

**AC TRANSIT DISTRICT
Board of Directors**

GC Memo No. 11-122

Meeting Date: May 25, 2011

Committees:

Operations Committee ☐
External Affairs Committee ☐
Board of Directors ☒

Planning Committee ☐
Finance and Audit Committee ☐
Financing Corporation ☐

SUBJECT: Consider Adoption of a Notice of Exemption for the Hydrogen Energy Station at Division 4 as Part of the Hydrogen Fuel Cell Demonstration Project

RECOMMENDED ACTION: ☐ Briefing Item ☒ Recommended Motion

Adopt a Notice of Exemption under Public Resources Code Sections 21083 and 21084 and the California Environmental Quality Act (CEQA) Guidelines Section 15301(e) for the Oakland Hydrogen Energy Station at Division 4

Budgetary/Fiscal Impact:

\$50 administrative fee for filing of the Notice of Exemption.

Background/Discussion:

The District has received over \$10 million in grants from the Federal Transit Administration (FTA), California Air Resources Board (CARB), and California Energy Commission (CEC) to build a new Hydrogen Energy Station at its Oakland Division 4 Maintenance Facility.

The District is in the process of applying for the necessary permits from the City of Oakland to commence construction activities. As the lead agency for the project the District must determine and file the appropriate environmental document for the project before the City of Oakland will consider the District's permit application. In addition, the filing of the appropriate environmental document is a prerequisite to entering into a contract with the CEC for issuing a \$3 million grant for the funding of the station.

The current project is a continuation of a Hydrogen Fueling Station Program at Division 4 which commenced in 2004 when the District "partnered" with Chevron/Texaco Technology Ventures (CTTV) to develop an onsite natural gas steam reformation system. CTTV installed a small steam reformation fueling station which fueled the District's first 3 fuel cell buses. The agreement with CTTV expired and the station was decommissioned in late 2010; however, the District has continued to fuel the buses at Division 4 by utilizing the services of a mobile fueler.

The new project involves the construction of a hydrogen fueling station at Division 4 utilizing improved technology, e.g. the use of an electrolyzer instead of a steam reformation fueling unit to produce hydrogen. The station and related facilities will occupy approximately 2500 square feet at AC Transit's existing bus yard and will be constructed within the foot print of the 2004 Hydrogen Fueling Station Project. Staff

has determined that, as was the case the with implementation of the first hydrogen fueling project at Division 4 in 2004, the project is exempt under Public Resources Code Sections 21083 and 21084 and California Environmental Quality Act (CEQA) guidelines section 15301(e).

A draft of the Notice of Exemption is attached for your consideration.

Prior Relevant Board Actions/Policies:

GM Memo 04-098a

Attachments:

Draft Notice of Exemption

Approved by: Carol Babington, Interim General Counsel
Prepared by: Carol Babington, Interim General Counsel
Jaimie Levin
Date Prepared: May 18, 2011

Notice of Exemption**Form D**

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

From: (Public Agency) Alameda-Contra Costa Transit District
1600 Franklin Street
Oakland, CA 94612

County Clerk
County of _____

(Address)

Project Title: Hydrogen Energy Facility

Project Location - Specific:

The Project will occur at 1100 Seminary Avenue, Oakland, CA 94621-3948

Project Location – City: Oakland Project Location – County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The Project consists of construction of a partially solar powered hydrogen fueling station at 1100 Seminary Avenue in Oakland within AC Transit's bus yard for fueling of private and public vehicles. The station and related facilities would jointly occupy approximately 2,500 square feet at AC Transit's existing bus yard. The station is grant funded by agencies desirous of demonstrating the feasibility of hydrogen fuel cell technology, including the California Air Resources Board as part of its Hydrogen Fuel Cell Demonstration Program and the California Energy Commission. The station will provide electrical power for the operating division using a stationary fuel cell system and will serve AC Transit's fuel cell buses. The citizens of California ultimately benefit from this project that demonstrates the feasibility of using highly efficient stationary fuel cells to generate power and the use of zero emission vehicles in everyday fleet applications.

Name of Public Agency Approving Project: Alameda-Contra Costa Transit District

Name of Person or Agency Carrying Out Project: Alameda-Contra Costa 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: Public Resources Code §§21083 and 21084 and CEQA Guidelines 14 CCR 15301(e)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

AC Transit's Seminary bus yard (Division 4), consists of numerous buildings, facilities and parking areas for its employees and equipment. Fueling facilities presently exist on the site. This project will add approximately 2,500 square feet of additional structures, including two fueling islands. The largest facility will be a block wall, open air structure. The area in which the project will be located is presently not environmentally sensitive since it consists of a parking lot and an existing bus yard in an area zoned for industrial uses.

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

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

Revised 2005