

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 CB Deputy

Project Location (Specific): North of Union City BART Station
(APN 87-19-1-1)

Project Location (City): Union City

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, Union City Traction Power Substation, referred herein as "AUC". The AUC traction power substation is located north of the Union City BART Station (10 Union Square, Union City, CA 94587). The proposed 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 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 (C601-AUC), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Construction Staging Plan (C602-AUC), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Site Plan (C603-AUC), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- Grading and Drainage Detail Plan (C623/C624-AUC), dated: 02/26/2019 (50%), 11/01/2019 (95%)
- Maintenance of Traffic Plans (C641, C642, C643-AUC), dated: 02/26/2019 (50%), 11/01/2019 (95%)
- Right of Way Plan (W601-AUC), dated: 09/11/2018 (35%), 02/26/2019 (50%), 11/01/2019 (95%)
- 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: [Signature] Date: 6/23/2020 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

PROJECT DESCRIPTION

PROJECT SUMMARY

- 1. Project Title:**
Bay Area Rapid Transit (BART) Measure RR Program Traction Power System Improvements Project
AUC – Union City 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; 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 (U601-AUC), dated: 09/11/2018 (35%), 02/26/2019 (50%)

PROJECT LOCATION

The project site is currently occupied by the existing traction power substation which is located north of the Union City BART Station (10 Union Square, Union City, CA 94587), along Station Way (see Figures 1 and 2). The project site is located in APN 87-19-1-1.

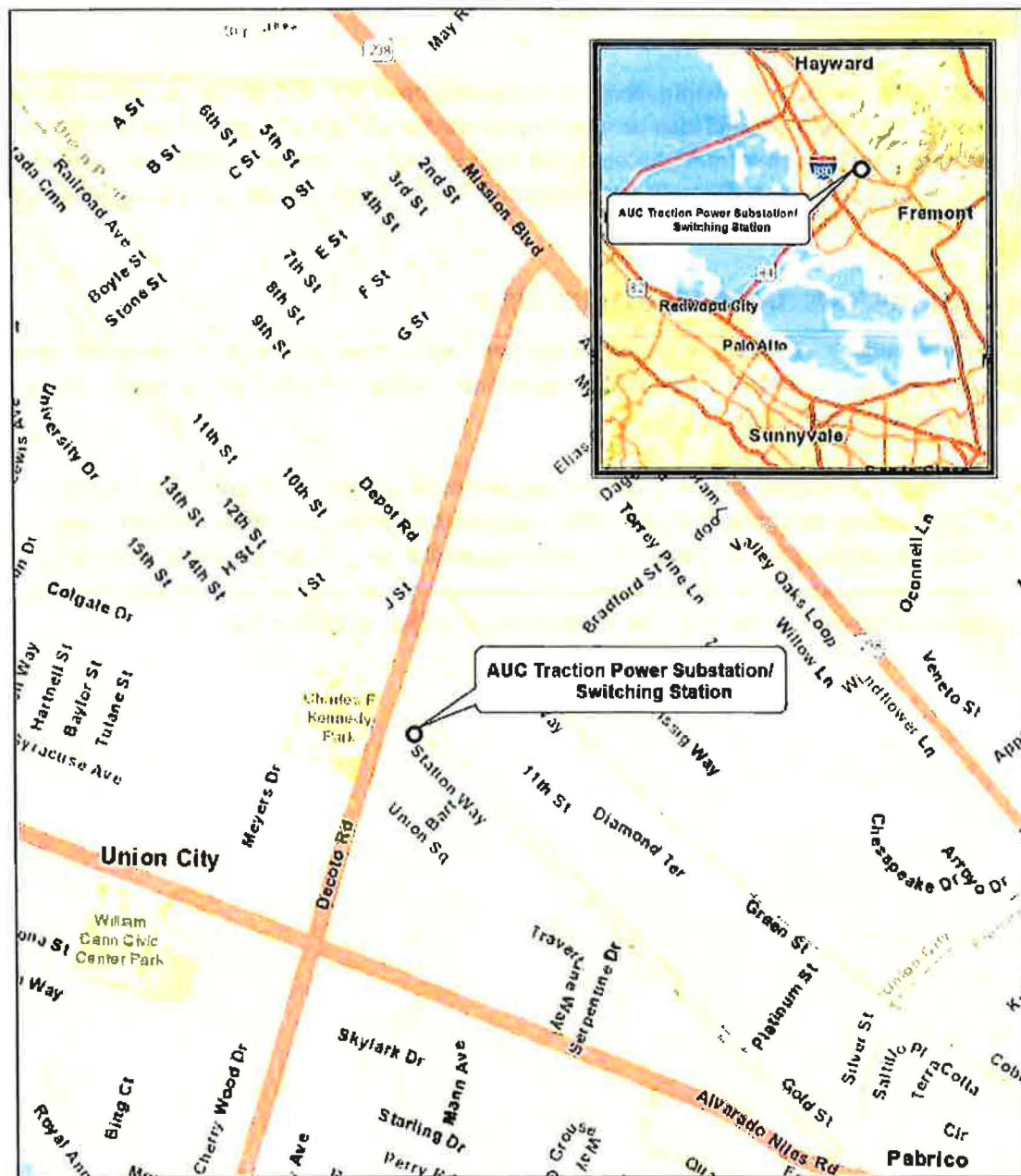
A systemwide map of BART stations and routes is provided in Figure 3 for reference to the regional passenger rail system.

The new substation will utilize the existing footprint to the maximum extent possible. However, the north side of the existing substation area will also be used to provide the additional area required for the new traction power substation equipment and the south side will be used to construct maintenance personnel parking. The expansion in the footprint will occur within BART-owned, operated, and maintained right-of-way.

EXISTING CONDITIONS ON THE PROJECT SITE

AUC is an existing outdoor substation with a combined switching station and traction power substation that supplies electrical power to BART trains. The project site and the facilities it contains are owned, operated, and maintained by BART.

Union City's zoning map designates the project site and surrounding areas as "Station Mixed Use Commercial". This zoning designation permits civic uses and conditionally permits transportation facilities. Because the project will be replacing an existing permitted use that could be considered a civic use, or replace an existing conditionally permitted use that could be considered a transportation facility, there will be no conflicts with Union City's land use plans, policies, or regulations.



AUC - Traction Power Substation and Switching Station
Regional Location

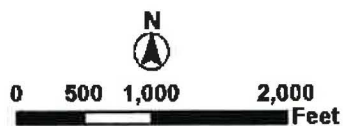
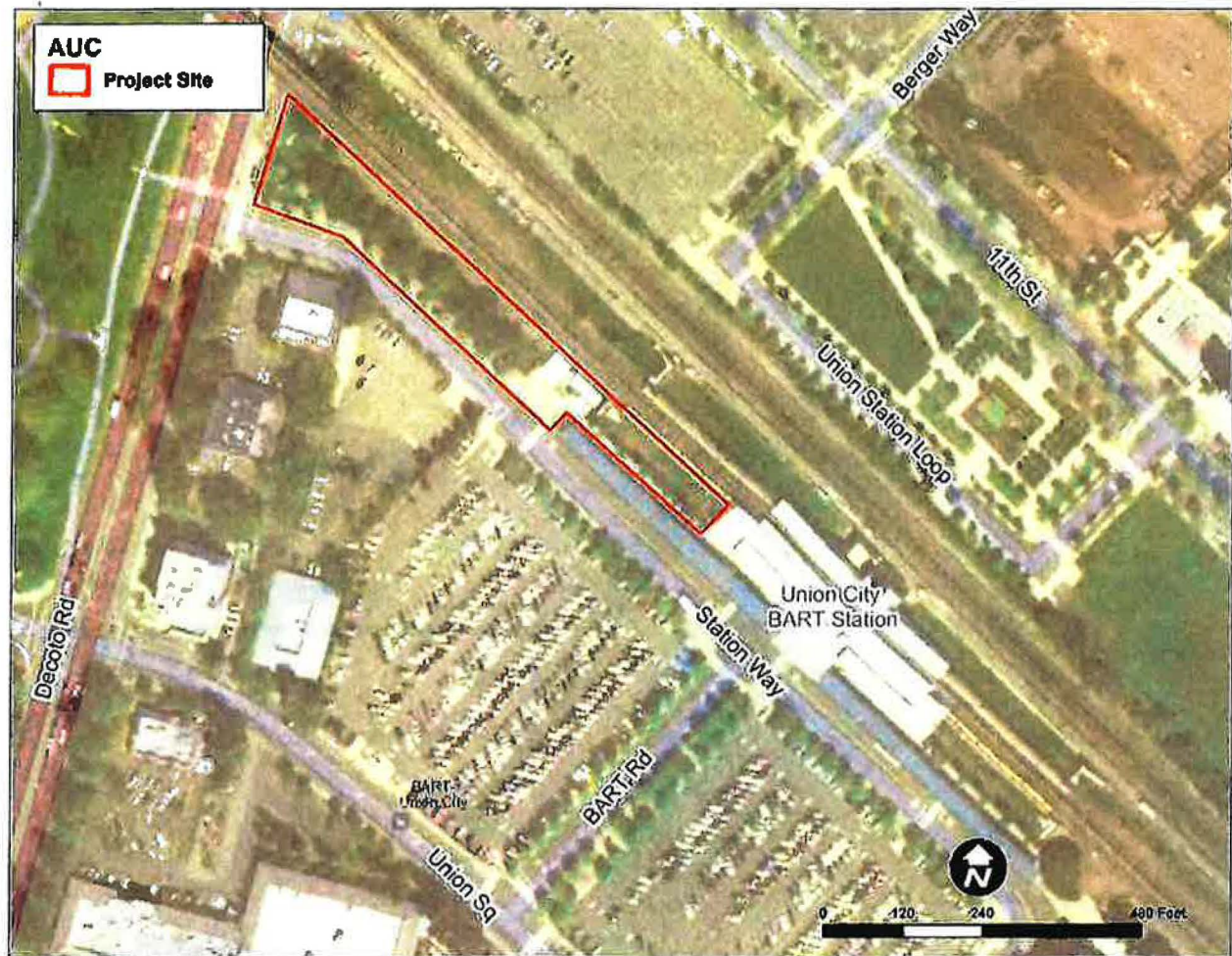


Figure 1. Regional Location



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

Figure 2. Project Location (Aerial Photo)

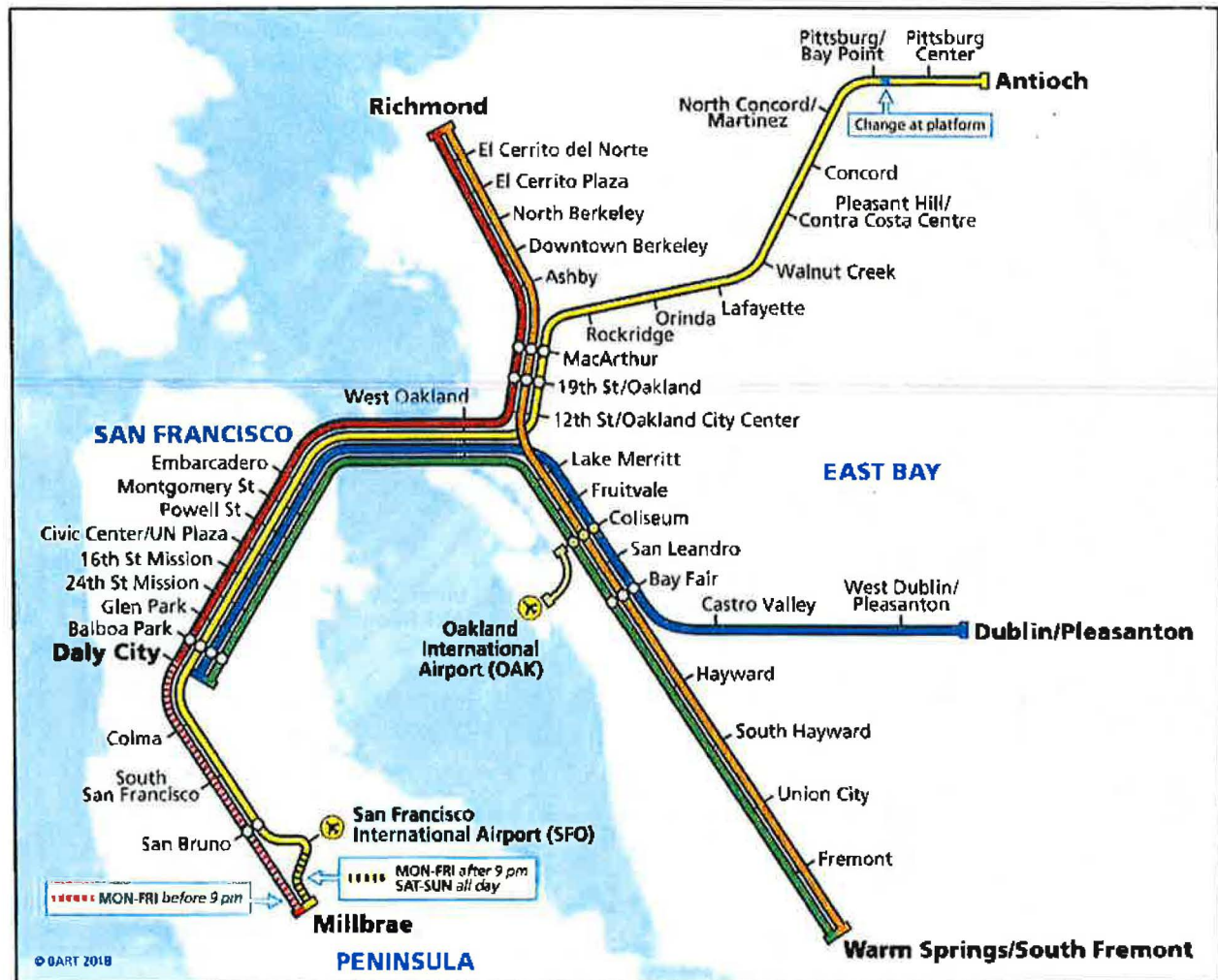


Figure 3. BART Systemwide Map

PROPOSED PROJECT AND CONSTRUCTION ELEMENTS

This project includes demolition and restoration work of the existing traction power substation beyond the existing footprint on BART owned, operated, and maintained right-of-way. During the design process, it was determined that a customer work request application for water connection to the project site will be submitted to the Alameda County Water District, in addition to an encroachment permit and plan check request for sanitary sewer connection. 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 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 the project, key environmental considerations pertaining to construction and operation of the project is provided below.

PROPERTY NEEDS

Based on the current level of design, all work will occur within BART right-of-way and no temporary or permanent easements will be required on property that is not owned, operated, or maintained by BART.

AESTHETICS

Given that this project will construct new traction power facilities at-grade would replace the existing switching station and a small currently vacant area and abutting raised train tracks to the north, potential impacts with aesthetics and visual quality were considered. The project is located in an urbanized, developed location within the City of Union City. Existing views surrounding the project and nearby areas are generally urban and defined by commercial and residential buildings. Views of the project from the north would be screened by the berm of the raised train tracks. 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 AUC 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 Union City 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 and the berm of the raised train tracks, resulting in a less than significant impact for viewers in the project area.

BIOLOGICAL RESOURCES

As mentioned above, this project will require tree removal. 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

A new water and sewer line connection will be required to supply and discharge water to/from the project site. The proposed connections will not result in a conflict to existing water or sewer lines and relocation of these utilities will not be required. Prior to construction, BART will coordinate with the Alameda County Water District and the City of Alameda to obtain the necessary approvals/permits.

Construction of the project will result in the relocation of an existing PG&E underground electrical current. BART has begun coordination with the utility owner to accommodate the utility relocation in the designs for this project.

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 proposed area for the new traction power substation.

BART will work with local jurisdictions to obtain the necessary permits/approvals prior to the start of construction and comply with tree preservation policies and ordinances.

HYDROLOGY AND WATER QUALITY

The project will incorporate design features to address water quality impacts. Stormwater runoff from impervious surfaces will be routed through two bioretention basins 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. Two bioretention basins will be constructed as part of AUC on the north and south sides of the project site. The bioretention basins will filter stormwater runoff from the project site prior to discharge into the stormwater drainage system. The project will 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.

GEOLOGICAL HAZARDS

Geological hazards consist of fault rupturing, landslide, subsidence, expansive soils, flooding, scouring, liquefaction, lateral spreading and inundation. The project site does not intersect with the Hayward Fault, its fault zone or any other known faultline; the project site runs parallel to the Hayward Fault and is located approximately 0.75 miles to the west. Therefore, there is no fault rupture hazard associated with the project site. The United States 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 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. AUC 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 AUC, 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

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:

NORTH OF UNION CITY BART STATION (APN 87-19-1-1)

Project Location - City: UNION CITY 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, Union City Traction Power Substation, referred herein as "AUC". The AUC traction power substation is located north of the Union City BART Station (IO Union Square, Union City, CA 94587). The proposed 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.

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)(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 CB Deputy

FILE NO: 20-178

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

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
MEASURE RR PROGRAM:
TRACTION POWER SYSTEM IMPROVEMENTS
AUC – UNION CITY TRACTION POWER SUBSTATION
CEQA STATUTORY EXEMPTION**

ATTACHMENT A

FEBRUARY 2020

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, the main construction access route to the project site is through a "T" intersection of Station Way at Decoto Road. Traffic control measures, such as lane closures and associated detours, are not anticipated for this project.

Short-term traffic lane and sidewalk closures will be required during construction on Decoto Road and Station Way. BART has prepared a preliminary traffic maintenance plan with detours to maintain pedestrian and vehicle access during construction. The proposed construction staging and laydown area will be located at the south end of the project site in the BART-owned parking lot. Parking removal will be required on a temporary basis to provide an area for staging. After construction, all impacted parking stalls will be restored to original condition.

PUBLIC TRANSIT CONSIDERATIONS

Union City BART Station is served by AC Transit, VTA/Dumbarton Express, and Union City Transit. BART will coordinate with these transit providers to reduce potential service impacts during construction.

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.