

Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: Bay Area Toll Authority
375 Beale Street, Suite 800
San Francisco, CA 94105

County Clerk
County of Contra Costa
555 Escobar Street
Martinez, CA 94553

Project Title: Richmond-San Rafael Bridge Open Road Tolling and I-580 Westbound High Occupancy Vehicle Lane Project

Project Applicant: Bay Area Toll Authority

Project Location - Specific:

The proposed project extends along Interstate (I-) 580 from Post Mile (PM) 0.2 to PM 6.3 (please refer to **Figure 1**).

Project Location - City: Richmond

Project Location - County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

The Richmond-San Rafael (RSR) Bridge Open Road Tolling (ORT) and I-580 Westbound High Occupancy Vehicle (HOV) Lane Project (project) would provide safety and operational improvements on westbound I-580 approaching the RSR Bridge by reinstating a previous westbound I-580 HOV lane through Richmond to encourage carpooling and transit ridership, and replacing the existing toll booths with new ORT gantries for toll collection, in order to address congestion and improve travel time reliability for motorists and transit users along the RSR Bridge Corridor.

The purpose of the project is to:

- Promote mode shift by providing travel time savings for carpooling and transit riders;
- Reduce Vehicle Miles Traveled (VMT) and corresponding greenhouse gas (GHG) emissions;
- Improve safety by eliminating the need to pass through the existing toll plaza; and
- Improve operational efficiency by upgrading the existing toll infrastructure to accommodate the future BATA system-wide upgrade on the toll collection system.

Given the extensive level of congestion in this corridor, there is a need to improve travel time, alleviate congestion and backup, and reduce corresponding air quality and safety concerns. Traditional approaches to alleviate such problems, such as freeway widening to add travel lanes, are not feasible or prudent in this corridor due to limited available ROW. Any freeway widening will have the potential to impact nearby communities and environmentally sensitive areas—such as the wetland areas west of I-580 between Bayview Avenue and Central Avenue—by inducing greater demand and expanding the footprint into undeveloped areas. Therefore, solutions must focus on maximizing the efficiency of existing infrastructure within the corridor.

Figure 1 shows the location of the proposed project, which extends along I-580 from PM 0.2 to PM 6.3 within State right of way (ROW). Within the project limits, I-580 is inland from San Francisco Bay and generally parallels the Bay shoreline. This section of I-580 is designated as a scenic drive by the San Francisco Bay Conservation and Development Commission (BCDC 2020). Land uses along the project corridor include industrial uses, such oil refineries and associated tank farms and wharf facilities, as well as residential neighborhoods that are generally buffered from the freeway by existing sound walls.

The project comprises the following four improvements: (1) conversion of the innermost GP lane on westbound I-580 to an HOV 2+ lane from just west of Regatta Boulevard in Richmond to the RSR Bridge toll plaza; (2) demolition of the existing toll booths and construction of toll gantries east of the toll plaza; (3) realignment of the Stenmark Drive westbound on-ramp slightly to the east, to join the I-580 mainline as a third GP lane; and (4) construction of a separate toll gantry for the westbound Stenmark Drive on-ramp. (Please refer to **Figure 2** which depicts the proposed improvements at Stenmark Drive).

Please refer to the Project Description (**Appendix A**) for further discussion of the project purpose and need and project components.

Name of Public Agency Approving Project: Bay Area Toll Authority

Name of Person or Agency Carrying Out Project: Bay Area Toll Authority

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: Class 1(c) and Class 2(c) (14 CCR 15300 et seq.)
- Statutory Exemptions. State code number:

Reasons why project is exempt:

Categorical exemptions are projects specifically excluded from CEQA consideration as defined by the State Legislature, delineated in 14 CCR 15300 et seq. 14 CCR 15300.2 gives Exceptions to the Categorical Exemptions. A project must clear these conditions to be eligible for a Categorical Exemption.

This project is eligible for a Class 1 and a Class 2 Categorical Exemption, as explained below. Conditions are derived from 14 CCR 15301, 15302, and 15300.2.

The Class 1 "Existing Facilities" exemption from CEQA is intended to allow for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use, and may be in a categorized as one of the projects described in 14 CCR 15301 (a)-(p).

- 14 CCR 15301(c) exempts existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety, and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes). The project is consistent with the description in the exemption because the project would include conversion of a GP lane to a HOV lane, nor would it create additional automobile lanes and involves no expansion of existing use.

The Class 2 "Replacement or Reconstruction" exemption from CEQA is intended to allow for reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. These may be in a categorized as one of the projects described in 14 CCR 15302 (a)-(d).

- 14 CCR 15302(c) exempts the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. The project would include replacing the existing toll booths with new toll gantries on westbound I-580 and for Stenmark Drive on-ramp, which will serve the same purpose and capacity as the toll booths. Therefore, the project is consistent with the description in the exemption.

Exceptions to exemption from CEQA are described in 14 CCR 15300.2. The project does not meet these exception criteria as described below.

- 14 CCR 15300.2(a). Location – “Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.”
 - The project does not meet this exception criteria since the project is not considered to fall under Class 3, 4, 5, 6, or 11. As described above, the project falls under Class 1 “Existing Facilities” and Class 2 “Replacement and Reconstruction”.
- 14 CCR 15300.2(b). Cumulative Impact – “All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.”
 - As evaluated and determined in the Traffic Operations Analysis Report (**Appendix B**), Noise Technical Memorandum (**Appendix C**), Air Quality Conformity Analysis (**Appendix D**), and Water Quality Assessment Report (**Appendix E**) prepared for the project, approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and would not contribute to a significant cumulative impact caused by successive projects of the same type, in the same place, over time.
- 14 CCR 15300.2(c). Significant Effect – “A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.”
 - There are no unusual circumstances creating the possibility that the project will have a significant effect on the environment pursuant to CEQA. The proposed project would be required to comply with standard conditions of approval designed to address construction-related impacts. For example, the project will comply with Caltrans Standard Specification Section 14-8 and Caltrans Standard Specifications Section 14-9.02, which would minimize and/or avoid construction-period noise and air quality impacts; and Best Management Practices (BMPs) such as soil stabilization and sediment controls, implementation of wind erosion, tracking controls, non-stormwater and waste management, and material pollution to minimize water pollution related to routine construction activity.
- 14 CCR 15300.2(d). Scenic Highways – “A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.”
 - The project corridor, including the ORT gantry and tolling plaza are not within any eligible State Scenic Highways, as disclosed in the Visual Impact Assessment Memorandum (**Appendix F**).
- 14 CCR 15300.2 (e). Hazardous Waste Sites – “A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.”
 - As disclosed in the Initial Site Assessment (**Appendix G**), the project site is not on a list of hazardous waste sites compiled pursuant to Section 65962.5 of the California Government Code.
- 14 CCR 15300.2 (f). Historical Resources – “A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.”
 - Per the Archaeological Survey Report (**Appendix H**) and Historic Property Survey Report (**Appendix I**) prepared for the project, the only historic resource eligible for listing in the National Register of Historic Places (NRHP) within the project Area of Potential Effect (APE) is the RSR Bridge. Pursuant to Section 106 PA Stipulation IX.A, Caltrans has determined a Finding of No Historic Properties Affected is appropriate for this undertaking because while the project overlaps the historic resource boundary of the historic property, the nearest contributing features are over 600 feet from project activities. Additionally, the toll booths are not considered contributing features to the bridge.

Lead Agency

Contact Person: Ingrid Supit, P.E.

Area Code/Telephone/Extension: (415) 778-6691

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: Andrew Premier Date: 2/21/2024 Title: Executive Director

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.

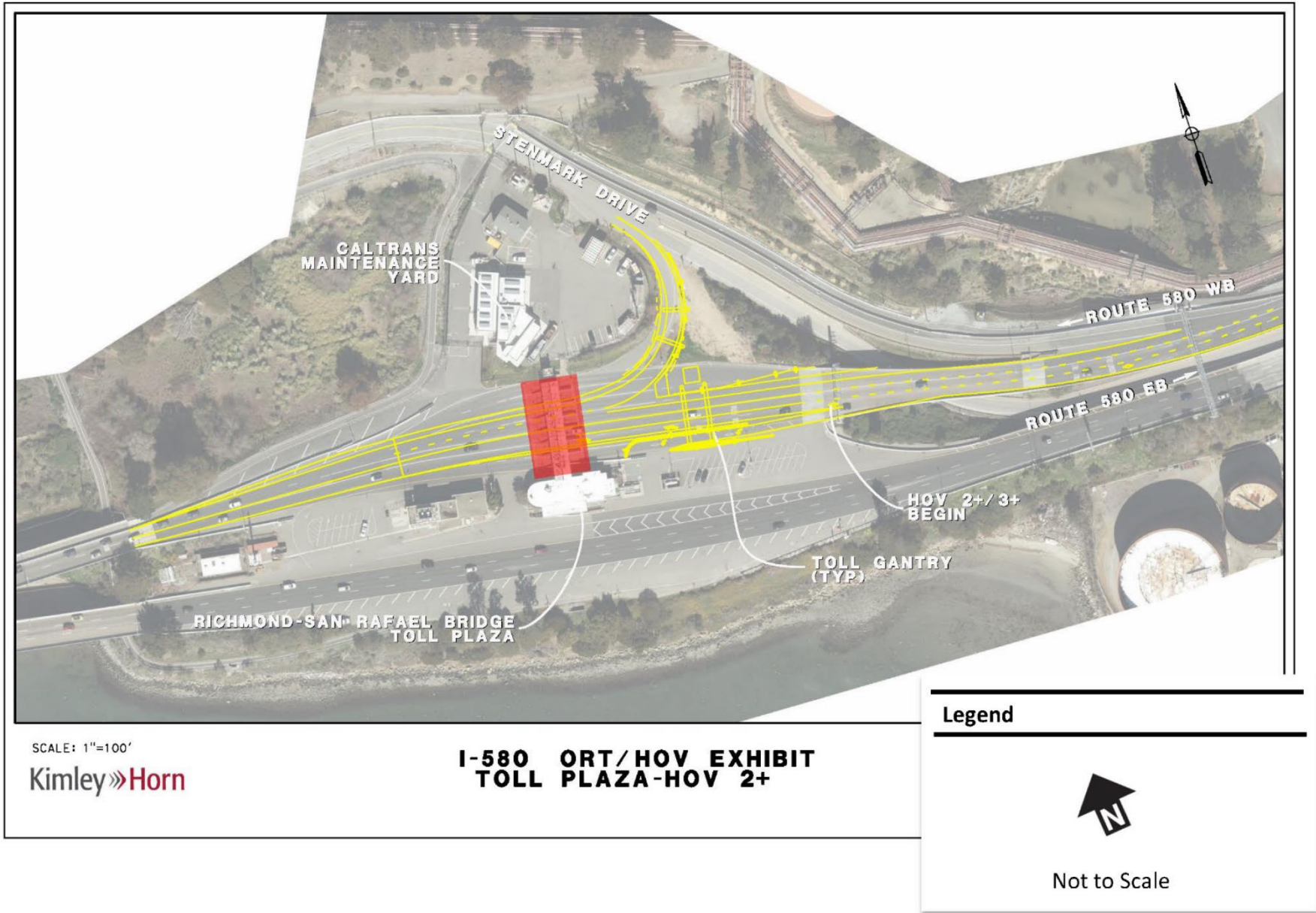
Date Received for filing at OPR: _____

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Project Location

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Proposed Improvements at Toll Plaza and Stenmark Drive

Figure