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

☑ 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

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-constructon 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);
☑ Categorical Exemption. State type and section number: 15301 Existing Facilities

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: Donald Dean
Date: 4/6/2023 Title: Mgr. of Environmental Review
☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21053 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 2112.1, Public Resources Code.

Date Received for filing at OPR: __________
**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 [ X ]
   Contra Costa [ X ]
   San Francisco [ X ]

**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.¹

**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.

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Would the project be precluded from a Categorical Exemption due to the following exception per Guidelines Section 15300.2?</td>
<td></td>
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<tr>
<td>X</td>
<td>(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</td>
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</table>

¹ 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.

(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.

(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.

(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.

(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.

(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.

<table>
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<tr>
<th>Statutory Exemption</th>
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<tr>
<td>Ministerial Exemption</td>
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<tr>
<td>X Categorical Exemption: 15301, Class 1, Existing Facilities</td>
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<tr>
<td>Emergency Exemption</td>
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<tr>
<td>Other Exemption</td>
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</tbody>
</table>

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

References

2. San Francisco Bay Area Rapid Transit District, Accessibility Improvement Program-Phase 2, Pre-Bid Meeting, November 17, 2022.
<table>
<thead>
<tr>
<th>BART ACCESSIBILITY PROJECT: STATION LOCATIONS</th>
<th>ALAMEDA CO.</th>
<th>CONTRA COSTA CO.</th>
<th>SAN FRANCISCO CTY and CO.</th>
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<tbody>
<tr>
<td>North Berkeley</td>
<td>Richmond</td>
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<td>Embarcadero</td>
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<td>Downtown Berkeley</td>
<td>El Cerrito Del Norte</td>
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<td>Montgomery</td>
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<td>Powell</td>
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<td>Orinda</td>
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<td>Pleasant Hill</td>
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<td>Glen Park</td>
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<td>West Oakland</td>
<td>Concord</td>
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<td>Balboa Park</td>
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<td>Lake Merritt</td>
<td>North Concord/Martinez</td>
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<td>Fruitvale</td>
<td>Pittsburg/Bay Point</td>
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<td>Coliseum</td>
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<td>San Leandro</td>
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<td>Castro Valley</td>
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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

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
COUNTY/STATE AGENCY OF FILING
SAN FRANCISCO COUNTY

PROJECT TITLE
BART ACCESSIBILITY IMPROVEMENT PROGRAM

PROJECT APPLICANT ADDRESS
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT, 2150 WEBSTER STREET

PROJECT APPLICANT EMAIL
ddean@bart.gov

DATE
05/26/2023

DOCUMENT NUMBER
2023-0000032

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
☐ Other

PAYMENT METHOD:
☐ Cash ☐ Credit ☐ Check ☐ Other 649589

TOTAL RECEIVED $ 75.00

SIGNATURE
Maribel Jaldon Deputy Clerk

AGENCY OF FILING PRINTED NAME AND TITLE