

BART Agreement Number: 6M6138

Approval Date: 03/21/24

Work Plan No. C.10-01 NEPA Review for BART Police Dept. Relocation

Scope:

Preliminary discussions between BART and FTA have indicated that a documented categorical exclusion is the appropriate class of action for the project. The consultant will prepare all documentation necessary to support a documented CE under NEPA for the FTA. Typically, this involves completion of FTA's worksheet, which provides the project description and information on 25 topics, including but not limited to, metropolitan planning and air conformity, land use and zoning, traffic and parking impacts, aesthetics and visual quality, historic and cultural resources, and construction impacts. A Section 106 report and tribal consultation will be required. Consultation with the State Office of Historic Preservation (SHPO) is assumed.

The consultant will produce an administrative draft CE and supporting materials for review and comment by BART. Up to three rounds of review, comment, and revision by BART may be required. Once the administrative draft and BART review is complete, a draft will be provided to FTA for their review and comment. Up to three rounds of review, comment, and revision by FTA may be required. The CE process will be complete once the FTA issues a letter concurring with the Categorical Exclusion. The scope of work includes the following tasks:

Task 1. Project Management. Project management includes scheduling, budget tracking, monthly invoicing, monthly progress reports, quality assurance, and meetings (kickoff, QC training, internal, BART, FTA) as necessary.

Task 2. Section 106 Documentation. The Section 106 evaluation is a critical path item and should be initiated as soon as possible. Engagement with SHPO should be assumed. This task includes the following:

1. APE Map
2. Architectural History Assessment
3. Archaeology Memo (includes Sacred Land Search and California Information Center Record Search)
4. Historic Property Survey Report (HPSR) form

For each of these, two rounds of BART review, and 2 rounds of FTA review and 1 round of SHPO review is assumed.

Task 2b. SHPO Meetings (optional)

This task includes attendance and notetaking of two HNTB staff for up to two meetings with FTA, BART, and SHPO to review and discuss approach or review comments on Section 106 materials HNTB will prepare for the project. This task will only be used if requested by BART.

Task 3. Tribal Consultation. Tribal consultation is required. FTA is the official lead for tribal communication. This task includes:

1. California Native American Heritage Native Commission request for Native American contact list.
2. Native American Tribal Outreach Letters (draft and Final)-Consultant will draft letters for FTA to send to relevant Native American tribes (up to 4 tribes). Scope assumes two rounds of review of each letter (either two rounds of joint reviews by BART and FTA, or 1 review by each agency).
3. BART will monitor and respond to tribal communications with the consultant's support. BART will also be responsible for conducting follow up emails or phone calls if tribes do not respond on first outreach (good faith effort). HNTB will provide a template communications log to BART if requested. BART will be responsible for recording and updating the communications log.

Task 4. Administrative Draft CE. The Consultant will produce an administrative draft CE and supporting materials for review and comment by BART. Up to three rounds of review, comment, and revision may be required. This task includes:

1. Project Description – BART will provide HNTB with final a project description. The project

description will be sufficient to support technical studies and the documented CE and will include details on locations and depth of subsurface activities and all major elements of the project.

2. Hazards Memo – BART will provide HNTB with the hazardous materials database search results. Based on the database results, HNTB will write a memo to summarize the results of this search, as needed. This will be submitted as an attachment to the CE.

Task 5. Draft CE. A draft CE will be provided to FTA for their review and comment. Up to three rounds of review, comment, and revision may be required.

Task 6. Final CE and Cover Letter. Once FTA has indicated its approval, the consultant will finalize the CE and provide a cover letter (from BART to FTA) requesting concurrence on the CE.

Task 7. General and Tribal Support (Optional). Consultant will provide general support for the project, as required. This task could include additional documentation, such as presentation material, meeting notes, etc. This task will cover tribal meetings. If requested each meeting with a tribe would be conducted individually (up to four meetings assumed). Consultant would prepare a brief PowerPoint describing the project and record search results for use during the meetings.

Task 8. Traffic Memo. Consultant will coordinate with BART to develop a Traffic Analysis Memo and approve assumptions and methodologies. The traffic analysis and memo will cover the following components:

Trip Generation and Distribution- Develop project trip generation estimates for the existing 2000 Broadway site based on either existing counts or the Institute of Traffic Engineers (ITE) Trip Generation Manual, 11th Edition. For the proposed project, trip generation will be prepared in consultation with BART. Project trip generation will be based on the number of personnel in the new building, their schedule, and the percentage of transit usage. HNTB will develop trip generation assumptions for the project traffic in consultation with BART. Project traffic will be distributed through the study intersections.

Limited Intersection Analysis- Consultant will perform peak hour intersection level of service (LOS) analysis using Synchro at the following intersections:

1. 20th Street & Broadway
2. 21st Street & Broadway

Consultant will perform analysis for the following scenarios:

1. Existing
2. Existing + Project

Traffic Memo Documentation- Consultant will prepare a traffic analysis memorandum documenting methods, assumptions, and analysis results of the trip generation and distribution analysis and intersection analysis..

Task 8b. Traffic Counts- In the event that traffic counts cannot be provided by the City of Oakland or BART, Consultant will secure a vendor firm to conduct intersection turning movement counts at the study intersections during morning peak hour (7 – 9 am) and evening peak hour (4 – 6 pm). In and out counts at the existing 2000 Broadway site will also be taken.

Assumptions

- Estimate based on a 6-month schedule beginning March 18- August 31st. This schedule assumes expedited review turn-around times from BART and FTA (See draft schedule). This schedule is subject to BART and FTA approval of expedited review times. BART will consolidate all internal review comments prior to sending to HNTB. Schedule and costs assume only minor activity over final 2 months.
- BART will provide all FTA communications regarding the project's NEPA requirements upon NTP.
- BART will provide prompt assistance in securing building permits for the original construction of the building if needed.
- Schedule assumes no Sacred Lands are found, no archaeological sites are found through records search or survey; building is not eligible for the National Register. If subsurface work is needed it will not impact native soils.
- All work will occur within the 2000 Broadway property boundary (two parcels (APN# 8-650-23 and 8-650-24).
- All project meetings will be held virtually. One hour- weekly meetings with BART are covered for the first four months only. Bi-weekly check- ins are covered for the remaining two months.
- A stable project description, Purpose and Need statement, and project mapping will be provided at the time of Notice to Proceed. Mapping will be provided in CAD or GIS format.
- No changes will be made to mapping or the project description after submittal to HNTB.
- Expansion of electrical vehicle (EV) charging facilities will be entirely within parcels (APN# 8-650-23 and 8-650-24)
- An EDR database search has been completed. No additional hazardous waste database searches are needed. No contaminated groundwater or soil is anticipated to be found on site. Potential hazardous materials are limited to building materials (lead-based paint or asbestos) or related to the presence of roadways (yellow striping and ADL). No additional Phase 1 or Phase II site assessments would be needed for NEPA clearance.
- A brief technical memo summarizing the EDR results may be required for NEPA documentation but would be based on material provided by BART.
- A parking analysis study will not be required by FTA or if required would be produced by BART.
- Section 106 requirements of the National Historic Preservation Act would apply. Project will require FTA and SHPO review of Section 106 findings.
- FTA will be the official lead for tribal communication.
- Native American Tribes will be given a minimum of 2 weeks to respond to outreach letters.
- BART will be responsible for monitoring the Native American tribal responses and recording all conversations. Conversation log will be provided to HNTB one week prior to initiating the draft Archaeology Memo and will be updated as frequently as needed.
- APE approval will not be needed prior to initiating Native American tribal letters.
- A rush (priority request) cultural resources records search at the Northwest Information Center would be needed (1/8/mile buffer around project footprint). There is an additional

surcharge for rush record searches. Rush record searches may take up to four weeks to receive results.

- A simplified cultural resources technical memo similar to an Archaeological Study Report summarizing record search results and tribal consultation will be sufficient for Section 106 compliance.
- Archaeological testing will not be required by SHPO.
- The project would have no adverse effect on historic resources (such as the Paramount Theater) under Section 106 of the National Historic Preservation Act. 2000 Broadway will be determined to not be an eligible resource.
- Letters to historical societies/ interested parties may be required for Section 106 compliance. Budget includes email delivery of up to 5 letters to interested parties. It is assumed interested parties will not have concerns with the project.
- The project is not within a historic district (to be determined) and formal review of the project would not be required by the Oakland Landmark Preservation and Advisory Board (LPAB). If review for the LPAB is required, it could be completed after environmental clearance.
- Section 106 documentation and tribal consultation will be summarized in a Historic Property Survey Report.
- If the current building is older than 45 years of age, a California Department of Parks and Recreation (DPR) 523 form will be needed to document 2000 Broadway.
- All architectural history information can be documented on the HPSR form and will not require a separate report.
- Budget assumes FTA and SHPO can review and respond to deliverables within the project timeframe.
- Budget assume second and third reviews from BART and FTA on all deliverables will be minimal (requiring less than 2 hours to address)
- FTA will require preparation of a documented CE for FTA review and approval.
- Project can be determined exempt under FTA NEPA guidelines and does not require air quality conformity review. The project is not required to be in the Transportation Improvement Plan.
- Traffic impacts would be limited to temporary construction effects that could be addressed by standard measures.
- HNTB can prepare a Class of Action if requested.
- Project would not have permanently affect views of the Paramount Theatre.
- Relocation of the BART Police Department Administrative Headquarters would not disproportionately affect an EJ population and would not result in operational noise concerns.
- The project would not result in a permanent adverse effect on a sensitive noise receptor.
- No community resources, wetlands, parks or recreation areas, wetlands, floodplains, ecologically sensitive areas, special-status species would be affected by the project.
- Standard construction measures would avoid or adequately minimize construction impacts.
- Preparation of technical studies other than a Hazards Memo, Traffic Memo Section 106 documentation will not be required due to the minimal physical impacts of the project.
- Traffic Memo will not include the following analyses: intersections beyond the ones noted in this scope, additional analysis (future year), collision history and analysis site access and site circulation analysis, parking analysis. If these studies are requested additional scope and fee will be needed.
- BART or City of Oakland will supply traffic counts needed for Traffic Memo. If the optional traffic count task is needed Vendor firm will be able to perform traffic counts within project schedule timeframe. Traffic counts will not exceed \$1,000.00.

- All required inputs for the traffic memo will be provided within three days of NTP.
- Traffic memo will only require trip generation analysis and level of service analysis of two (2) intersections near the project site.

Prime: HNTB Corporation

Subconsultants: None

Total Work Plan Value: \$ 240,061