

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): South side of the Portola Drive and Ohlone Greenway intersection

Project Location (City): El Cerrito

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 switching stations, Portola Drive Switching Station, referred herein as "RPD". RPD is an at-grade, outdoor switching station located approximately 40 feet from the southwest side of the Portola Drive and Ohlone Greenway intersection in the City of El Cerrito, CA 94530. RPD is located approximately halfway between the El Cerrito del Norte BART Station and the El Cerrito Plaza BART Station. The project site is situated to the west of the Ohlone Greenway, a 4.5-mile pedestrian and bicycle path in the East Bay region of the San Francisco Bay Area. The project will require facility upgrades, procurement, and installation of replacement equipment for the existing traction power switching station 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 Draft Geotechnical Report prepared by Earth Mechanics, Inc. and Parsons Corporation 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, 65% level of design submittal package dated April 22, 2019, and 95% level of design submittal package dated November 1, 2019.

Specific engineering drawings reviewed include:

- Existing Topography and Demolition Plan (C050, C1501-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%), 04/19/2019 (65%), 11/01/2019 (95%)
- Site Plan (C150, C1503-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%), 04/19/2019 (65%), 11/01/2019 (95%)
- Grading and Drainage Plan (C450, C1521-RPD), dated: 11/08/2018 (50%), 04/19/2019 (65%), 11/01/2019 (95%)
- Construction Staging Plan (C650, C1502-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%), 04/22/2019 (65%), 11/01/2019 (95%)
- Utility Plan (U050-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%)
- Right of Way Plan (W050, W1501-RPD), dated: 10/09/2018 (50%), 11/01/2019 (95%)
- Plumbing Plan (P211-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%)
- Site Layout Plan (TP637A-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%)
- Maintenance of Traffic Plans (C1541, C1542-RPD), dated: 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); 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.

Governor's Office of Planning & Research

Sep 16 2020

STATE CLEARINGHOUSE

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

**RPD – PORTOLA DRIVE SWITCHING STATION
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
RPD – Portola Drive Switching Station
- 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 Draft Geotechnical Report prepared by Earth Mechanics, Inc. and Parsons Corporation 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, 65% level of design submittal package dated April 22, 2019, and 95% level of design submittal package dated November 1, 2019.

Specific engineering drawings reviewed include:

- Existing Topography and Demolition Plan (C050, C1501-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%), 04/19/2019 (65%), 11/01/2019 (95%)
- Site Plan (C150, C1503-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%), 04/19/2019 (65%), 11/01/2019 (95%)
- Grading and Drainage Plan (C450, C1521-RPD), dated: 11/08/2018 (50%), 04/19/2019 (65%), 11/01/2019 (95%)
- Construction Staging Plan (C650, C1502-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%), 04/22/2019 (65%), 11/01/2019 (95%)
- Utility Plan (U050-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%)
- Right of Way Plan (W050, W1501-RPD), dated: 10/09/2018 (50%), 11/01/2019 (95%)
- Plumbing Plan (P211-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%)
- Site Layout Plan (TP637A-RPD), dated: 06/06/2018 (35%), 11/08/2018 (50%)
- Maintenance of Traffic Plans (C1541, C1542-RPD), dated: 11/01/2019 (95%)

PROJECT LOCATION

The site is currently occupied by the existing Portola Drive switching station, which is located near the intersection of Portola Drive and Ohlone Greenway in the City of El Cerrito, CA 94530 (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

RPD is an existing at-grade, outdoor prefabricated switching station that supplies electrical power to BART trains. The project site and the facilities it contains are owned, operated, and maintained by BART.

The project site is zoned "PS, Public and Semipublic District". 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 El Cerrito's land use plans, policies, or regulations. Neighboring uses around the project site are zoned multi-family residential to the east and transit-oriented mid-intensity mixed-use (TOMIMU) to the north, south, and west. The TOMIMU zoning designation is designed to increase housing along transportation corridors within the City of El Cerrito.

A CVS pharmacy parking lot and loading dock are currently located west of the project site and the Ohlone Greenway is located to the east. The Ohlone Greenway is a 4.5-mile pedestrian and bicycle path that begins in the City of Berkeley near North Berkeley BART Station. From there, it generally runs along the BART track alignment, traversing the cities of Albany and El Cerrito to its terminus at San Pablo Avenue at Baxter Creek Gateway Park in the City of Richmond.



Figure 1. Regional Location



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

Figure 2. Project Location (Aerial Photo)

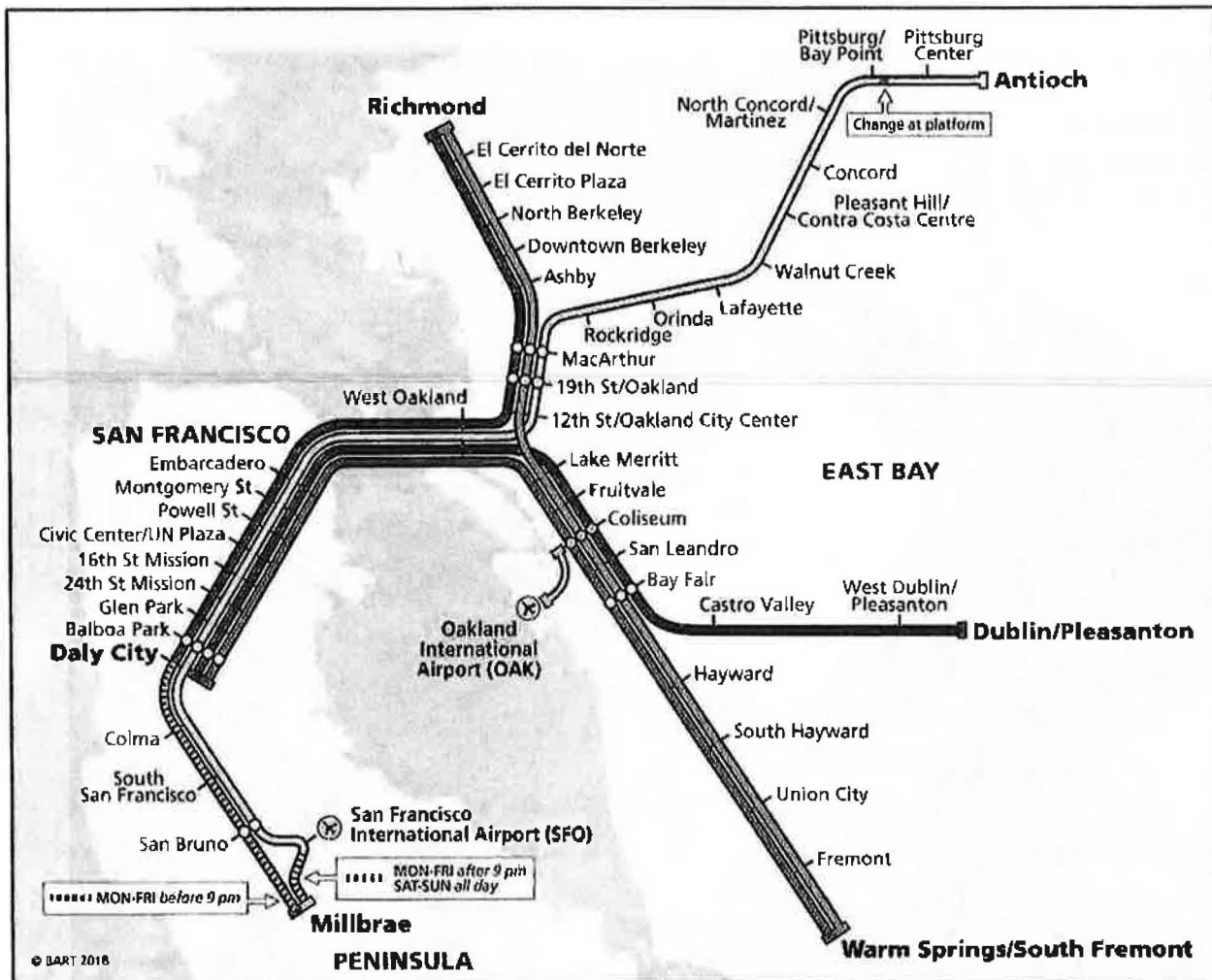


Figure 3. BART Systemwide Map

PROPOSED PROJECT AND CONSTRUCTION ELEMENTS

This project includes demolition of the existing switching station and the construction of a new switching station south of the existing RPD facility below the aerial BART tracks. During the design process, it was determined that the following permits will be required: (1) a new water service application and water capacity fee will need to be submitted to the East Bay Municipal Utility District to supply water to the project site; (2) an encroachment permit from the City of El Cerrito will be required for a new storm drain connection; and (3) a construction permit for a new sanitary sewer connection will be required from the Stege Sanitary District. The construction contractor will be responsible to verify and obtain all necessary permits for the construction of the project's facilities.

The new switching station will continue to help serve the feeding point for 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 project will construct new traction power facilities in a vacant area (approximately 4,500 square feet in size) below the aerial tracks on BART owned right-of-way. No new permanent property acquisitions or easements will be required.

Due to the confined location of the existing switching station and the project site, temporary use of the Ohlone Greenway will be required for construction vehicle access and equipment staging. BART has right-of-entry permission to utilize the Ohlone Greenway with advanced notice to the City of El Cerrito and the establishment of appropriate detours. Prior to construction, BART will work closely with the City and notify the public about associated detours.

Various staging options were considered during the design phase of this project. Initially, a temporary construction easement within the adjacent pharmacy parking lot on the west side of the switching station site was considered, which will have resulted in potential commercial truck loading/unloading issues on private property not owned, operated, or maintained by BART. Ultimately, BART determined that staging the construction equipment south of the existing site on BART owned right-of-way will be pursued as it is the least impactful option. The proposed laydown and staging area will be approximately 4,500 square feet in size.

AESTHETICS

Given that this project will construct new traction power facilities at-grade would replace the existing switching station and a small vacant area, potential impacts with aesthetics and visual quality were considered. The project is located in an urbanized, developed location within the City of El Cerrito. 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 RPD 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 El Cerrito 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, resulting in a less than significant impact for viewers in the project area.

BIOLOGICAL RESOURCES

This project will require tree removal east of the project site along the Ohlone Greenway. 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 of the project will include demolition of the existing RPD switching station equipment, site clearing, and grading on BART owned, operated, and maintained property. The scope of work to construct RPD will also require tree removal along the Ohlone Greenway, east of the project site. The project will comply with tree preservation policies and ordinances and BART will work with the City of El Cerrito to obtain the necessary permits/approvals prior to the start of pre-construction activities.

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 or any other known faultline; the Hayward Fault is located up to three miles south of the project site. Therefore, there is no fault rupture hazard associated with the project site. The California Geological Survey does not map this site within a landslide-prone region.

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

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map does not map this site in a flood or in an inundation zone, and liquefaction potential is low. RPD 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 RPD, elevated levels of hazardous materials were not detected because the existing switching station does not contain transformers 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 RPD 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 mentioned above, BART will utilize the Ohlone Greenway to support construction activities. A temporary detour for Ohlone Greenway users will be provided east of the existing route. The detour will maintain a 14-foot wide clearance. Tree removal and site clearing will be required to support the detour. In addition, temporary striping for crossing and traffic detouring will be required on the Portola Drive roadway during construction. Impacts to parking in the area are not anticipated.

PUBLIC TRANSIT CONSIDERATIONS

During construction, disruptions to BART operations will not occur because the existing switching station will be kept energized until the new switching station is commissioned. There are no bus or rail stops within the immediate vicinity of the project site; therefore, potential impacts to outside transit providers are not anticipated. After construction, the rehabilitated switching station 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, 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.



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 — 238

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

2020-795

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:

| | | | |
|---|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,343.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,406.75 | \$ | 0.00 |
| <input type="checkbox"/> 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

