

*Maribel Jaldon*



# Notice of Exemption

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

From: (Public Agency)  
San Francisco Bay Area Rapid Transit District  
2150 Webster Street, Oakland, CA 94612

by: Maribel Jaldon  
Deputy County Clerk

County Clerk  
Counties of: Alameda, Contra Costa, San Francisco

Project Title: BART Accessibility Improvement Program

Project Applicant: San Francisco Bay Area Rapid Transit District (BART)

Project Location - Specific: 38 BART stations throughout the BART District: 21 in Alameda County, 9 in Contra Costa County and 8 in San Francisco

Project Location - Counties: Alameda, Contra Costa, San Francisco

Project Location - Cities: Berkeley, Oakland, San Leandro, Dublin, Pleasanton, Hayward, Union City, Fremont, Richmond, El Cerrito, Orinda, Lafayette, Walnut Creek, Pleasant Hill, Concord, Pittsburg, San Francisco

MAY 26 2023  
POSTED TO

**Description of Nature, Purpose and Beneficiaries of Project:**

The purpose of the Accessibility Improvement Program (AIP) is to improve accessibility in and around BART stations to better meet the needs of the disabled community. The project is designed to provide improvements to meet federal requirements of the American Disabilities Act. This project includes multiple components, including improvements to the following: demolition and re-construction of existing sidewalks and curb ramps, improvements to sidewalks and crosswalks, installation of new cane detection devices, improvements to handrails, and improvements to courtesy phones to meet ADA requirements. Some lighting fixtures will be replaced with new fixtures, and illuminated phone cube signs will be removed and reinstalled. All work will take place on BART property.

Name of Public Agency Approving the Project: San Francisco Bay Area Rapid Transit District  
Name of Person or Agency Carrying Out Project: Same

**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: 15301 Existing Facilities
- Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:**

The project is necessary to meet current standards of public health and safety. No expansion of current space or current use is proposed. None of the exceptions listed in CEQA Guidelines Section 15300.2, which would prohibit the use of a categorical exemption, apply to the project.

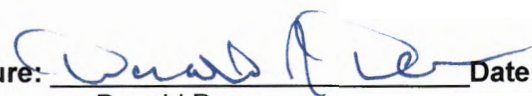
**Lead Agency**

Contact Person: Donald Dean

Phone/Email: 510-287-4844 / ddean@bart.gov

**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:** 4/6/2023 **Title:** Mgr. of Environmental Review  
Donald Dean

Signed by Lead Agency

Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 2112.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_



**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

2150 Webster Street, Oakland, CA 94612

**NOTICE OF CEQA EXEMPTION**

Project Name: BART Accessible Improvement Program  
 Project Address: Multiple BART Stations  
 Counties: Alameda, Contra Costa, San Francisco  
 BART Project No.: 15NU002  
 BART Contract No.: Multiple contracts  
 Project Sponsor: BART Office of District Architect  
 Project Contact: AR Rassai  
 ARassai@bart.gov/510-464-6499

Date of CE Determination: April 6, 2023

This CE will be filed internally [  ]      This CE will be filed with the County Clerk: Alameda [  ]  
 Contra Costa [  ]  
 San Francisco [  ]

**PROPOSED PROJECT**

**Project Location**

The proposed project will involve infrastructure improvements at 38 BART stations throughout the BART District. The stations include 21 in Alameda County, 9 in Contra Costa County, and 8 in San Francisco. Table 1 provides a list of the stations by county. Figure 1 illustrates a diagram of the BART system and station locations.

**Project Background**

The purpose of the Accessibility Improvement Program (AIP) is to improve accessibility in and around the BART station sites to better meet the needs of the disabled community. An AIP evaluation (field and user surveys) was completed, and it prioritized accessibility improvements for the Program. The project design is based on the BART Facilities Standards (BFS), federal American Disabilities Act (ADA) standards, and the ADA provisions of the California Building Code, as applicable.

**Project Description**

The project is designed to provide improvements at BART stations to meet federal requirements of the ADA. The scope of this project includes the following components: the demolition and reconstruction of existing sidewalks and curb ramps, improvements to sidewalks and crosswalks, removal of existing and installation of new cane detection devices, and removal of existing handrails and installation of new stair handrails. Courtesy phones will be replaced to provide adequate height and access per ADA requirements with new stainless steel panels and trim

around the phones. Some lighting fixtures will be replaced with new fixtures for proper illumination. The project will also remove existing and re-install new signs and illuminated phone cube signs.

All work will take place within BART property. Contractor staging will be provided at all stations that have surface parking. Contractors will secure their own work areas. Construction staging plans will be provided to minimize impacts to BART patrons. Pedestrian and vehicle control plans will be required prior to work at any location. Temporary relocation of some bus stops will be necessary to allow reconstruction of adjacent sidewalks and crosswalks. Work hours will generally be limited to daytime hours of 7 AM to 7 PM. All work will be conducted consistent with the BART Facilities Standards.<sup>1</sup>

**Attachments**

Table 1: BART Accessibility Project: Stations by County

Figure 1: BART System map

**EVALUATION**

The project involves the upgrade of existing station facilities to meet current ADA standards. The work consists of minor improvements to the stations’ physical infrastructure. No expansion of existing use would occur. The work will improve accessibility for BART patrons and will contribute to the convenience and safety for BART patrons.

Work and construction staging will take place on BART property, and construction will generally occur during standard daytime hours. There will be no disruption to BART service, and any temporary relocation of bus transfer facilities within the station will be of limited duration and the original location will be restored at the end of construction.

**Possible Exceptions to CE**

If a project is ordinarily exempt under any of the potential categorical exemptions, CEQA Guidelines Section 15300.2 provides specific instances where exceptions to otherwise applicable exemptions apply. In these cases, the CEQA exemption would not apply to a project.

Yes	No	<b>Would the project be precluded from a Categorical Exemption due to the following exception per Guidelines Section 15300.2?</b>
	X	(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 all instances, except where the project may impact on an environmental resource of

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<sup>1</sup> BART Facilities Standards provide guidance and minimum standards for BART facilities and practices and for safeguarding patrons, the public, and employees, as well as safeguarding property and on-going operations. The Standards regulate and control the design, construction, quality of materials, equipment, and installation of facilities within the jurisdiction of the BART system.

		hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
	X	(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.
	X	(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.
	X	(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.
	X	(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.
	X	(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.

**Relevant Exemptions**

The project would meet the criteria of CEQA Guidelines Section 15301-Existing Facilities: a Class 1 exemption.

	Statutory Exemption
	Ministerial Exemption
X	Categorical Exemption: 15301, Class 1, Existing Facilities
	Emergency Exemption
	Other Exemption

**15301. Existing Facilities**

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

In addition, CEQA Guidelines Section 15301(d) would apply to the project:

(d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it was determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide or flood.

**The project is determined to meet the qualifications for a Categorical Exemption for the following reasons among others:**

1. None of the exceptions listed in CEQA Guidelines Section 15300.2, which would prohibit the use of a categorical exemption, apply to the project.
2. The project is necessary to meet current standards of public health and safety.
3. No expansion of current space or current use is proposed.
4. Construction activity will be within BART property reducing or eliminating potential construction impacts to surrounding communities.

## **DETERMINATION**

No further environmental review is required. The project is categorically exempt under CEQA. An exemption from environmental review pursuant to the provisions of CEQA has been considered and approved:

  
By Donald Dean  
BART Manager of Environmental Review

4/6/2023  
Date

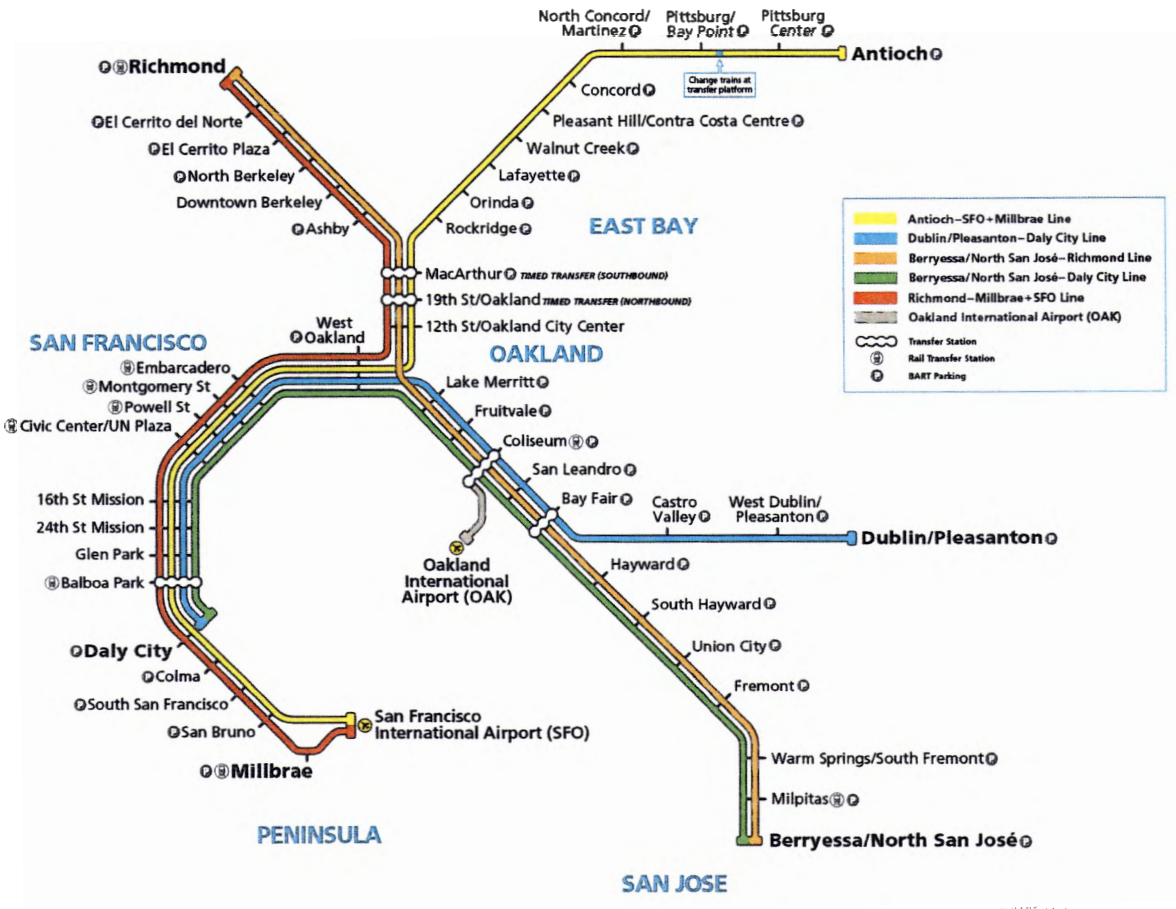
## **References**

1. San Francisco Bay Area Rapid Transit District, Scope of Services, Accessibility Improvements Program, Project No. 15NU-150, 2023.
2. San Francisco Bay Area Rapid Transit District, Accessibility Improvement Program-Phase 2, Pre-Bid Meeting, November 17, 2022.

**Table 1**  
**BART Accessibility Project: Stations by County**

<b>BART ACCESSIBILITY PROJECT: STATION LOCATIONS</b>		
<b>ALAMEDA CO.</b>	<b>CONTRA COSTA CO.</b>	<b>SAN FRANCISCO CTY and CO.</b>
North Berkeley	Richmond	Embarcadero
Downtown Berkeley	El Cerrito Del Norte	Montgomery
Ashby	El Cerrito Plaza	Powell
Rockridge	Orinda	Civic Center
MacArthur	Lafayette	16th Street
19th Street	Walnut Creek	24th Street
12th Street	Pleasant Hill	Glen Park
West Oakland	Concord	Balboa Park
Lake Merritt	North Concord/Martinez	
Fruitvale	Pittsburg/Bay Point	
Coliseum		
San Leandro		
Bay Fair		
Castro Valley		
West Dublin/Pleasanton		
Dublin/Pleasanton		
Hayward		
South Hayward		
Union City		
Fremont		

**Figure 1**  
**BART System Map**







State of California - Department of Fish and Wildlife  
**2023 ENVIRONMENTAL DOCUMENT FILING FEE**

**CASH RECEIPT**

DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

Print



Finalize&Email

RECEIPT NUMBER:

38-05/26/2023-052

STATE CLEARINGHOUSE NUMBER (If applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY BAY AREA RAPID TRANSIT DISTRICT	LEAD AGENCY EMAIL GeneralManager@bart.gov	DATE 05/26/2023
COUNTY/STATE AGENCY OF FILING SAN FRANCISCO COUNTY	DOCUMENT NUMBER 2023-0000032	

PROJECT TITLE

BART ACCESSIBILITY IMPROVEMENT PROGRAM

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL ddean@bart.gov	PHONE NUMBER <del>(415) 102-8748</del> <b>(510) 287-4844</b>
PROJECT APPLICANT ADDRESS SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT, 2150 WEBSTER STREET	CITY OAKLAND	STATE CA
		ZIP CODE 94612

**PROJECT APPLICANT (Check appropriate box)**

- Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

**CHECK APPLICABLE FEES:**

- Environmental Impact Report (EIR) \$ 3,839.25 \$ \_\_\_\_\_  
 Mitigated/Negative Declaration (MND)(ND) \$ 2,764.00 \$ \_\_\_\_\_  
 Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,305.25 \$ \_\_\_\_\_

- Exempt from fee  
      Notice of Exemption (attach)  
      CDFW No Effect Determination (attach)  
 Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$ 850.00 \$ \_\_\_\_\_  
 County documentary handling fee \$ 75.00 \$ \_\_\_\_\_ **75.00**  
 Other \$ \_\_\_\_\_

**PAYMENT METHOD:**

- Cash   
  Credit   
  Check   
  Other 649589

**TOTAL RECEIVED \$ \_\_\_\_\_ 75.00**

SIGNATURE

x *Maribel Jaldon*

AGENCY OF FILING PRINTED NAME AND TITLE

Maribel Jaldon Deputy Clerk