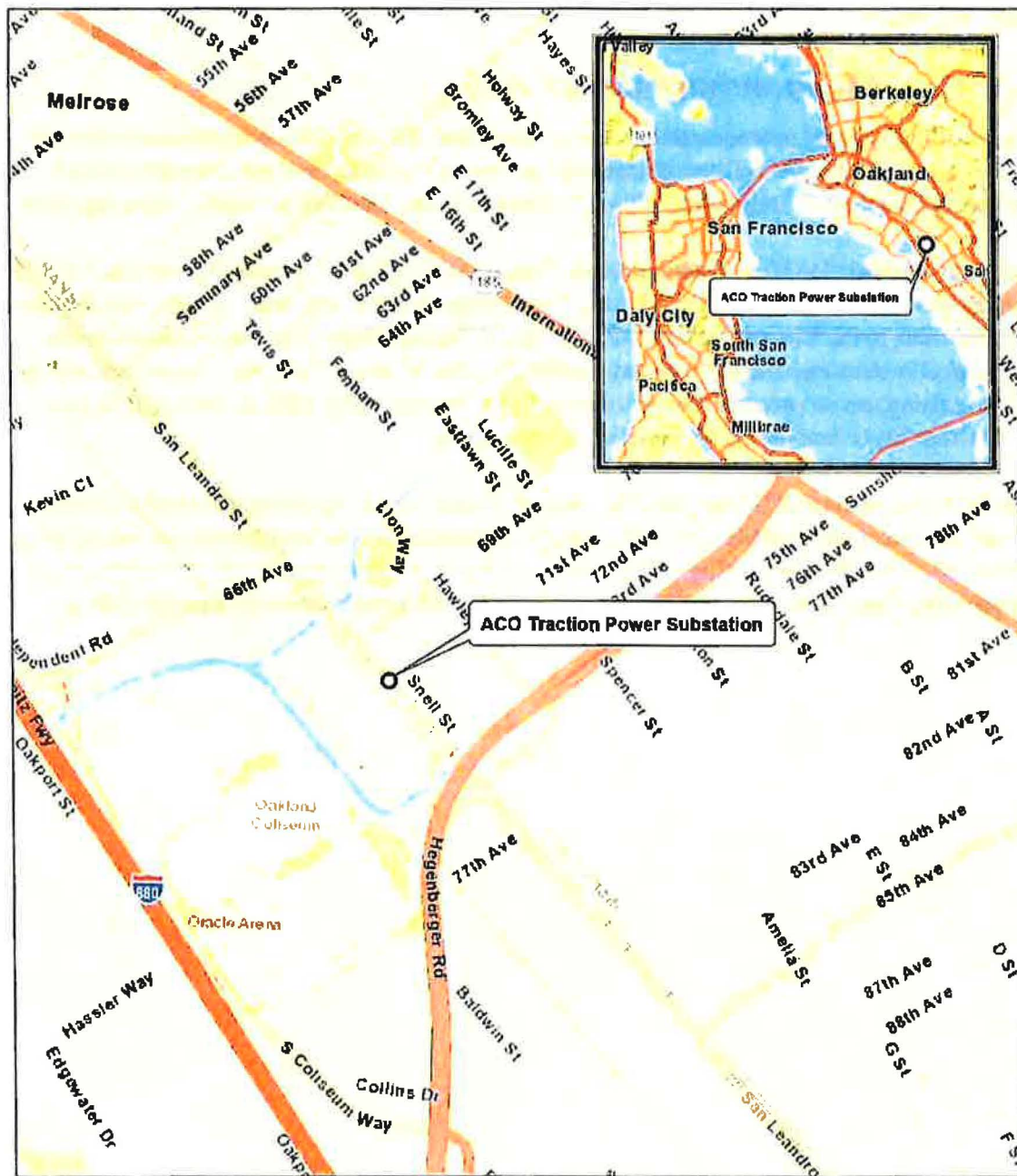
A systemwide map of BART stations and routes is provided in Figure 3 for reference to the regional passenger rail system.

EXISTING CONDITIONS ON THE PROJECT SITE

ACO 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. ACO is located approximately 0.75 miles west of the San Francisco Bay and 700 feet west from a bay inlet.

The project site is zoned “D-CO-1, Coliseum Area Transit-Oriented Development District Zone-1”. This zoning designation conditionally permits the use of maintenance and operations of electrical substations. However, according to the City of Oakland’s Planning and Zoning Map, the primary use within the project site parcel is characterized as “property owned by a public utility”. Because the project will be replacing an existing use on property owned, operated, and maintained by BART, there will be no conflicts with the City’s land use plans, policies, or regulations.

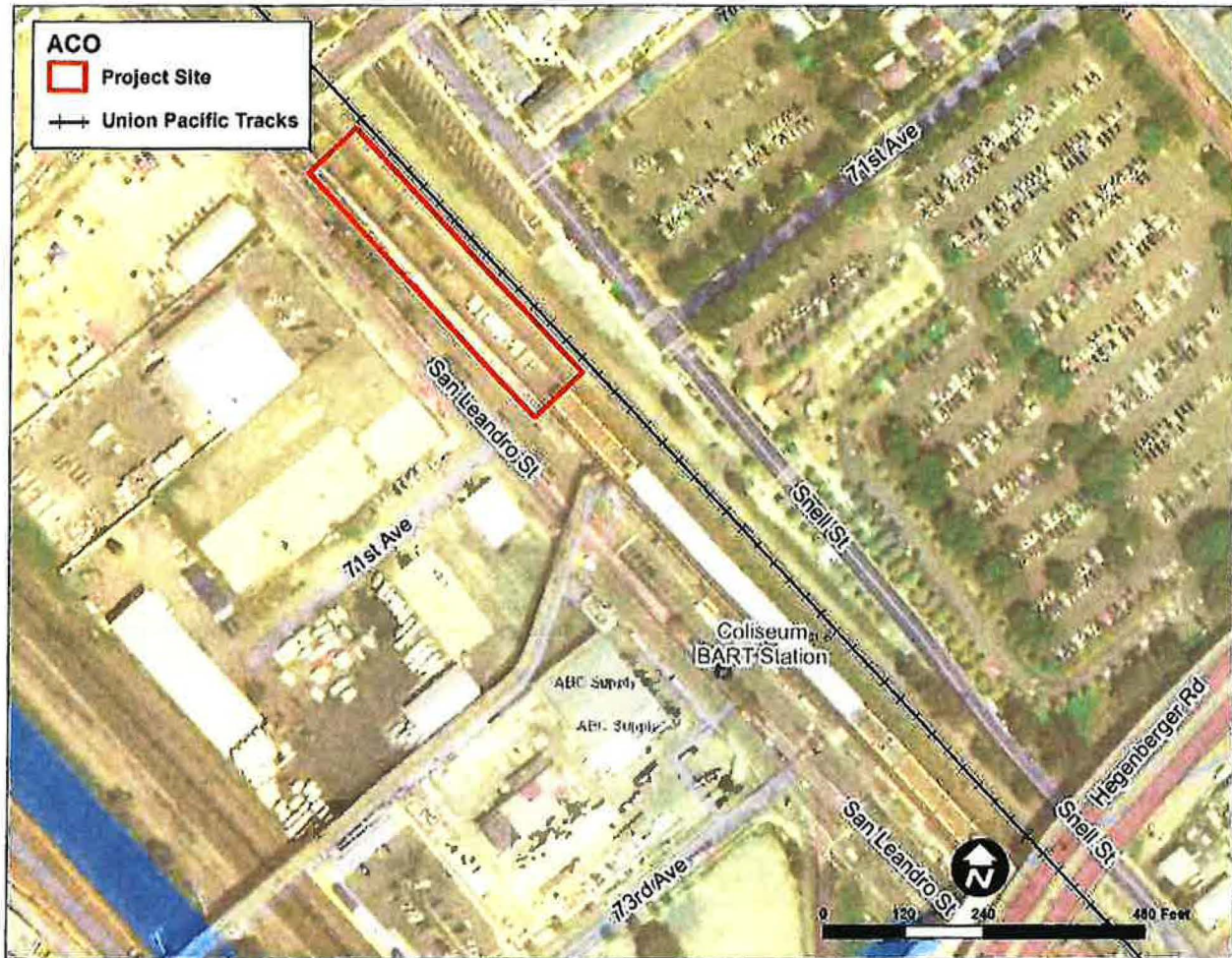
The project site is located in a “Community Commercial” zone, which are zones intended to create, maintain and enhance areas suitable for a wide variety of commercial and institutional operations along major corridors”. According to the City of Oakland’s Planning and Zoning map, the primary land use within neighboring parcels are classified as light industrial or properties owned by a public utility.



ACO - 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)

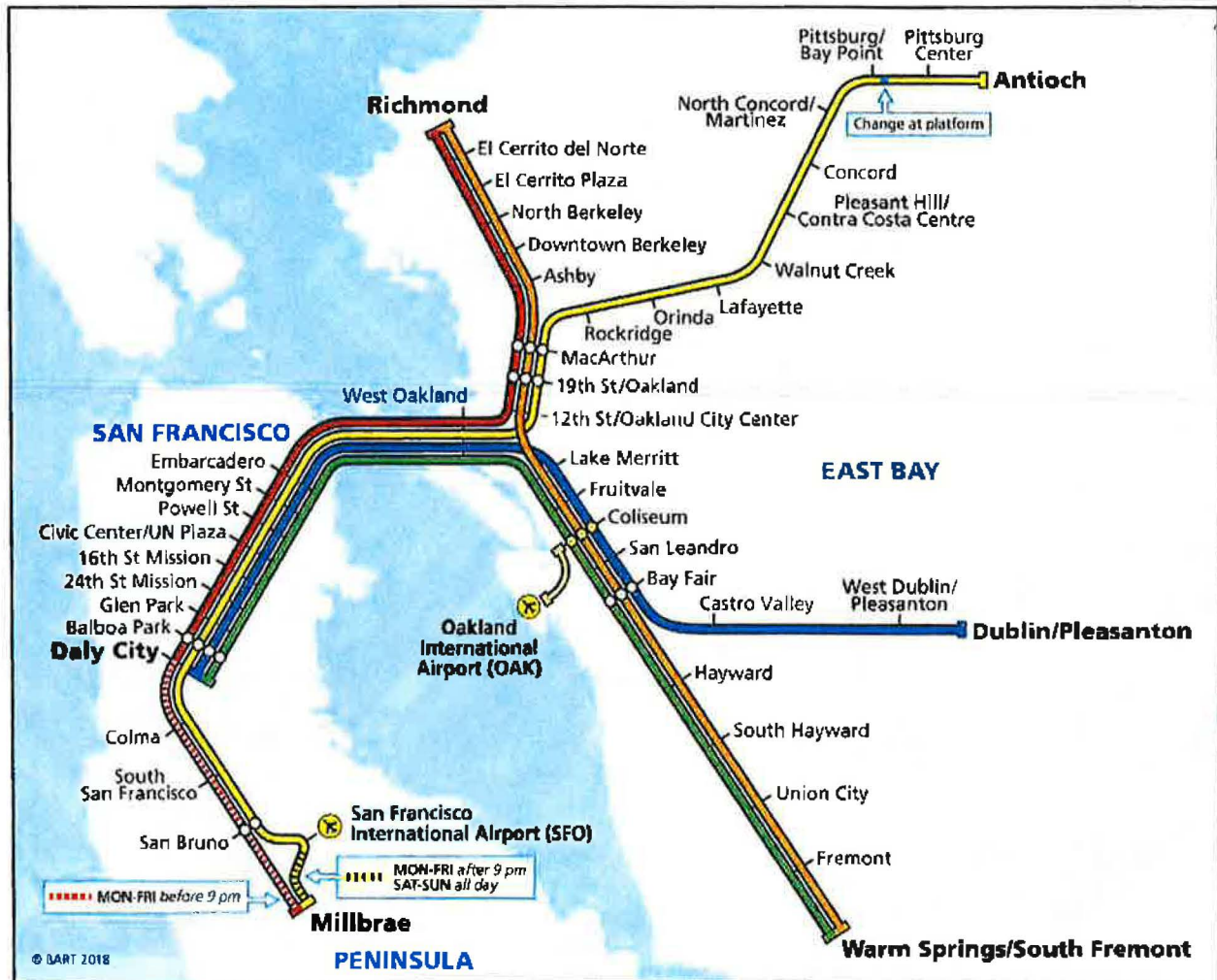


Figure 3. BART Systemwide Map

PROPOSED PROJECT AND CONSTRUCTION ELEMENTS

This project includes demolition and restoration work of the existing facility within BART right-of-way. A new alternate current (AC) house will be installed north of the existing substation in a currently vacant area below the aerial trackway. During the design process, it was determined that the following permits will be required from the City of Oakland: (1) sewer lateral permit; (2) curb, gutter, sidewalk/excavation permit; and (3) an encroachment permit to utilize city-owned right-of-way on San Leandro Street to support construction activities. The construction contractor will be responsible to verify and obtain all the 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

Two temporary construction easements will be required outside of BART owned, operated, and maintained right-of-way. One easement will be located east of the project site between the aerial BART track guideway and the existing Union Pacific Railroad (UP) tracks that run adjacent to the BART station (see Figure 2). Construction vehicles will utilize this area as an alternative access route (approximately 16-foot clearance roadway) to access the project site from 69th Avenue during sports and special events at the nearby Oakland-Alameda County Coliseum and Oakland Arena. The primary access route for construction vehicles will be provided on San Leandro Street via 69th Avenue. During the pre-construction phase, BART will coordinate with UP to receive a right of entry permit to use this area as a temporary construction easement, if needed.

The second temporary construction easement will be located west of the project site and along the existing sidewalk on San Leandro Street (approximately 5 feet by 260 feet in size). This easement is required to support construction of two new driveways to the substation and to allow space to safely route pedestrians around the construction site. BART will work with the City of Oakland to obtain the necessary permits/approvals and notify the local community of required detours prior to construction.

No new property agreements or permanent easements will be required for this project. Although the size of the proposed traction power substation footprint will result in an increase of the existing footprint to allow space for the new substation, this increase will be entirely within BART owned, operated, and maintained right-of-way on currently vacant land.

AESTHETICS

Given that this project will construct new AC traction power house north of the existing traction power substation, potential impacts with aesthetics and visual quality were considered. The project is located in an urbanized within the City of Oakland. Existing views surrounding the project and nearby areas include commercial and industrial uses. No scenic vistas are within the project area and the project site is not 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 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 facilities at the Coliseum BART Station.

UTILITIES

A new sewer line connection will be required to discharge stormwater from the project site. BART will work with the City of Oakland to obtain the necessary permits/approvals prior to the start of construction.

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 ACO does not require tree removal. However, activities that will occur prior to construction will include demolition of the existing AC house and substation fence, site clearing, and grading within BART right-of-way. BART will work with the City of Oakland to obtain the necessary permits/approvals prior to the start of construction, as needed.

GEOLOGICAL HAZARDS

Geological hazards consist of fault rupturing, landslide, subsidence, flooding, scouring, liquefaction, lateral spreading, and inundation. According to the USGS, the project site runs parallel to the Hayward Fault and is located approximately two miles to the southwest. The project site is not intersected with the Hayward Fault, its fault zone or any known 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.

According to the Draft Geotechnical Report prepared for this project, no significant land subsidence is known to have occurred in the past and the risk associated with land subsidence is considered low. 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 map this site in a flood hazard zone (0.2% chance of flooding) and inundation zone. The Draft Geotechnical Report notes that the proposed traction power substation is not located directly at a river, stream or creek crossing and therefore susceptibility to scour is low. The California Geological Survey maps the project site within a liquefaction zone and may be subject to lateral spreading. ACO 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 ACO, 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 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 on-site bioretention basin. Bioretention 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 ACO 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 1 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

As described in *Property Needs* above, the primary access point for construction vehicles will be off San Leandro Street at 69th Avenue. This access route will require temporary closure of street parallel parking and sidewalk in the northbound direction of San Leandro Street. During sports events at the nearby Oakland-Alameda County Coliseum and Oracle Arena, an alternative construction access route is proposed off 69th Street, approximately 240 feet north of the project site and west of the existing UP freight tracks. A traffic maintenance plan has been developed to be used for coordination and approval with the City of Oakland and UP.

Pedestrian and bicycle access will be maintained on San Leandro Street during construction. A temporary pedestrian ramp, sidewalk detour signs, and fencing will be installed to safely route pedestrians and bicyclists around the construction area. In addition, pedestrian crossing guards and flag persons will be present when construction vehicles enter and exit the project site. BART will work with the City of Oakland to obtain the necessary permits/approvals prior to the start of construction.

PUBLIC TRANSIT CONSIDERATIONS

During construction, potential disruptions to BART operations will not occur because the new AC house will be installed while keeping the existing AC house powered. The Coliseum BART Station is currently served by AC Transit and the Amtrak Capital Corridor. UP operates freight trains east of the station and the ACO project site. As needed, BART will coordinate with these transit providers to reduce or avoid any potential disruptions during construction. After construction, the rehabilitated traction power substation equipment will support increased capacity and higher service frequencies on the BART system. Therefore, impacts related to public transit during construction or operation of this project are not anticipated.

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.