

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): East end of the Hayward BART Station
(APN 431-44-35-4)

Project Location (City): Hayward

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, Hayward Traction Power Substation, referred herein as "AHA". AHA is an at-grade enclosed facility located at the east end of the Hayward BART Station (699 B Street, Hayward, CA 94541), below aerial BART track guideways. 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 11, 2019.

Specific engineering drawings reviewed include:

- Existing Site and Demolition Plan (C401-AHA), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Construction Staging Plan (C402-AHA), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Site Plan (C403-AHA), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Grading and Drainage Plan (C421-AHA), dated: 02/26/2019 (50%), 11/01/2019 (95%)
- Maintenance of Traffic Plans (C441-AHA), dated: 02/26/2019 (50%), 11/01/2019 (95%)
- Right of Way Plan (W301-AHA), dated: 09/11/2018 (35%), 02/26/2019 (50%)
- Utility Plan (U401-AHA), dated: 09/11/2018 (35%), 02/26/2019 (50%), 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

Jun 22 2020

STATE CLEARINGHOUSE

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
MEASURE RR PROGRAM: TRACTION POWER SYSTEM
IMPROVEMENTS
AHA – HAYWARD 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
AHA – Hayward 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 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 11, 2019.

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PROJECT LOCATION

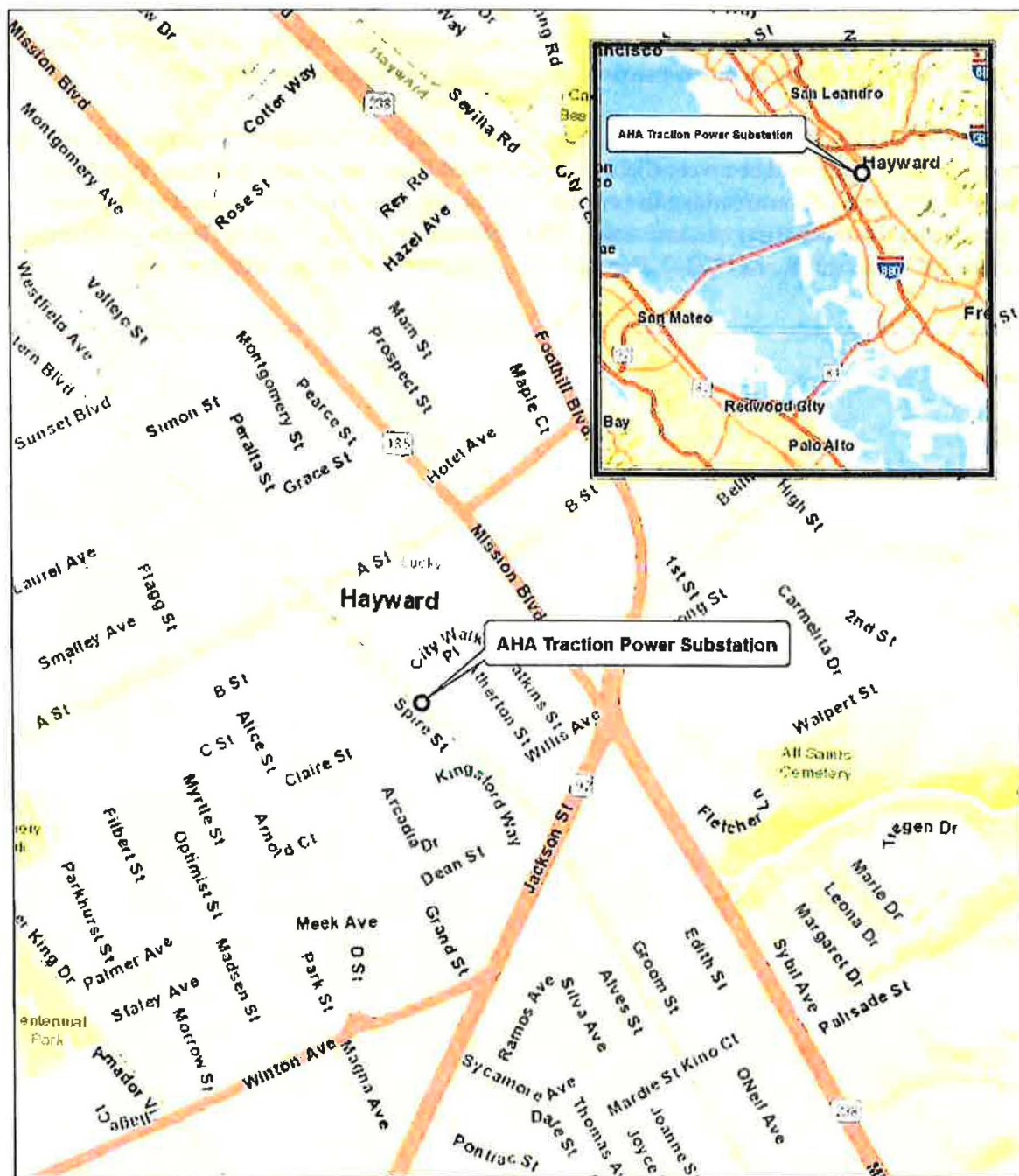
The project site is currently occupied by the existing traction power substation, which is located at the east end of the Hayward BART Station (699 B Street, Hayward, CA 94541), below the BART aerial guideways (see Figures 1 and 2). The project is located in APN 431-44-35-4.

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

AHA is an existing indoor 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.

According to the City of Hayward's Zoning Map (dated May 2, 2017), zoning designations do not apply to the project site. There will be no conflicts with the City of Hayward's land use plans, policies, or regulations as a result of constructing this project. Neighboring uses around the project site include commercial and residential uses and are zoned "SMU, Sustainable Mixed Use" to the east, "PD, Planned Development" to the south, and "CC-C, Central City – Commercial" to the north and west.



AHA - Traction Power Substation
Regional Location

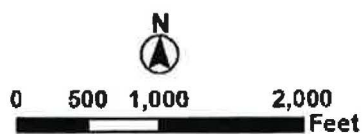


Figure 1. Regional Location



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

Figure 2. Project Location (Aerial Photo)

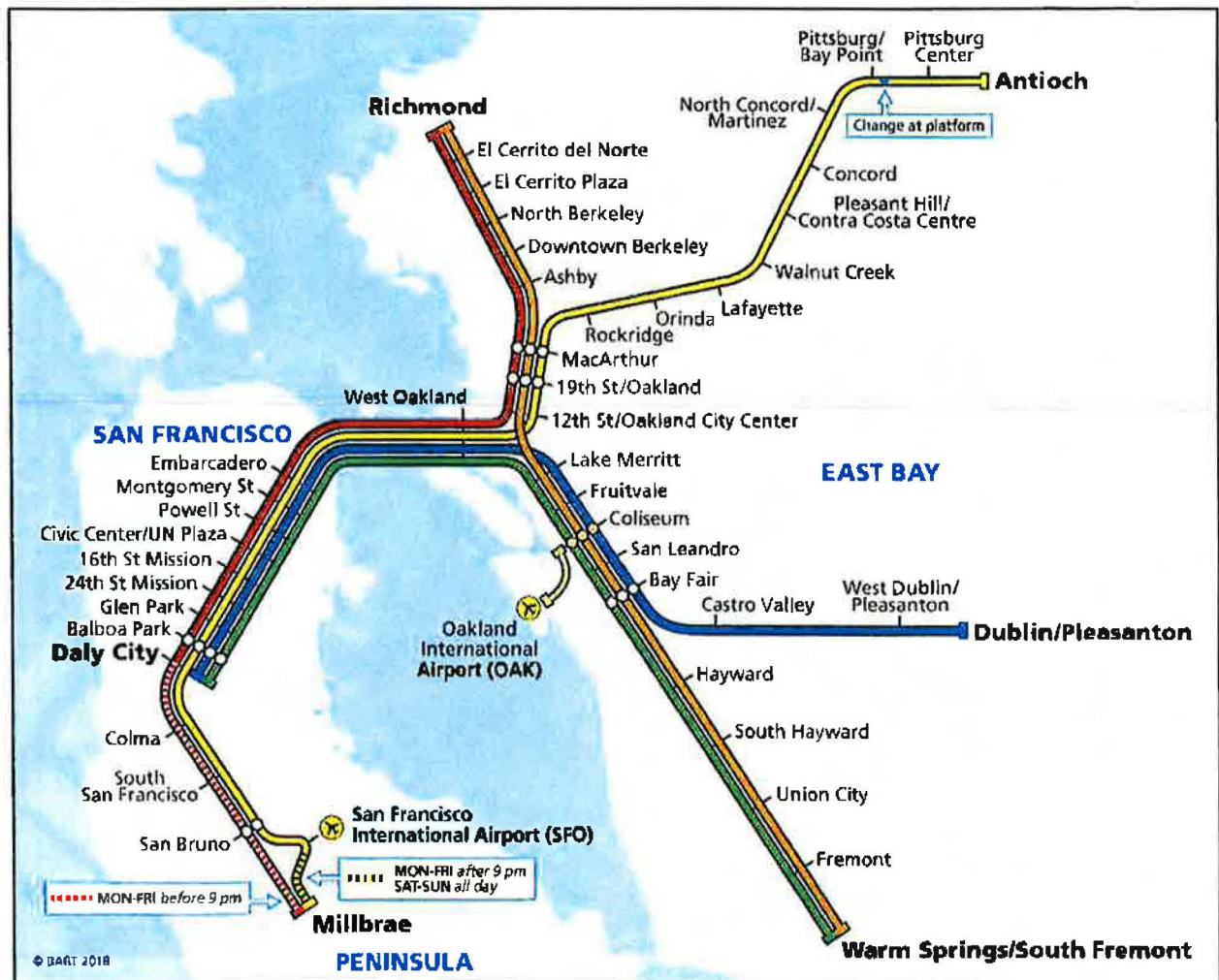


Figure 3. BART Systemwide Map

PROPOSED PROJECT AND CONSTRUCTION ELEMENTS

This project requires rehabilitation of the existing traction power substation within the existing footprint on property owned, operated, and maintained by BART. 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 the project, key environmental considerations pertaining to construction and operation of the proposed 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 on property that is not owned, operated, or maintained by BART.

UTILITIES

A water line relocation and connection will be required to supply water to the project site to support an emergency eye wash for maintenance personnel (requirement of BART facility standards). Additionally, a new sewer line connection will be required to discharge stormwater from the project site. BART will work with the City of Hayward 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 AHA does not require tree removal. However, demolition and minor site clearing and grading will be required prior to construction. BART will work with the City of Hayward to obtain the necessary permits/approvals prior to the start of construction, as needed.

GEOLOGICAL HAZARDS

Geological hazards consist of fault rupturing, landslide, flooding, scouring, liquefaction, lateral spreading and inundation. project site does not intersect with the Hayward Fault, its fault zone or any known faultline; the project site runs parallel to the Hayward Fault and is located less than one mile to the southwest. Therefore, there is no fault rupture hazard associated with the project site.

The California Geological Survey does not map the project site within a liquefaction zone. 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 does not map this site in a flood or an inundation zone. The proposed traction power substation is not located at a river, stream or creek crossing; therefore, susceptibility to scour will not occur. AHA 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 AHA, 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.

TRAFFIC MANAGEMENT AND PARKING

During construction, construction vehicles will access the site via a driveway at the south end of an existing bus lane located along the frontage of the Hayward BART Station. Short-term closure of bus lanes and bus stop shelters at the Hayward BART Station may be required through coordination with and approval by AC Transit. A traffic maintenance plan has been developed to be used for coordination and approval. The proposed construction staging and laydown area will be located at the north end of the station in the BART-owned station parking lot. Based on the current level of design, the proposed construction staging and laydown area will require temporary removal of approximately sixteen (16) parking stalls in the station parking lot. After construction, all impacted parking stalls will be restored to original condition.

PUBLIC TRANSIT CONSIDERATIONS

Construction vehicles will access the project site through a driveway at the south end of the existing bus lanes located along the frontage of the Hayward BART Station. Short-term closure of bus lanes and bus stop shelters will be required and coordinated with the bus transit providers. A traffic maintenance plan has been developed to be used for coordination and approval.

Union Pacific Railroad (UP) currently owns, operates, and maintains right-of-way adjacent to the Hayward BART Station (see Figure 2 for location of UP tracks). Construction of AHA will not conflict with UP operations because all construction activities will occur within BART right-of-way.

Based on the current level of design, disruptions to BART operations will not occur during construction because a portable traction power substation will be installed to keep the third rail energized during the replacement of the substation. After construction, the rehabilitated traction power substation equipment will support increased capacity and higher service frequencies on the BART system. Therefore, no transit-related impacts during project construction or operation are 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

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:

EAST END OF THE HAYWARD BART STATION (APN 431-44-35-4)

Project Location - City: HAYWARD

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, Hayward Traction Power Substation, referred herein as "AHA". AHA is an at-grade enclosed facility located at the east end of the Hayward BART Station (699 B Street, Hayward, CA 94541), below aerial BART track guideways. 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 impact 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.

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

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: _____

***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 CM Deputy

FILE NO: 20-181

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

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.

