

Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA. 95812-3044

From: S.F. Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

County Clerk

Project Title: Union Pacific Railroad, Berkeley Drill Track Rehabilitation Project

Project Location-Specific: Latitude 37.88538; longitude -122.30675

Project Location-City: Berkeley Project Location-County: Alameda

a) Description of Nature, Purpose and Beneficiaries of Project: The proposed project includes the rehabilitation of the existing siding track on the Martinez Subdivision. The rehabilitation of the existing siding system would be from approximately 0.48-mile northwest of the intersection of Gilman Street and the UPRR railroad in Oakland, California (latitude 37.885387; longitude -122.306752) to approximately 0.17-mile northwest of the intersection of 67th Street and the UPRR railroad (latitude 37.850603; longitude -122.295646). The project will rehabilitate the existing track to meet UPRR safety and design standards and to comply with Federal Railroad Administration regulations. The rail line supports Amtrak passenger service, and the rehabilitation will maintain and improve both freight and passenger rail service.

b) Name of Public Agency Approving Project: San Francisco Bay Regional Water Quality Control Board

Name of Person or Agency Carrying Out Project: Union Pacific Railroad Company

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
 Declared Emergency (Sec.2108(b)(3); 15269(a);
 Emergency Project (Sec.21080(b)(4); 15269(b)(c);
 Categorical Exemption. State type and section number: Class I, California Code of Regulations (CCR) Title 14, Chapter 3 (CEQA Guidelines), § 15301(d) and Class 2, California Code of Regulations (CCR) Title 14, Chapter 3 (CEQA Guidelines), § 15302(b)
 Statutory Exemptions. State code number: State of California Public Resources Code (PRC) §21080(b)(10) and CEQA Guidelines §15275

Reasons why project is exempt:

The project consists of “rehabilitation of deteriorated ... structures, facilities, or mechanical equipment to meet current standards of public health and safety” (Class I, CEQA Guidelines § 15301(d).

The project also constitutes “replacement or reconstruction of [an existing railroad] 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” (Class 2, CEQA Guidelines § 15302[b]).

In addition, the project is for “the institution or increase of passenger or commuter services on rail or highway right-of-way already in use, including modernization of existing stations and parking facilities” (PRC §21080[b][10] and CEQA Guidelines §15275).

Lead Agency

Contact Person: Brian Wines Area Code/Telephone/Extension: (510) 622-5680

Signature: Brian Wines Date: 11/12/2024 Title: Water Resource Control Eng.

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: _____ Title: _____

Signed by Lead Agency

Date received for filing at OPR: _____

Signed by Applicant