

## 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

☒ Contra Costa County Clerk-Recorder's Office  
555 Escobar Street  
Martinez, CA 94553



**Project Title:** Measure RR Program Traction Power System Improvements Project

**Project Location (Specific):** 11 Camino Pablo, Orinda, CA 94563  
(California State Parcel 48779)

**Project Location (City):** Orinda

**Project Location (County):** Contra Costa

**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, Orinda Traction Power Substation, referred herein as "COR". The COR traction power substation is located in a vacant vegetated area at the south end of the Orinda BART Station parking lot (11 Camino Pablo, Orinda, CA 94563). The project will 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.

Specific engineering drawings reviewed include:

- Existing Site and Demolition Plan (C701-COR), dated: 09/11/2018 (35%), 02/28/2019 (50%), 11/01/2019 (95%)
- Construction Staging Plan (C702-COR), dated: 09/11/2018 (35%), 02/28/2019 (50%), 11/01/2019 (95%)
- Site Plan (C703-COR), dated: 09/11/2018 (35%), 02/28/2019 (50%), 11/01/2019 (95%)
- Enlarged Site Plan (C704-COR), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Grading and Drainage Plan (C723-COR), dated: 02/26/2019 (50%), 11/01/2019 (95%)
- Maintenance of Traffic Plans (C741-COR), dated: 02/26/2019 (50%), 11/01/2019 (95%)
- Right of Way Plan (W601-AUC), dated: 09/11/2018 (35%), 02/26/2019 (50%)
- Utility Plan (U601-AUC), dated: 09/11/2018 (35%), 02/26/2019 (50%)

**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 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: 1/23/2020

Title: Project Manager

- ☒ Signed by Lead Agency
- ☐ Signed by Applicant

Date received for filing at OPR: \_\_\_\_\_  
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.

**Sep 16 2020**

**STATE CLEARINGHOUSE**

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

**COR – ORINDA 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  
COR – Orinda 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; 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 (C701-COR), dated: 09/11/2018 (35%), 02/28/2019 (50%), 11/01/2019 (95%)
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### **PROJECT LOCATION**

The switching station project site is currently occupied by the existing switching station, which is located below the aerial BART tracks at the Orinda BART Station (11 Camino Pablo, Orinda, CA 94563). The traction power substation site is located in a separate area at the south end of the Orinda BART Station parking lot (see Figures 1 and 2). The project sites are located in California State Parcel 48779.

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**

COR is an existing at-grade, indoor substation that supplies electrical power to BART trains. The substation is located at the ground level at the west end of the station. The project site and facilities are owned, operated, and maintained by BART. The proposed location of the new traction power substation site is in a currently vegetated area at the southern end of the Orinda Stations' parking lot.

The project site is located in the "PS, Public, Semipublic, and Utility" zoning district. Utility facilities owned or operated by a public entity, such as COR, are permitted within this zoning district. Therefore, construction of the project will not conflict with the City of Orinda's land use plans, policies, or regulations.

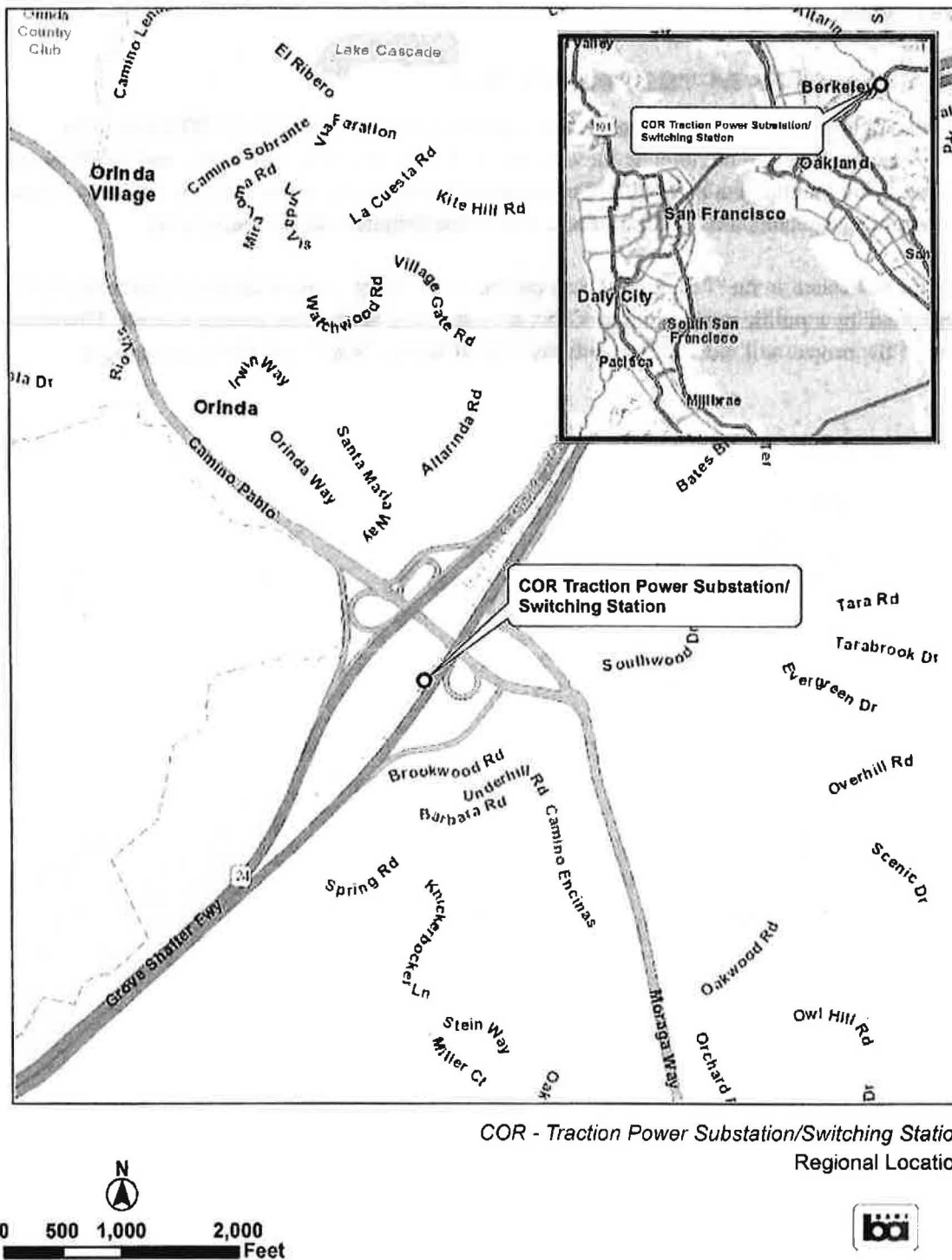


Figure 1. Regional Location





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

**Figure 2. Project Location (Aerial Photo)**

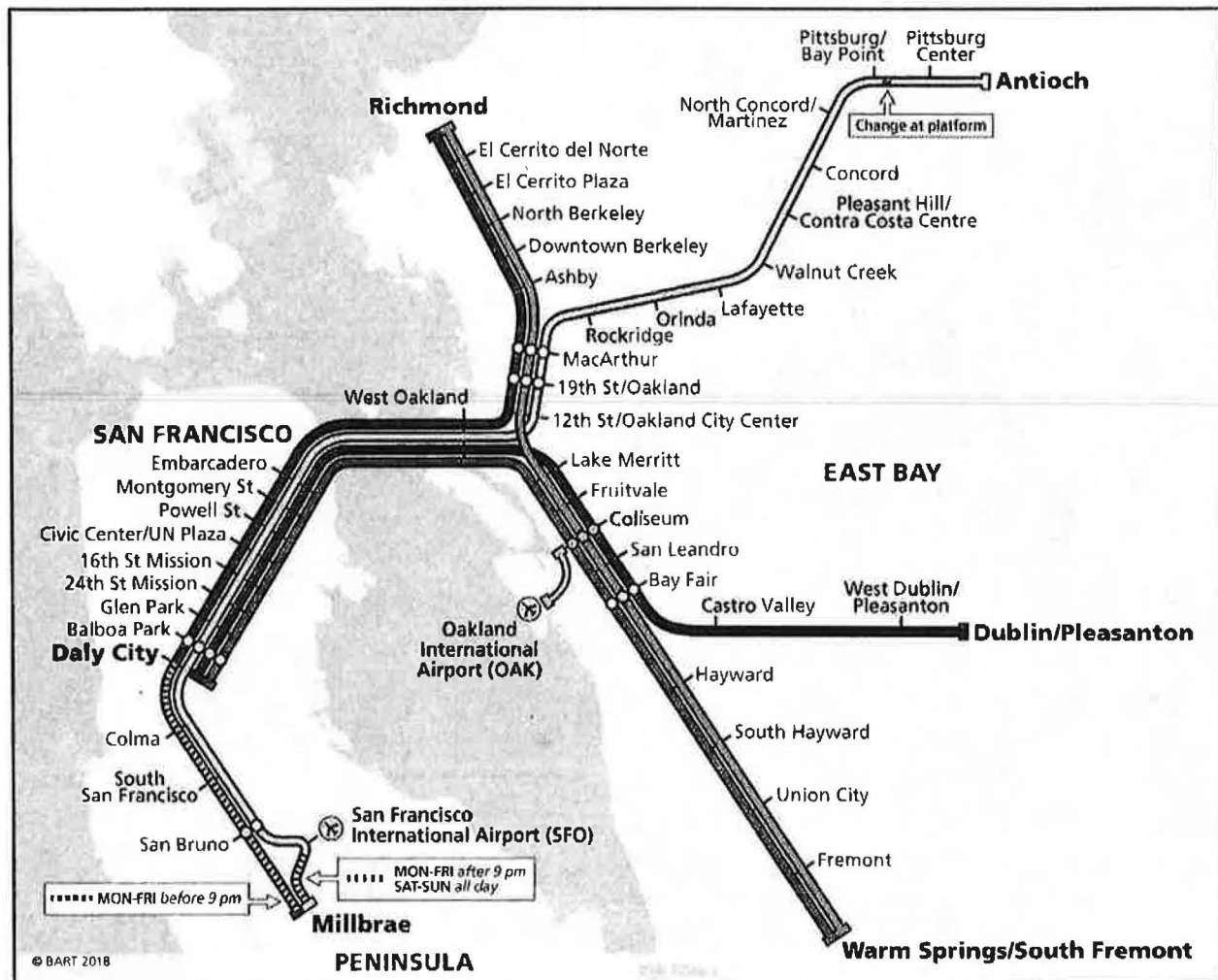


Figure 3. BART Systemwide Map

## PROPOSED PROJECT AND CONSTRUCTION ELEMENTS

This project includes demolition and restoration work of the existing switching station within the existing footprint and construction of a new traction power substation outside of the existing footprint on a land parcel owned by the State of California. During the design process, it was determined that the following permits will be required: (1) non-residential application for sanitary sewer service for sanitary sewer building connection and side sewer repairs, alterations, and extensions permit for private sanitary sewer main relocation from the Central Contra Costa Sanitary District; and (2) new water service application for water connection to the project site from the East Bay Municipal Utility District.

It will be the contractor's responsibility to verify and obtain all the necessary permits for the construction of the project's facilities.

The new traction power substation and switching station 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 construction and operation of the project is provided below.



### **PROPERTY NEEDS**

The existing switching station will be replaced with a new switching station within the same footprint. However, the new AC house and DC house will be installed in a vegetated area in the parking lot south of the Orinda BART Station on a parcel owned by the California Department of Transportation (Caltrans). According to the existing deed of easement between BART and Caltrans in Contra Costa County (dated April 1988), the project site for the proposed electrical substation indicates that BART has been issued the authority it needs from Caltrans to proceed with the construction of this project. BART continues to update Caltrans on the status of this project and intends to submit a letter requesting concurrence from Caltrans to confirm that no additional permissions are required from Caltrans in order for BART to proceed with this project.

### **AESTHETICS**

Given that this project will construct a new traction power substation site in a currently vegetated area at the southern end of the Orinda Stations' parking lot, potential impacts with aesthetics and visual quality were considered. The project is located in a developed location within the City of Orinda. Existing views surrounding the project and nearby areas include the Orinda BART Station. No scenic vistas are within the project area but the project site is adjacent to a state scenic highway (State Route 24). The project is not designated or identified as a scenic resource and it does not contain a scenic resource.

The scope of work for COR 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 Orinda 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 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 BART facilities in the Orinda BART Station area.

### **BIOLOGICAL RESOURCES**

This project will require tree removal to construct the new traction power substation. 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. The assessment determined that new utility connections to stormwater drainage, water, and sanitary sewer lines will be required for this project. A new stormwater drainage inlet system will be installed to treat stormwater drainage on-site and will be designed to meet Caltrans requirements. BART will work with Caltrans and other local jurisdiction(s) to avoid potential environmental effects 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) and an emergency eye and face wash station, which will require connections to existing water and sewer utility lines.

## **GRADING, DEMOLITION, AND TREE REMOVAL**

Activities that will occur prior to construction will include demolition of the existing traction power substation equipment, site clearing, and grading. Tree removal will also be required to clear the traction power substation project site. BART will work with the City of Orinda to obtain the necessary permits/approvals prior to the start of construction to comply with tree preservation policies and ordinances.

## **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 Mt Diablo Fault or Hayward Fault, its fault zones or any other known faultline; the project site runs parallel between the Mt Diablo Fault and the Hayward Fault and is located approximately 9 miles west and 4 miles east, respectively. 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. Therefore, lateral spreading is unlikely. 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 Administration (FEMA) Flood Insurance Rate Map does not map this site in a flood zone or inundation zone. The California Geological Survey does not map the project site within a liquefaction zone. COR 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)  $\geq 50$ , which are considered hazardous. For COR, 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 bioretention basin on-site. 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 COR 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**

During construction, the main construction access route to the project site will be through the Orinda BART Station parking lot at Camino Pablo. Traffic detours or lane closures are not anticipated during construction; however, a temporary sidewalk detour will be provided to safely route pedestrians around the switching station project site.

Two locations are proposed for construction staging and laydown. The first staging and laydown area will be located adjacent to the proposed traction power substation project site in the station parking lot. Temporary removal of approximately twenty-nine (29) parking stalls will be required. The second staging and laydown area will be located in the parking lot adjacent to the switching station project site and temporary removal of approximately twenty-six (26) parking stalls will be required. A traffic maintenance plan has been developed to maintain other parking areas.

After construction, all impacted parking stalls will be restored to the original condition except for one parking stall which will be permanently removed to construct a bioretention area for stormwater drainage at the new traction power substation project site.

### **PUBLIC TRANSIT CONSIDERATIONS**

The Orinda BART Station is served by County Connection which provides fixed-route service for communities in central Contra Costa County. During construction and operation, the COR project will not require any roadway modifications, bus stop closures, or associated detours that could potentially impact County Connection services.

Potential disruptions to BART rail operations will not occur during construction because a portable switching station will be installed to keep the third rail energized during the replacement of the existing switching house. Additionally, the new traction power substation will be built in parallel while keeping the existing traction power substation operating in order to maintain electrical continuity.

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 facilities<sup>1</sup>.

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 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 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.

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



State of California - Department of Fish and Wildlife  
**2020 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

Start Over

Print

RECEIPT NUMBER:

07 — 9/10/2020 — 234

STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

San Francisco Bay Area Rapid Transit District

LEAD AGENCY EMAIL

DATE

9/10/2020

COUNTY/STATE AGENCY OF FILING

Contra Costa

DOCUMENT NUMBER

2020-791

PROJECT TITLE

Measure RR Program Traction Power System Improvements Project

PROJECT APPLICANT NAME

San Francisco Bay Area Rapid Transit District

PROJECT APPLICANT EMAIL

PHONE NUMBER

(510) 464-6417

PROJECT APPLICANT ADDRESS

300 Lakeside Dr

CITY

Oakland

STATE

CA

ZIP CODE

94607

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

\$3,343.25

\$

0.00

☐ Mitigated/Negative Declaration (MND)(ND)

\$2,406.75

\$

0.00

☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,136.50

\$

0.00

☒ Exempt from fee

☒ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☒ County documentary handling fee

\$

50.00

☐ Other

\$

PAYMENT METHOD:

☐ Cash

☐ Credit

☒ Check

☐ Other

chk# 365

TOTAL RECEIVED

\$

50.00

SIGNATURE

X 

AGENCY OF FILING PRINTED NAME AND TITLE

J. Graff Deputy Clerk

County Receipt Number 3876184

