

California Department of Transportation

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
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www.dot.ca.gov



Governor's Office of Planning & Research

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STATE CLEARINGHOUSE

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Donald Dean, Environmental Coordinator
San Francisco Bay Area Rapid Transit District (BART)
2150 Webster Street
Oakland, CA 94612

Re: BART Slope Stabilization Project Mitigated Negative Declaration (MND)

Dear Donald Dean:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the BART Slope Stabilization Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the July 2022 MND.

Project Understanding

BART has identified particular slopes as a priority for slope stabilization improvements and maintenance, as well as overhead abutments that require repairs. The Project proposes to repair abutment joints, clear any clogged drains, and armor and reinforce the slopes underneath BART bridge structures to prevent any further erosion damage. The five identified Project locations include two in Concord (at BART Structures C3015E and C3015W) and three in Castro Valley (at BART Structures L5008W, L5009W, and L5010W).

Travel Demand Analysis

The project vehicle miles traveled (VMT) analysis and significance determination are undertaken in a manner consistent with the Office of Planning and Research's (OPR) Technical Advisory. Per the MND, this project is found to have a less than significant VMT impact, therefore working towards meeting the State's VMT reduction goals.

Maintenance Agreement

Please note that, at the time of the MND release date, the Draft Joint Use Maintenance Agreement (JUMA) is in the review process to be executed between BART and Caltrans for the Concord project locations. Please revise the following sections in the MND to reflect the status of the Draft JUMA:

- Page IS-8, Section 2.4.1: Concord Project Sites, Paragraph #1
- Page IS-76, Section 3.11.1: Setting, Concord Project Sites, Paragraph #1

A JUMA is defined as a permit to occupy an area and/or parcel. Areas and parcels covered by the JUMA are inside Caltrans' Right-of-Way (ROW). Please revise the following sections referring to Concord State Route (SR)-4 Project locations as "being inside/along BART Right of Way" to clarify these locations are inside Caltrans' ROW.

- Page MND-1, Project Description, Paragraph #1
- Page IS-5, Section 2.2: Project Background, Paragraph #1
- Page IS-76, Section 3.11.1: Setting, Concord Project Sites, Paragraph #1
- Page IS-95, Section 3.17.2: Discussion a, Paragraph #1
- Page IS-97, Section 3.17.2: Discussion c, Paragraph #1

Construction-Related Impacts

Potential impacts to Caltrans' ROW from project-related temporary access points should be analyzed. Mitigation for significant impacts due to construction and noise should be identified. Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, visit: <https://dot.ca.gov/programs/traffic-operations/transportation-permits>. Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the State Transportation Network (STN).

Utilities

Any utilities that are proposed, moved or modified within Caltrans' ROW shall be discussed. If utilities are impacted by the project, provide site plans that show the location of existing and/or proposed utilities. These modifications require a Caltrans-issued encroachment permit.

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Encroachment Permit

Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating Caltrans' ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to D4Permits@dot.ca.gov.

Please note that Caltrans is in the process of implementing an online, automated, and milestone-based Caltrans Encroachment Permit System (CEPS) to replace the current permit application submittal process with a fully electronic system, including online payments. The new system is expected to be available during 2022. To obtain information about the most current encroachment permit process and to download the permit application, please visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D4@dot.ca.gov.

Sincerely,



MARK LEONG
District Branch Chief
Local Development Review

c: State Clearinghouse