



**Meeting Date:** September 15, 2023

**To:** Public Works Commission

**Through:** Carla Short, Interim Public Works Director  
Albert Ko, City Engineer and Deputy Director for Public Work

**From:** Arun Bhatia, Public Works Project Manager

**Subject:** Alemany Interchange Improvements Phase 2 Project, Contract No. 1000023090 – Contract Modification

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**Director’s Recommendation:** Approve an increase of \$443,583.30 to the contract cost contingency and an increase of 348 calendar days to the contract duration contingency for the Alemany Interchange Improvements Phase 2 Project contract with Minerva Construction, Inc., and authorize the Director of Public Works to approve modifications to the contract for a total contract amount of up to \$2,070,055.40 and a total contract duration of up to 699 calendar days.

**Contract Background:** Alemany Interchange Improvements Phase 2 Project consists of civil roadway work, landscaping work, sewer work, lighting, and traffic routing on Alemany Boulevard and San Bruno Avenue, and creates a safe and aesthetically pleasing multi-use pathway from San Bruno Avenue to the Alemany Farmer’s Market. On October 18, 2021, Public Works awarded Minerva Construction, Inc. (Contractor) a construction contract for the Alemany Interchange Improvements Phase 2 Project (Project) in the amount of \$1,478,611. Construction began in April 2022. On May 24, 2019, the activities encompassed under the contract were determined to be exempt from the California Environmental Quality Act (CEQA) under the Class 4 categorical exemption (CEQA Guidelines Section 15304), as described in the CEQA Exemption Determination (Case No. 2018-007824ENV) contained in the Commission’s files for this contract modification.

**Explanation of Requested Contract Cost and Duration:** While the Project team has been able to successfully work with the Contractor to mitigate challenges encountered during construction, due to interagency and utility coordination, and unforeseen conditions encountered during construction, the project’s contract cost and duration has been impacted. The additional contingency reserve requested is due to the following:

Unforeseen Sewer Conditions:

An unmarked existing irrigation pipe running beneath the existing street pavement along Alemany Westbound was discovered during excavation and in conflict with two new catch basins. Additionally, a culvert that was meant to be intercepted to allow for the installation of another new catch basin did not exist. Both issues resulted in significant design changes to the sewer alignment, resulting in Contract cost and duration increases.

PGE Service Connection Delays:

The project team met with PG&E in September 2022 to discuss the service connection for the new signalized crosswalk at westbound Alemany Blvd into the Farmer’s Market. PG&E did not issue the final service connection Contract drawings until July 2023, and stated that the required meter pedestal will take up to 6 months to arrive.

Currently, more than 90% of the Project scope has been completed, with the major remaining scope related to energization of the new crossing. Due to the project issues described above, the increased contract cost and duration contingency will allow the Project to reach substantial completion by March 2024.

**Contract Details:**

<b>Contract Title:</b>	Minerva Construction, Inc.
<b>Contract Original Award Amount:</b>	\$1,478,611.00
<b>Contract Original Duration:</b>	319 Days
<b>Contractor Name:</b>	Minerva Construction, Inc.

**Summary of Contract Value:**

<b>Contract Cost Amount</b>	<b>Amounts</b>
Original Contract Amount:	\$1,478,611.00
Original Contingency Amount:	\$147,861.10
Previously Approved Contingency Reserve:	-
Additional Contingency Reserve Requested:	443,583.30
<b>Authorized Contract Cost Limit:</b>	<b>\$2,070,055.40</b>

<b>Contract Duration</b>	<b>Days</b>
Original Contract Duration:	319
Original Contingency Duration:	32
Previously Approved Contingency Reserve:	-
Additional Contingency Reserve Requested:	348
<b>Authorized Contract Duration Limit:</b>	<b>699</b>

<b>Contract Funding Sources:</b>	Active Transportation Program (ATP) Grant General Fund
<b>Compliance Information:</b>	12B Equal Benefits Ordinance Compliant
<b>Related Commission Actions:</b>	N/A
<b>Additional Information:</b>	N/A
<b>Attachments:</b>	Attachment 1: Commission Resolution

Attachment 2: CEQA Determination 2018-007824ENV

DRAFT

**PUBLIC WORKS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

**RESOLUTION NO. \_\_\_\_\_**

WHEREAS, The Alemany Interchange Improvements Phase 2 Project seeks to improve pedestrian accessibility to the Alemany Farmer's Market by adding a safe and aesthetically pleasing multi-use pathway from San Bruno Avenue and across Alemany Blvd; and

WHEREAS, The project consists of civil roadway work, landscaping work, sewer work, lighting, and traffic routing on Alemany Blvd and San Bruno Ave; and

WHEREAS, On May 24, 2019, the San Francisco Planning Department determined the project was exempt in (Case No. 2018-007824ENV or "CEQA Determination") finding that the project is exempt from the California Environmental Quality Act ("CEQA") under the Class 4 categorical exemption (CEQA Guidelines Section 15304); and,

WHEREAS, On October 18, 2021, San Francisco Public Works awarded Contract No. 1000023090 under DPW Order No 205,559 for the Alemany Interchange Improvements Phase 2 Project to Minerva Construction, Inc. in the amount of \$1,478,611.00 with a contract duration of 319 calendar days; and

WHEREAS, An increase of \$443,583.30 to the contract cost contingency and 348 days to the contract duration contingency is requested for the Alemany Interchange Improvements Phase 2 Project; and

WHEREAS, The cost and duration modification approved by this action would cover unforeseen sewer conditions and PG&E service connection delays; and

WHEREAS, The CEQA Determination is on file with the Public Works Commission Affairs Manager, and may be found in the records of the Planning Department at 49 South Van Ness Avenue in San Francisco, are is incorporated herein by reference; now, therefore, be it

RESOLVED, That this Commission hereby approves an increase of \$443,583.30 to the contract cost contingency and 348 days to the contract duration contingency for the Alemany Interchange Improvements Phase 2 contract with Minerva Construction, Inc.; and be it

FURTHER RESOLVED, That this Commission hereby authorizes the Director of Public Works to approve future modifications to the contract for a total contract cost of up to \$2,070,055.40 and total contract duration of up to 699 days.

*I hereby certify that the foregoing resolution was adopted by the Public Works Commission at its meeting of \_\_\_\_\_*

\_\_\_\_\_  
Robert Fuller, Commission Affairs Manager  
Public Works Commission



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
DPW: ALEMANY BIKEWAY PROJECT		5733A/002
<b>Case No.</b>		<b>Permit No.</b>
2018-007824ENV		
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<b>Project description for Planning Department approval.</b>		
<p>The San Francisco Public Works proposes to construct an approximately 240' long bikeway located within the gore area bounded by eastbound Alemany Boulevard Alemany Boulevard westbound, San Bruno Avenue. Currently, there is no existing pedestrian or bicycle infrastructure that directly connects the Alemany Market to San Bruno Avenue and neighborhoods to the south. The project would establish safer paths of travel for bicycles and pedestrians traveling at this location. The project would also construct ADA-compliant curb ramps at the end points of the bikeway, and on the opposite side of Alemany Blvd. westbound, facing the western end of the bikeway.</p> <p>The proposed bikeway would be 10' wide, with one 5' lane in each direction, with a 2' shoulder on each side, at approximately 5" above existing grade. A 3:1 or flatter graded side slope to return from the elevation of the new bikeway to existing grade would be constructed to enhance drainage and provide new planting area. The shoulder would be delineated from the traveled way of the bikeway with an edgeline. A minimum 2' horizontal clearance from the paved edge of the bikeway to existing overpass columns would be provided. On each side of the new bikeway, at the lowest elevations of the toe of the new sideslope, the project would install a new bioretention basin, the features of which would correspond to those given in "San Francisco Stormwater Management Requirements and Design Guidelines: Green Infrastructure Typical Details and Specifications." CONTINUED ON PAGE 5</p>		

### STEP 1: EXEMPTION CLASS

<b>*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*</b>	
<input type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p><b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p><b>FOR ENVIRONMENTAL PLANNING USE ONLY</b></p>
<input checked="" type="checkbox"/>	<b>Class 4 - Minor Alterations to Land.</b> Minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. The creation of bicycle lanes on existing rights-of-way.

**STEP 2: CEQA IMPACTS**  
**TO BE COMPLETED BY PROJECT PLANNER**

If any box is checked below, an *Environmental Evaluation Application* is required.

<input type="checkbox"/>	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<input type="checkbox"/>	<b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	<b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required.</b>

**If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an *Environmental Evaluation Application* is required, unless reviewed by an Environmental Planner.**

**Comments and Planner Signature (optional):** Christopher Espiritu

The project meets the criteria for a Class 4 categorical exemption, for minor public or private alterations in the condition of land. Class 4(h) specifically provides an exemption from environmental review for the creation of bicycle lanes on existing rights-of-way. The project is a safety project that would improve pedestrian and bicycle safety through the Alemany interchange area and would include elements that would not substantially alter travel patterns for vehicles, transit, or emergency vehicles traveling within the project vicinity. The project would slightly alter local travel patterns for pedestrians and bicycles within the Alemany interchange area, but not such that hazardous conditions to traffic, pedestrian, bicyclists, or transit would occur. CONTINUED ON PAGE 5

**STEP 3: PROPERTY STATUS - HISTORIC RESOURCE**  
**TO BE COMPLETED BY PROJECT PLANNER**

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to Parcel Information Map)	
<input type="checkbox"/>	<b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	<b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>
<input checked="" type="checkbox"/>	<b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>GO TO STEP 6.</b>

**STEP 4: PROPOSED WORK CHECKLIST**  
**TO BE COMPLETED BY PROJECT PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

**STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW**  
**TO BE COMPLETED BY PROJECT PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C a. Per HRER dated    (attach HRER) b. Other (specify):
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION  
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>				
<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>				
<table border="1" style="width: 100%;"> <tr> <td style="width: 60%;"><b>Project Approval Action:</b> Public Works Director Approval</td> <td style="width: 40%;"><b>Signature:</b> Christopher Espiritu 05/24/2019</td> </tr> <tr> <td colspan="2">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</td> </tr> </table>		<b>Project Approval Action:</b> Public Works Director Approval	<b>Signature:</b> Christopher Espiritu 05/24/2019	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	
<b>Project Approval Action:</b> Public Works Director Approval	<b>Signature:</b> Christopher Espiritu 05/24/2019				
If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.					
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p> <p>Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p>					



## **Project Description (Continued from Page 1)**

The project would also construct ADA-compliant curb ramps at the end points of the bikeway, and on the opposite side of Alemany Boulevard, westbound, facing the western end of the bikeway. Existing fencing at the location at the opposite side of Alemany would be modified to allow access. The project would move the existing traffic signal at Alemany Boulevard westbound. The bikeway would be provided with pedestrian lighting using luminaires from the SFPUC lighting catalog. Power for the new electrical features will be pulled from existing lighting in the gore area; this will require trenching for new conduit to 18", and installation of new conduit and three small electrical vaults within the project footprint.

An excavation depth no greater than 12 feet would be required to install traffic signals and light poles, if existing poles at the project site cannot be utilized. The San Francisco of Public Works would oversee repaving and island construction, sidewalk extension construction and traffic signal upgrades or installation. Landscaping and the removal of existing shrubs and small trees (approximately 4 inches in diameter) would be required, however existing trees (varying from 24 to 28 inches in diameter) located on the gore area would be retained by the project. Construction activities may require roadway closure but would comply with SFMTA Blue Book and Public Works requirements. Expected duration of construction is three months.

## **Analysis (Continued from Page 2)**

Further, the project would not affect other transit routes operating within the vicinity nor would there be a transit delay impact to nearby transit routes. The project would include the excavation of approximately 12 feet below existing ground surface in order to install light poles, related equipment, and signage. On October 31, 2018, archeology staff determined that the project and any related excavation would not likely result in significant effects on archeological resources due to previous disturbance from freeway construction. However, implementation of Public Works Standard Archeological Measure I (Discovery during construction) is recommended and would be implemented by Public Works in the event of a discovery during construction.

There are no exceptions as described in CEQA Guidelines section 15300.2 Exceptions that would prevent the project from being exempt under CEQA as follows. The project would not affect a scenic highway or historic district. The project site is not located on a site included on a list compiled pursuant to section 65962.5 of the California Government Code. The project would not result in a significant effect due to unusual circumstances. As described below, due to the scope and nature of the project, the project in combination with other reasonably foreseeable project would not result in a significant cumulative impact.

### Cumulative Analysis:

As of May 2019, there is one nearby public streetscape improvement project located within the vicinity of the San Francisco Public Works - Alemany Bikeway Project. The San Francisco Municipal Transportation Agency (SFMTA) proposes to implement a set of safety improvements on Alemany Boulevard, between Putnam Street and Bayshore Boulevard, with the purpose of improving safety, accessibility, and completing the bicycle network on Alemany Boulevard. The proposed changes include the following and are further discussed below: 1) reducing the number of travel lanes on Alemany Boulevard from three to two in each direction, 2) adding curbside bike lanes, 3) upgrading crosswalks with continental striping, 4) narrowing some travel lanes from 11 and 12 feet wide to 10 and 11 feet wide, respectively, and 5) Constructing a short off-street bike path across the grassy plot at the southwest corner of the Alemany Boulevard/Bayshore Boulevard intersection to detour bicycle riders around the curved Alemany Boulevard East intersection approach. Curbside, paint-buffered bicycle lanes would be added to Alemany Boulevard between Putnam Street and Bayshore Boulevard. New paint-buffered bike lanes or sharrows would be added to Putnam Street (between Crescent Avenue and Alemany Boulevard) and San Bruno Avenue (between Hale Street and Alemany Boulevard) by narrowing wide existing lanes and connect the new Alemany Boulevard bikeways to the bicycle network north and south of the project area.

The proposed SFMTA bicycle lanes project along with the proposed project were identified in the San Francisco County Transportation Authority's Alemany Interchange Improvement Study (April 2017) to address safety and accessibility needs for people walking and cycling in the Alemany Boulevard interchange area. While located within the same area, implementation of these two projects is not dependent on one another and they would be constructed separately. The SFMTA - Alemany Boulevard Bike Lanes project would be installed within the existing roadway and was approved by the SFMTA Board of Directors in August 2018 and would be constructed in the summer of 2019. The proposed bikeway and multi-use path proposed by Public Works would be located in the right-of-way, but off-street on Caltrans property between the separated roadway. It would be accessed from Alemany Boulevard by new crosswalks located at the northern and southern ends of the proposed multi-use path.

Further, the proposed project is also located within a 1/4-mile from proposed development projects. However, those development projects: demolition and new construction of a 5-story, 50-unit residential building at 992 Peralta Avenue and conversion of existing garage space to five new dwelling units at 40 Gaven Street would include new land uses or expansion of existing residential uses, but would not substantially increase the number of vehicles, pedestrians, bicyclists, or other transportation users in the area or make changes to the public right-of-way.

The proposed project's environmental impacts would be less than significant and would not combine with the potential impacts of the bicycle lanes project to result in a significant cumulative impact for the following reasons. The proposed project and the proposed bicycle lanes project do not have elements that have the potential to result in combined effects. These projects would not create potentially hazardous conditions for people walking or bicycling and would improve safety conditions compared to existing conditions by facilitating safer pedestrian and bicycle travel on Alemany Boulevard and through the interchange area.

Similarly, the proposed project would not combine with the identified development projects in the vicinity to result in significant cumulative impacts because the proposed project would not generate any new trips that could combine with the minor increase in the number transportation users generated by the proposed development projects.

Lastly, construction of these nearby projects could coincide with construction of the proposed project. However, the combined construction impacts would be temporary and of limited duration and would be required to comply with city regulations (the SFMTA Blue Book and public works code and orders) that would ensure safe travel in the projects' vicinity for all travel modes. Therefore, construction impacts for the proposed project and cumulative projects would not combine to result in significant construction impacts.

Therefore, overall the impacts of these cumulative projects would not combine with the project's impacts to result in significant cumulative impacts.

## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

### TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

### MODIFIED PROJECT DESCRIPTION

Modified Project Description:

At the southwest corner of Alemany Boulevard and San Bruno Avenue, the original scope of work was to construct a large 30-foot-radius bulb-out with two curb ramps, a 6-foot-wide bike lane on-street and upgrade the traffic signal for new crosswalk on eastbound Alemany Boulevard. The revised project is to construct a protected 6-foot-wide bike lane cut through the 50-foot-radius median concrete islands and with new crosswalk passthrough concrete islands, four curb ramps, upgrade the traffic signal for new crosswalk on eastbound Alemany Boulevard, and install new traffic signal onto the median concrete island.

On November 25, 2020, planning department staff archaeologist determined that the revised project has the potential to adversely affect archaeological resources. This impact may be avoided by implementation of Public Works Standard Archeological Measure II (Archeological Monitoring).

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | Result in expansion of the building envelope, as defined in the Planning Code;   |
| <input type="checkbox"/> | Result in the change of use that would require public notice under Planning Code Sections 311 or 312;  |
| <input type="checkbox"/> | Result in demolition as defined under Planning Code Section 317 or 19005(f)?   |
| <input type="checkbox"/> | Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption? |

**If at least one of the above boxes is checked, further environmental review is required.**

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

- |                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | The proposed modification would not result in any of the above changes. |
|-------------------------------------|---|

If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.

**Planner Name:**

Don Lewis

**Date:**

11/30/2020



June 26, 2017

Edwin M. Lee  
Mayor

TO: Public Works Staff

FROM: Mohammed Nuru, Director

SUBJECT: Standard Construction Measures for Public Works Projects

**Mohammed Nuru**  
Director

San Francisco Public Works  
1 Dr. Carlton B. Goodlett Pl.  
Room 348  
San Francisco, CA 94102  
tel 415-554-6920

[sfpublicworks.org](http://sfpublicworks.org)  
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[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)  
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With the issuance of these Standard Construction Measures ("Measures"), I direct Public Works staff to incorporate these Measures into Public Works projects. The purpose of these measures is for Public Works to adopt environmentally responsible practices to apply to Public Works projects.

In addition to complying with applicable local, State, and federal laws and regulations, these Measures are to be followed as a standard practice in the execution of every Public Works project. While some of the Measures may not apply to a project, it is important to address each of the Measures either by implementing the Measure as described, or by documenting in a note to file why it is not applicable to the particular project. Some of the Measures are very broad and will be tailored to suit each project site and surrounding circumstances, which may involve undertaking further investigation and developing a more detailed work plan to address the resource or impact addressed by a specific measure.

For projects that undergo full CEQA review (Mitigated Negative Declarations or Environmental Impact Reports), are assigned environmental commitments as part of the NEPA process, and/or receive resource agency permits (e.g., US Army Corps of Engineers, California Department of Fish and Wildlife, etc.), these Measures may be superseded and/or amplified with more detailed, project-specific mitigation measures or conditions stipulated in the project CEQA document and/or permits.

The responsibility for implementation of the Standard Construction Measures rests with each Public Works Project Manager. If you have any questions please contact Boris Deunert, Manager, Regulatory Affairs Section, at 415-558-4011.

Please begin implementing these Measures immediately. Thank you for your cooperation.

SAN FRANCISCO DEPARTMENT OF CITY PLANNING  
CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW

CLASS 1 - operation and minor alteration of existing facilities.

-Jeanie Poling 6/30/17

## Public Works Standard Construction Measures

1. SEISMIC AND GEOTECHNICAL STUDIES: The project manager shall ensure that projects that may potentially be affected by existing soil, slope and/or geologic conditions at the project site will be screened for liquefaction, subsidence, landslide, fault displacement, and other geological hazards at the project site, and will be engineered and designed as necessary to minimize risks to safety and reliability due to such hazards. As necessary, geotechnical investigations will be performed.
2. AIR QUALITY: All projects will comply with the Construction Dust Control Ordinance (see Attachment A). Major construction projects that are estimated to require 20 or more days of cumulative days of work within the Air Pollutant Exposure Zone must comply with the additional clean construction requirements of the Clean Construction Ordinance (see Attachment B).
3. WATER QUALITY: All projects will implement erosion and sedimentation controls to be tailored to the project site, such as fiber rolls and/or gravel bags around stormdrain inlets, installation of silt fences, and other such measures sufficient to prevent discharges of sediment and other pollutants to storm drains and all surface waterways, such as San Francisco Bay, the Pacific Ocean, water supply reservoirs, wetlands, swales, and streams. As required based on project location and size, a Stormwater Control Plan (in most areas of San Francisco) or a Stormwater Pollution Prevention Plan (SWPPP) (in certain areas of San Francisco) will be prepared. If uncontaminated groundwater is encountered during excavation activities, it will be discharged in compliance with applicable water quality standards and discharge permit requirements. Groundwater contamination is addressed in item 6 below.
4. TRAFFIC: All projects will implement traffic control measures sufficient to maintain traffic and pedestrian circulation on streets affected by construction of the project. The measures will also, at a minimum, be consistent with the requirements of San Francisco Municipal Transportation Agency (SFMTA)'s Blue Book. Traffic control measures may include, but not be limited to, flaggers and/or construction warning signage of work ahead; scheduling truck trips during non-peak hours to the extent feasible; maintaining access to driveways, private roads, and off-street commercial loading facilities by using steel trench plates or other such method; and coordination with local emergency responders to maintain emergency access. Any temporary rerouting of transit vehicles or relocation of transit facilities would be coordinated with SFMTA Muni Operations.
5. NOISE: All projects will comply with local noise ordinances regulating construction noise. Public Works shall undertake measures to minimize noise disruption to nearby neighbors and sensitive receptors during construction. These efforts could include using best

available noise control technologies on equipment (i.e., mufflers, ducts, and acoustically attenuating shields), locating stationary noise sources (i.e., pumps and generators) away from sensitive receptors, erecting temporary noise barriers, and other such measures.

During nighttime construction activities, the following shall apply: impact tools and vibratory pile drivers shall have intake exhaust mufflers and/or acoustically attenuating shields or shrouds recommended by the manufacturers and approved by the Director of Public Works; the construction contractor shall avoid using water blasters; and the use of vehicles that are legally required to be equipped with backing warning alarms will be reduced to the extent feasible; and administrative controls as defined in the California Code of Regulations, Title 8 Sec. 1592 will be used for worker protection for backing movements by other vehicles. Hours of vibration-intensive activities, such as vibratory pile driving, shall be restricted to between 7:00 a.m. and 8:00 p.m.

6. HAZARDOUS MATERIALS: Projects that involve excavation of 50 cubic yards of soil in the Maher Z will comply with the Maher Ordinance (see Attachment C). Projects on sites that are not currently located in the Maher Zone but have the potential to contain hazardous materials in soil and/or groundwater will be referred to the Department of Public Health as newly identified Maher sites.

7. BIOLOGICAL RESOURCES: Public Works will comply with all local, State, and federal requirements for surveys, analysis, and protection of biological resources (e.g., Migratory Bird Treaty Act, Federal and State Endangered Species Acts, etc.). All project sites and the immediately surrounding area will be screened to determine whether biological resources may be affected by construction. If biological resources are present, a qualified biologist will carry out a survey of the project site to note the presence of general biological resources and to identify whether habitat for special-status species and/or migratory birds is present. If necessary, measures will be implemented to protect biological resources, such as installing wildlife exclusion fencing, establishing work buffer zones, installing bird deterrents, monitoring by a qualified biologist and other such measures. If tree removal is required, Public Works will comply with any applicable tree protection ordinance.

8. VISUAL AND AESTHETIC CONSIDERATIONS, PROJECT SITE: All project sites will be maintained in a clean and orderly state. Construction staging areas will be sited away from public view, and on currently paved or previously disturbed areas, where possible. Nighttime lighting will be directed away from residential areas and have shields to prevent light spillover effects. Upon project completion, project sites on City-owned lands will be returned to their general pre-project condition, including re-grading of the site and re-vegetation or re-paving of disturbed areas to the extent this is consistent with Public Works Bureau of Urban Forestry policy and San Francisco Code. Project sites on non-City land will be restored to their general

pre-project condition so that the owner may return them to their prior use, unless otherwise arranged with the property owner.

9. CULTURAL RESOURCES: All projects that will alter a building or structure, produce vibrations, or include soil disturbance<sup>1</sup> will be screened to assess whether cultural resources are or may be present and could be affected, as detailed below.

*Archeological Resources.* No archeological review is required for a project that will not entail soil disturbance. Projects involving soil disturbance will initially be screened by Public Works Regulatory Affairs staff to identify whether there is demonstrable evidence of prior soil disturbance at the project site to the maximum vertical and horizontal extent of the current project's planned disturbance. Public Works will complete the Public Works Preliminary Archeological Checklist (PAC), Part I only (see Attachment D). For projects where prior complete soil disturbance has occurred throughout areas of planned work, Public Works will provide evidence of the previous disturbance in the environmental application to be reviewed by EP Archeological staff.

- 1) For projects that are on previously undisturbed sites or where the depth/extent of prior soil disturbance cannot be documented, or where the planned project-related soil disturbance will extend beyond the depth/extent of prior soil disturbance, additional screening will be carried out as detailed below and shown on the flow chart titled "Public Works Standard Construction Measure #9 Archeological Assessment Process" (see Attachment E). The EP Archeologist will complete the Preliminary Archeological Checklist, Part II (PAC) for the project, which will include recommendations for one of three Standard Archeological Measures (I - Discovery, II – Monitoring, or III – Testing/Data Recovery) to be implemented by Public Works to protect and/or treat significant archeological resources identified as being present within the site and potentially affected by the project (see Attachments F, G, and H). Additional research and documentation, such as an Archeological Research Design and Treatment Plan (ARDTP), Archeological Sensitivity Study (ASA), or an archeological field survey, may also be requested by the EP Archeologist. These documents should be completed by a qualified consultant from the EP Archeological Resources Consultant Pool and should be scoped, reviewed, and approved by the EP Archeologist.
- 2) Public Works shall implement the PAC recommendations prior to and/or during project construction consistent with Standard Archeological Measures I, II, and III, and shall consult with the EP Archeologist in selecting a qualified archeological consultant from

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<sup>1</sup> Soil is defined as native earthen deposits or introduced earthen fill. Soil does not include materials that were previously introduced as part of the roadway pavement section including asphalt concrete wearing surface, roadway base, and subbase.

the EP Archeological Resources Consultant Pool, as needed, to implement these measures.

- 3) Soil-disturbing activities in archeologically sensitive areas, as identified through the above screening, will not begin until required preconstruction archeological measures of the PAC (e.g., preparation of an Archeological Monitoring Plan, Archeological Treatment Plan, and/or an Archeological Research Design and Data Recovery Plan) have been implemented.

Public Works, the EP Archeologist and the ERO will revisit the PAC process outlined above one year after these measures are finalized.

*Historic (Built Environment) Resources.* Public Works will consult with CCSF Planning Department Preservation staff to determine if projects that would modify an existing building, structure, or landscape feature require preservation review and if a Historic Resource Evaluation (HRE) will be required. The HRE will be prepared by a qualified architectural historian and will be scoped with CCSF Planning Department Preservation staff. Where the potential for the project to have adverse effects on an historical resource is identified by CCSF Planning Department Preservation staff, the CCSF Planning Department Preservation Planner will consult with Public Works to determine if the project can be conducted as planned or if the project design can be revised to avoid the significant impact. If these options are not feasible, the project will need to undergo further environmental review with the CCSF Planning Department and mitigation may be required. If so, the project would not qualify for a Categorical Exemption from CEQA review.

Within historic districts established by ordinance, and/or mapped by the San Francisco Planning Department as eligible for or on the California Register of Historic Resources and/or the National Register of Historic Places, all distinctive sidewalk elements such as brick surfacing, brick gutters, granite curbs, cobblestones and non-standard sidewalk scoring, and streetscape elements that may include, but are not limited to, streetlights, sidewalk lights, sidewalk elevators and chutes, benches, and utility plates, that appear to be 45 years or older will be treated as potentially character-defining features of their respective historic districts. For those locations, historic materials will be protected in place (preferred method), salvaged and re-installed, or replaced in-kind to match the existing color, texture, material, and character of the existing condition.

Where construction will take place in proximity to a building or structure identified as a significant historical resource but would not otherwise directly affect it, Public Works will implement protective measures, such as but not limited to, the erection of temporary construction barriers to ensure that inadvertent impacts to such buildings or structures are avoided. These measures shall require the development of a Construction Best Practices for



Historical Resources Plan and a plan outlining the Construction Monitoring for Historical Resources Program to be reviewed and approved by CCSF Planning Department Preservation staff.

If a project includes or is directly adjacent to historic buildings or structures susceptible to vibration (such as but not limited to unreinforced masonry, earthen construction, lathe and plaster, or fragile architectural ornamentation) as determined in consultation with CCSF Planning Department Preservation staff, Public Works will determine if vibrations associated with proposed construction activities has the potential to cause damage to such buildings or structures. Generally, vibration below 0.12 inches per second peak particle velocity does not have the potential to damage sensitive buildings or structures. A vibration study may be necessary to determine if such vibration levels will occur. If Public Works determines in consultation with CCSF Planning Department Preservation staff that vibration damage may occur, Public Works will engage a qualified historic architect or historic preservation professional to document and photograph the pre-construction condition of the building and prepare a plan for monitoring the building during construction. The monitoring plan will be submitted to and approved by CCSF Planning Department Preservation Planner prior to the beginning of construction and will be implemented during construction. The monitoring plan will identify how often monitoring will occur, who will undertake the monitoring, reporting requirements on vibration levels, reporting requirements on damage to adjacent historical resources during construction, reporting procedures to follow if such damage occurs, and the scope of the preconstruction survey and post-construction conditions assessment.

If any damage to a historic building or structure occurs, Public Works will modify activities to minimize further vibration. If any damage occurs, the building will be repaired following the Secretary of the Interior's Standards for the Treatment of Historic Properties under the guidance of a qualified historic architect or historic preservation professional in consultation with CCSF Department Preservation Planner.

cc: Lisa Gibson, Environmental Review Officer, San Francisco Planning Department

## **ATTACHMENTS**

- A. Construction Dust Measures
- B. Clean Construction Measures
- C. Maher Compliance
- D. Public Works Preliminary Archeological Checklist (PAC)

- E. Flow Chart: Public Works Standard Construction Measure #9 Archeological Assessment Process
- F. Public Works Archeological Measure I (Archeological Discovery)
- G. Public Works Archeological Measure II (Archeological Monitoring)
- H. Public Works Archeological Measure III (Archeological Testing/Data Recovery)

## **Attachment A: Public Works Dust-Control Measures**

For the purposes of this document, “sensitive receptor” means residence, school, childcare center, hospital or other health-care facility or group living quarters, and “visible dust” means dust comprising visible emissions as defined in Bay Area Air Quality Management Board Regulation 6 – Particulate Matter.

For all projects, Public Works will institute through its construction specifications the following dust-control measures to achieve a goal of no visible dust emissions:

- Clean up spillage on City streets, whether directly or indirectly caused by construction operations.
- Remove demolition debris from the Site no later than the end of each workday. Any hazardous materials and/or suspected hazardous materials stored on site shall be stored in accordance with all applicable Cal EPA regulations, including being stored in proper containers and being protected from exposure from the elements. Any such materials shall be removed from the site as soon as possible for disposal/recycling in accordance with all applicable statutes and regulations.
- Keep the Site and adjacent areas clean and perform wet sweeping at the end of each shift.
- Perform continuous water spraying during dust generating activities. Mist or spraying shall be conducted in such a way as to prevent puddling or generation of runoff. Mist any immediate area of demolition with a water spray to prevent airborne dust particles.
- Wet all exposed soil surfaces at least three times daily during dry weather or more frequently if dust is blowing or if required by the City. Any serpentine residuals on the street shall be wet swept immediately.
- Use dust enclosures, curtains, and dust collectors as necessary to control dust.
- Load haul trucks, hauling debris, soils, sand or other such materials so that the material does not extend above the walls or back of the truck bed. Wet before covering and tightly cover the surface of each load before the haul truck leaves the loading area.
- Limit vehicle speed limit on unpaved roads to 15 miles per hour (mph).
- Cover any inactive (no disturbance for more than seven days) stockpiles greater than ten cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil with a 10 mil (0.01 inch) polyethylene plastic or equivalent tarp and brace it down or use other equivalent soil stabilization techniques.
- Reclaimed water will be used for all dust-control operations to the extent feasible (without resorting to extraordinary means and measures) and allowed by law.

If the project grades or excavates more than one half acre surface area at any given time, and the project is within 1,000 feet of a sensitive receptor as defined above, Public Works or its contractor shall prepare a Site-Specific Dust Control Plan for the review and approval of the Department of Public Health. The site-specific dust control plan shall contain mapping identifying locations of sensitive receptors and contain additional site-specific dust monitoring and control measures that will apply to the project. These site-specific measures may include the following or equivalent measures, which accomplish the goal of minimizing visible dust:

- Wetting down areas around soil improvement operations, visibly dry disturbed soil surface areas, and visibly dry disturbed unpaved driveways at least three times per shift per day.
- Analysis of the wind direction.
- Placement of upwind and downwind particulate dust monitors.
- Recordkeeping for particulate monitoring results.
- Hiring of an independent third party to conduct inspections for visible dust and keeping records of those inspections.
- Requirements for when dust generating operations have to be shut down due to dust crossing the property boundary or if dust is contained within the property boundary but not controlled after a specified number of minutes.
- Establishing a hotline for surrounding community members to call and report visible dust problems so that Public Works or its contractor can promptly fix those problems; posting signs around the site with the hotline number and making sure that the number is given to adjacent residents, schools and businesses.
- Limiting the area subject to excavation, grading, and other demolition or construction activities at any one time.
- Minimizing the amount of excavated material or waste materials stored at the site.
- Installing dust curtains, plastic tarps or windbreaks, or planting tree windbreaks on the property line on windward and down windward sides of construction areas, as necessary.
- Paving, applying water three times daily, or applying non-toxic soil stabilizers on all unpaved access roads, parking areas and staging areas at the construction site. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code, Article 22. If not required, reclaimed water should be used whenever possible.
- Establishing speed limits so that vehicles entering or exiting construction areas shall travel at a speed that minimizes dust emissions. This speed shall be no more than 15 mph.
- Installing wheel washers to clean all trucks and equipment leaving the construction site. If wheel washers cannot be installed, tires or tracks and spoil trucks shall be brushed off before they re-enter City streets to minimize deposition of dust-causing materials.
- Terminating excavation, grading, and other construction activities when winds speeds exceed 25 mph.
- Hydroseeding inactive construction areas, including previously graded areas inactive for at least 10 calendar days, or applying non-toxic soil stabilizers.
- Sweeping of surrounding streets during demolition, excavation and construction at least once per day to reduce particulate emissions.

**SECTION 01 35 48****ADDITIONAL CLEAN CONSTRUCTION REQUIREMENTS ON MAJOR  
CONSTRUCTION PROJECTS****PART 1 – GENERAL****1.01 SUMMARY**

- A. This Section 01 35 48 incorporates additional requirements of the San Francisco Clean Construction Ordinance (“Ordinance”) for projects that meet the requirements of Environment Code Section 2504(a), which are located in the Air Pollutant Exposure Zone and which are within 1,000 feet of a Sensitive Use, as set forth in Chapter 25 of the Environment Code and Section 6.25 of the Administrative Code.
- B. For projects that meet Environment Code Section 2504(b), which are located outside the Air Pollutant Exposure Zone, or which are in the Air Pollutant Exposure Zone but are not within 1,000 feet of a Sensitive Use, refer to Section 00 73 73, Article "CLEAN CONSTRUCTION REQUIREMENTS ON MAJOR CONSTRUCTION PROJECTS."
- C. The Department of the Environment is responsible for administering the Ordinance. For more information about the Ordinance and its implementation, please visit the Department of Public Health website at:  
<https://www.sfdph.org/dph/EH/Air/CleanConstruction.asp> and  
[https://www.sfdph.org/dph/files/EHSdocs/AirQuality/San\\_Francisco\\_Clean\\_Construction\\_Ordinance\\_2015.pdf](https://www.sfdph.org/dph/files/EHSdocs/AirQuality/San_Francisco_Clean_Construction_Ordinance_2015.pdf).

**1.02 DEFINITIONS**

- A. "Air Pollutant Exposure Zone" means a zone having a substantially greater than average concentration of air pollutants as defined in Health Code Section 3804.
- B. "Alternative Fuels" means any transportation fuel that is less polluting than gasoline or petroleum diesel fuel, as determined by the California Air Resource Board and that is shown to have lower lifecycle carbon emissions than gasoline or petroleum diesel. Alternative Fuels may include, but are not limited to: natural gas; propane; biofuels from low carbon, sustainable and preferably local sources; hydrogen produced from low carbon and/or renewable sources; and electricity.
- C. "Alternative Sources of Power" means utility-based electric power or other power sources other than diesel engines.
- D. "ARB" means the California Air Resources Board.

- E. "Clean Construction" means the performance of all work required to be performed under a Public Works contract meeting the requirements in Sections 2504, 2505 and 2506 of the Environment Code, as applicable.
- F. "Construction" means building, demolition, excavation, grading or foundation work, whether or not the work requires a City permit.
- G. "Construction Activities" means the performance of all work involved in or required for Construction, except for the issuance or obtaining of a site permit for a project.
- H. "Construction Phase" means a particular construction activity over a certain period of time. Construction phases may include, but are not limited to, demolition, site preparation, grading, building construction, architectural coatings, and paving. Multiple Construction Phases of a single project may take place at the same time.
- I. "Equipment" means off-road and on-road equipment.
- J. "Equipment Type" means a category of off-road equipment. Types of off-road equipment include bore/drill rigs, cranes, crawler tractors, excavators, graders, off-highway tractors, off-highway trucks, other construction equipment, pavers, paving equipment, rollers, rough terrain forklifts, rubber-tired dozers, rubber-tired loaders, scrapers, skid steer loaders, surfacing equipment, tractors/loaders/backhoes, and trenchers.
- K. "Major Construction Project" means a public work to be performed within the geographic limits of the City that uses off-road equipment and that is estimated to require 20 or more cumulative days of work, including non-consecutive days, to complete.
- L. "Most Effective Verified Diesel Emission Control Strategy" means a device, system or strategy that is verified, pursuant to Division 3, Chapter 14, of Title 13 of the California Code of Regulations, to achieve the highest level of pollution control from an off-road vehicle.
- M. "Off-Road Engine" means a non-road engine as defined in Title 40 of the Code of Federal Regulations, Section 89.2.
- N. "Off-Road Equipment" means equipment with an off-road engine having greater than 25 horsepower and operating for more than 20 total hours over the entire duration of Construction Activities.
- O. "On-Road Equipment" means a heavy-duty vehicle as defined in Title 40 of the Code of Federal Regulations, Section 86.1803-01.
- P. "Portable Diesel Engine" means a diesel engine that is portable as defined in 71 California Code of Regulations, Section 93116.2(bb).

- Q. "Sensitive Use" means a category of building use identified as a "Sensitive Use" in Health Code Section 3804.
- R. "Tier 2 Off-Road Emission Standards" means the Tier 2 new engine emission standards in Title 13, California Code of Regulations, Section 2423(b)(1)(A) and/or Title 40, Code of Federal Regulations, Part 89.112(a).
- S. "VDECS" means a verified diesel emission control strategy, designed primarily for the reduction of diesel particulate matter emissions, which has been verified by ARB pursuant to "Verification Procedures, Warranty and In-Use Strategies to Control Emissions from Diesel Engines," Title 13, California Code of Regulations, Sections 2700-2710. VDECS can be verified to achieve Level 1 diesel particulate matter reductions (at least 25 percent), Level 2 diesel particulate matter reductions (at least 50 percent), or Level 3 diesel particulate matter reductions (at least 85 percent).

### **1.03 SUBMITTALS**

- A. Construction Emissions Minimization Plan:
1. Contractor shall submit its initial Construction Emissions Minimization Plan no less than 28 days prior to mobilization. (See Subsection 1.04B.)
  2. Contractor shall submit an updated Construction Emissions Plan on a quarterly basis in compliance with Subsection 1.04B.5.a, and submit each quarterly report within seven business days of the end of each quarter.
  3. Contractor shall submit a final Construction Emissions Minimization Plan report summarizing construction activities within two weeks of achieving Substantial Completion in compliance with Subsection 1.04B.5.b.
- B. Clean Construction Emissions Plan Certification Statement: Contractor shall submit this statement with its Construction Emissions Minimization Plan. (See Subsection 1.04B.3.)
- C. Waiver Request: Contractor shall submit a waiver request to the Department Head no less than two weeks prior to the planned use of a specific piece of off-road equipment. (See Subsection 1.05A.)

### **1.04 REQUIREMENTS FOR MAJOR CONSTRUCTION PROJECTS WITHIN THE AIR POLLUTANT EXPOSURE ZONE**

- A. For all Major Construction Projects that meet the requirements of Environment Code Section 2504(a) and which are located in the Air Pollutant Exposure Zone and within 1,000 feet of a Sensitive Use, the following requirements apply:
1. All off-road equipment shall have engines that (a) meet or exceed either United States Environmental Protection Agency or ARB Tier 2 off-road

emission standards, and (b) have been retrofitted with an ARB Level 3 VDECS. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement. See Section 1.05A regarding the procedure for requesting a waiver to this requirement.

2. Where access to alternative sources of power is available, use of portable diesel engines to perform work on the project shall be prohibited. See Section 1.05B regarding the waiver procedure for this requirement.
  3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes at any location, except as allowed for in applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs, in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the idling limit. Refer to the following link for the Clean Construction Sign Template:  
<https://www.sfdph.org/dph/EH/Air/CleanConstruction.asp>.
  4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.
- B. Construction Emissions Minimization Plan: All Major Construction Projects that meet the requirements of Environment Code Section 2504(a), which are located in the Air Pollutant Exposure Zone and are within 1,000 feet of a Sensitive Use, also must comply with the following requirements:
1. Before starting on-site Construction Activities, the Contractor shall submit a Construction Emissions Minimization Plan ("Emissions Plan") to the City Representative for review and approval. The Emissions Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section 2505 of the Environment Code.
  2. The Emissions Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for each Construction Phase.
    - a. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation.
    - b. For the VDECS installed, the description may include, but is not limited to: technology type, serial number, make, model,



- manufacturer, ARB verification number level, and installation date and hour meter reading on installation date.
- c. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel.
  - d. Contractor may use the Clean Construction Equipment Inventory Template to satisfy the Emissions Plan requirements. Refer to the following link for that template:  
<https://www.sfdph.org/dph/EH/Air/CleanConstruction.asp>.
3. The Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of the Agreement. Contractor must submit a signed Clean Construction Emissions Plan Certification Statement to the City Representative. Refer to the following link for the Emissions Plan Certification Statement Template:  
<https://www.sfdph.org/dph/EH/Air/CleanConstruction.asp>.
4. After City review and approval, the Contractor shall make the Emissions Plan available to the public for review onsite during working hours.
- a. The Contractor shall post at the construction site a legible and visible sign summarizing the Emissions Plan. Refer to the following link for the Clean Construction Sign Template:  
<https://www.sfdph.org/dph/EH/Air/CleanConstruction.asp>.
  - b. The sign shall also state that the public may ask to inspect the Emissions Plan for the project at any time during working hours, and shall explain how to request to inspect the Emissions Plan.
  - c. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
5. Reporting:
- a. After Construction Activities begin, the Contractor shall update the Emissions Plan on a quarterly basis documenting changes from the original plan and demonstrating compliance with the Emissions Plan. The report shall be submitted to the City Representative quarterly and a copy shall also be maintained at the construction site.
  - b. Prior to receiving a Notice of Final Completion, or within six months of completion of Construction Activities if a final certificate of acceptance is not required, the Contractor shall submit to the City Representative a final report summarizing Construction Activities, including the start and end dates and duration of each Construction Phase, and the specific information required in the Emissions Plan.

**1.05 WAIVERS**

A. Waivers Under Subsection 1.04A.

1. The Contractor may request to waive the equipment requirements of Paragraph 1.04A.1 if: (a) a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; (b) the equipment would not produce desired emissions reduction due to expected operating modes; (c) installation of the equipment would create a safety hazard or impaired visibility for the operator; or, (d) there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS.
2. Contractor shall submit a waiver request to the Department Head, or designee, no less than two weeks prior to the planned use of a specific piece of off-road equipment.
3. If the Department Head, or designee, grants the waiver specified in Section 1.05A.1, the Contractor must use the next cleanest piece of off-road equipment, according to Table 1, below.

<i>Table 1</i> <b>Off-Road Equipment Compliance Step Down Schedule*</b>		
<b>Compliance Alternative</b>	<b>Engine Emission Standard</b>	<b>Emissions Control</b>
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel**
* If the City determines that the equipment requirements cannot be met, the Contractor must meet Compliance Alternative 1. If the City determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the City determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.		
** Alternative fuels are not a VDECS		

B. Waivers Under Subsection 1.04A.2.

1. The Department Head, or designee, may waive the alternative source of power requirement set forth in Subsection 1.04A.2 if an alternative source of power is limited or infeasible at the project site. If the City grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection 1.04A.1, above.

- C. All Other Waivers: The Department Head or designee also may waive the requirements of the Ordinance on the grounds set forth in Section 2507 of the Environment Code.
- D. For any waiver granted in this Subsection 1.05, the City Representative will within two business days prepare a written notice of the waiver and a written memorandum explaining the basis for the waiver and the steps that will be taken to safeguard public and City employee health during the noncomplying work. The memorandum will also state the steps that the City and the Contractor will take to minimize the use of noncomplying equipment or engines during the noncomplying work.

## **1.06 NONCOMPLIANCE AND PENALTIES**

- A. Liquidated Damages: By entering into the Agreement, Contractor and City agree that if Contractor uses off-road equipment and/or off-road engines in violation of the Clean Construction requirements set forth in Administrative Code Section 6.25 and Chapter 25 of the Environment Code, the City will suffer actual damages that will be impractical or extremely difficult to determine. Accordingly, Contractor and the City agree that Contractor shall pay the City the amount of \$100 per day per each piece of off-road equipment and each off-road engine used to complete Work on the Project in violation of the Ordinance. Such amount shall not be considered a penalty, but rather agreed monetary damages sustained by City because of Contractor's failure to comply with the Clean Construction requirements.
- B. False Representations: False representations by the Contractor, in connection with the bidding, execution or performance of any City contract, regarding the nature or character of the off-road equipment and/or off-road engines to be utilized, on the contract, or to the City about the nature or character of the off-road equipment and/or off-road engines actually used may subject the Contractor to the consequences of noncompliance specified in Section 2510 of the Environment Code, including but not limited to the penalties prescribed therein. The assessment of penalties for noncompliance shall not preclude the City from exercising any other rights or remedies to which it is entitled.

**END OF SECTION**

# Maher Ordinance Screening Request

For a project to which you have been assigned as a Public Works project manager, complete the top of this form and submit to SAR, with plan showing the limits of excavation and of known Maher locations in the work area.

Project Name: \_\_\_\_\_ JO# \_\_\_\_\_ Date submitted: \_\_\_\_\_

Submitted by: \_\_\_\_\_ Date requested by (minimum of 20 working days): \_\_\_\_\_

Describe the general project scope, and give details of ground-disturbing activities:

Describe the project location(s). For work in parcels, provide street addresses. For work in the public right-of-way, provide street addresses for the beginning and ends of each street segment in which work will be done:

Estimated volume of excavated native material or earthen fill that the project will generate:  yd<sup>3</sup> Does the project require a building or grading permit from DBI? Yes  No

## FOR SITE ASSESSMENT & REMEDIATION USE

SA&R: Complete this section, initial, and forward to Project Manager and Regulatory Affairs Manager:

Date returned to PM: \_\_\_\_\_ Initial: \_\_\_\_\_ Date forwarded to RA: \_\_\_\_\_ Initial: \_\_\_\_\_

- Project does not meet excavation-volume threshold and/or intersect with a known Maher site. Maher does not apply.
- Project does not require a building or grading permit from the Department of Building Inspection. This includes all projects for the repair and replacement ("R&R") of existing structures in the public right-of-way for end-of-life replacement and/or to address structural inadequacies found during regular inspection. Per Health Code §22A.3 and Building Code §106A.2.4, the Maher Ordinance does not apply.
- Project does not require a building or grading permit and Maher does not apply, but the project will require construction specifications for protection for workers and the public, and for hazardous-materials handling and disposal to meet state and federal regulatory requirements. Please budget an estimated \$ \_\_\_\_\_ for specification development.
- Project requires a building permit and/or grading permit and will bring to the surface 50 or more cubic yards of native material or earthen fill. A Maher application is required. Please budget an initial \$ \_\_\_\_\_ in SFPH fees. We anticipate that the following will also be required:
  - Site history (Phase I ESA).
  - Phase II / Phase II workplan.
    - With site mitigation plan.
    - With site mitigation report/ Environmental inspection.

Recommended by:

Signature

Print Name

Date

To complete this form, you will need the following information:

You will need to know that approximate total amount of excavated earth and earthen fill your project will bring to the surface, both permanent excavation and excavation that later will be backfilled. The key to whether or not activities add to your Maher total is whether or not the material brought up is earth or earthen fill -- roadway base, for example, does not count -- and whether or not it is brought to the surface -- pile driving does not count, but the spoils of holes drilled for piles will.

The easiest way to arrive at an approximate total is to classify excavations by type. For example, your project may have 12 pole footings, and two linear trenches. Each footing requires excavation of an area approximately 5' x 5' to a depth of 5'. There are 12 of these, so  $5' \times 5' \times 5' \times 12 = 1,500 \text{ ft}^3$ . For the trenches, one is 10' deep, 5' wide, and 40' long, and the other is 8' deep, 5' wide, and 20' long. This would be  $(10' \times 5' \times 40') + (8' \times 5' \times 20') = 2,800 \text{ ft}^3$ . Together, the total excavation for Maher is about 150 yd<sup>3</sup>, which would go over the 50 yd<sup>3</sup> limit that triggers Maher screening.

You'll need to provide a brief description of your project. Provide a general scope of your project (whether it is a streetscape project, a building-rehabilitation project, etc.) and provide details on the construction activities that will disturb the soil. For example, discuss the pole footings and the excavation that will accompany their construction. Provide identifiable project location(s). If your project is on a parcel, give the project address. If the project is in the public right-of-way, give, at a minimum, the street addresses at the beginning and end of each street segment. If the project is on a large public parcel (such as a park/open space), give enough information so that the location can clearly be identified.

You will need to provide mapping of your excavations with the Maher mapping overlain in order to facilitate SAR's presentation of your project information to San Francisco Public Health (SFPH), who oversee Maher compliance. Present the layers of your plans that contain the bulk of your excavation activities, and overlay the Maher Map. Maher mapping in GIS and DWG form can be found on the Public Works GIS server at \\dpwhyd1\boe5m\sfgGeology\MaherSitesAndBlocks. (You may have \\dpwhyd1\boe5m mapped as the K: drive.)

Email this mapping along with the filled-out (top section only) digital version of the PDF form to the Site Assessment and Remediation (SAR) section. SAR will respond (after a minimum of 20 working days) with an assessment of whether or not your project requires further action, and what this action will be.

**SAR: Stanley DeSouza <stanley.desouza@sfdpw.org>**

**Regulatory Affairs: Boris Deunert <boris.deunert@sfdpw.org>**



# SAN FRANCISCO PLANNING DEPARTMENT

## San Francisco Public Works Preliminary Archeological Checklist (PAC)

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PART I - PROJECT INFORMATION:

Date: \_\_\_\_\_ Public Works RA Staff: \_\_\_\_\_

Project name: \_\_\_\_\_ Case No: \_\_\_\_\_

Application type:                      EE                      CatEx

Project address: \_\_\_\_\_

APN/Cross streets: \_\_\_\_\_

EP Planner: \_\_\_\_\_ EP Archeologist: \_\_\_\_\_

Consultant Archeologist name/firm (if applicable): \_\_\_\_\_

**1. PROJECT DESCRIPTION:** (include description of construction methods, all potentially ground-disturbing activities including parking, staging, equipment and spoils storage, temporary and permanent work areas, utility lines)

### 2. POTENTIAL GROUND DISTURBANCE

Yes No Project Component

Excavation (basement, elevator, utilities, seismic retrofit, remediation, underground vaults, septic tank system, culverts, etc.)

Maximum depth:

**2. POTENTIAL GROUND DISTURBANCE (cont.)**

- Pipeline replacement or installation (specify cut and cover, directional drilling, pipe bursting, etc):
- Tunnels, transport storage boxes
- Bore pits, test pits
- Shallow Building Foundation (Mat, Spread Footings, etc.)  
Depth: \_\_\_\_\_
- Piles, piers, micropiles, pilings, piling replacement
- Grading, scraping
- Demolition
- Construction staging, spoils on unpaved area, fill
- Road construction
- Geotechnical trenching (dimensions) \_\_\_\_\_
- New rip rap
- Wharf or seawall modification
- Other (specify): \_\_\_\_\_

**Anticipated maximum extent of project ground disturbance:**

Vertical \_\_\_\_\_ Horizontal \_\_\_\_\_

**APE Map Attached**    Y    N

**3. PREVIOUS SOILS DISTURBANCE AT PROJECT SITE:**

**Has the project site been previously disturbed by any of the following?**

- | Yes                      | No                       | <b>Component of disturbance</b>   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Existing Basement Depth: _____ Area: _____                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | Existing Foundation (footings, perimeter, piles, micropiles, etc.) Depth: _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | Site remediation/UST installation or removal, other excavation. Depth: _____    |
| <input type="checkbox"/> | <input type="checkbox"/> | Site Grading  |
| <input type="checkbox"/> | <input type="checkbox"/> | Demolition  |
| <input type="checkbox"/> | <input type="checkbox"/> | Dredging  |
| <input type="checkbox"/> | <input type="checkbox"/> | Piling installation (width and depth of trench): _____                          |
| <input type="checkbox"/> | <input type="checkbox"/> | Riprap  |
| <input type="checkbox"/> | <input type="checkbox"/> | Seawall construction  |
| <input type="checkbox"/> | <input type="checkbox"/> | Other (specify): _____  |

**4. Has the entire project area previously been disturbed to the maximum depth and extent of proposed project disturbance?    Y    N**

**(Attach documentary evidence such as plans and profiles of prior trenching, utility street occupancy, historic photos, specifications from prior projects, etc.)**

List attachments provided: \_\_\_\_\_  
\_\_\_\_\_

**Complete prior disturbance adequately documented. No further archeological assessment is required. EP Archeologist Concurs:** \_\_\_\_\_

**Prior ground disturbance is unknown or cannot be adequately documented; Part II Required.**

## PART II - ARCHEOLOGICAL DATA ASSESSMENT

### 1. ARCHIVAL AND DATA REVIEW

Dates of review: \_\_\_\_\_

Resources reviewed:

- Maher zone maps. Dates/ origin/ depth of fill if known \_\_\_\_\_
  - Geotechnical data for project site and vicinity. Report \_\_\_\_\_
  - EP Archeological GIS maps (all layers or specify applicable layers) \_\_\_\_\_
- 
- Sanborn Insurance maps (1887-93, 1899-1900)
  - U.S. Coast Survey maps (1853, 1857, 1869)
  - Information Center archeological records search (attach request and response)
  - NAHC Sacred Lands File
  - Native American/ Ethnic group consultation
  - Other: \_\_\_\_\_
  - Historical Maps or other information provided by Public Works

### 2. ARCHEOLOGICAL FIELD INVENTORY

- Not warranted; no exposed ground surface in project area
- Results negative
- Results positive
- Survey results inconclusive

Archeologist/ Firm \_\_\_\_\_ Date of Survey \_\_\_\_\_

*Attach Archeological Survey Report/Memo; may combine with results of archival review.*

### 3. SUMMARY OF RESULTS OF PROJECT ASSESSMENT

Site History/Formation:

Recorded/documentated archeological sites/ investigations on/in the vicinity of the project site:



#### 4. CONCLUSIONS AND RECOMMENDATIONS

a) **NO EFFECTS TO ARCHEOLOGICAL RESOURCES EXPECTED:**

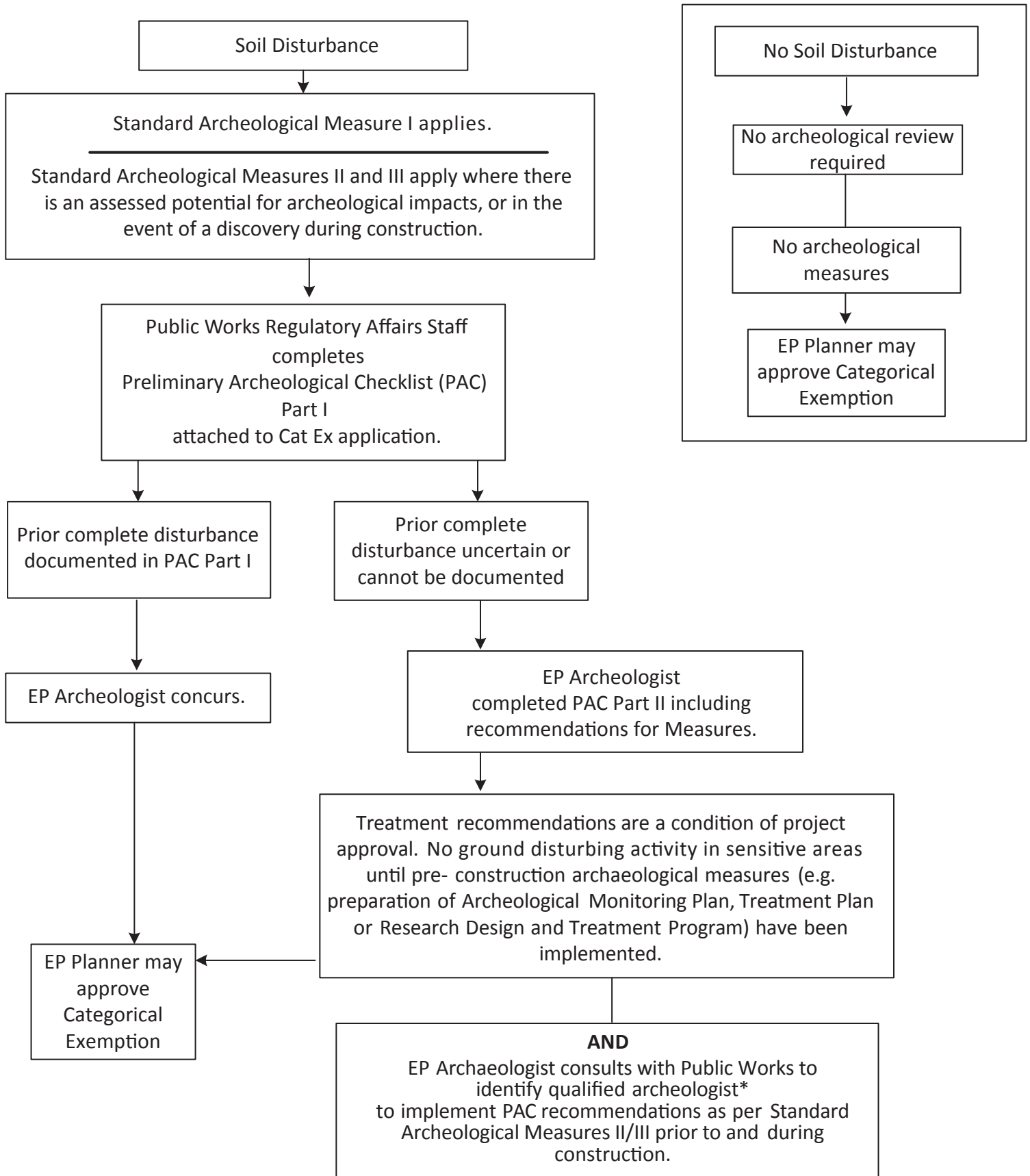
- Project effects limited to previously-disturbed soils. Project effects limited
- to culturally sterile soils.
- Based on assessment above, no potentially CEQA-significant archeological resources are expected within project area affected soils.

b) **AVOIDANCE AND TREATMENT MEASURES NECESSARY TO AVOID AN ADVERSE EFFECT TO SIGNIFICANT ARCHEOLOGICAL RESOURCES:**

- Discovery: potential to adversely affect archeological resources; may be avoided by implementation of **Public Works Standard Archeological Measure I** (Discovery during Construction), with implementation of Standard Archeological Measures II (Monitoring) and/or III (Testing/ Data Recovery) in the event of a discovery during construction.
- Monitoring: some potential for the project to adversely affect archeological resources; may be avoided by implementation of **Public Works Standard Archeological Measure II** (Archeological Monitoring) during construction.
- Testing/Data Recovery: potential of the project to adversely affect archeological resources; may be avoided by implementation of **Public Works Standard Archeological Measure III** (Archeological Testing/Data Recovery)  
Implementation Require:  
 prior to or  during construction.
- CEQA evaluation of the project requires preparation and implementation of an archeological research design and treatment plan (ARDTP) by a qualified archeological consultant. See attached scope of work for the ARDTP

Attachment E:

Public Works Standard Construction Measure #9 Archeological Assessment Process



\* Archeologist or archeological consultant who meets the Secretary of the Interior’s Professional Qualifications Standards (36 CFR 61) as defined in Standard Archeological Measure I.

## Attachment F: Public Works Archeological Measure I (Archeological Discovery)

The following requirements are applicable to:

- All projects that will include soil disturbance,
- Any discovery of a potential historical resource or of human remains, with or without an archeological monitor present.

*Prior to ground disturbing activities:*

A. Alert Sheet. Public Works shall, prior to any soils disturbing activities, distribute the Planning Department archeological resource "ALERT" sheet to each project contractor or vendor involved in project-related soils disturbing activities; ensure that each contractor circulates it to all field personnel; and provide the Environmental Review Officer (ERO) with a signed affidavit from each contractor confirming distribution to all field personnel.

*Upon making a discovery:*

B. Work Suspension. Should a potential archeological resource be encountered during project soils disturbing activity, with or without an archeological monitor present, the project Head Foreman shall immediately suspend soils-disturbing activities within 50 feet (15 meters) of the discovery in order to protect the find from further disturbance, and notify the Public Works Project Manager (PM) and/or environmental planning staff, who shall immediately notify the ERO for further consultation.

C. Qualified Archeologist. All archeological work conducted under this measure shall be performed by an archeologist who meets the Secretary of the Interior's Professional Qualifications Standards (36-CFR 61); consultants will be selected in consultation with the ERO and meeting the criteria or specialization required for the resource type as identified by the ERO in a manner consistent with Public Works's on-call contracting requirements.

D. Assessment and Additional Measures. If the ERO determines that the discovery is a potential archeological/historical resource, the archeologist, in consultation with the ERO, shall document the find, evaluate based on available information whether it qualifies as a significant historical resource under the CEQA criteria, and provide recommendations for additional treatment as warranted. The ERO will consult with Public Works and the qualified archeologist on these recommendations and may require implementation of additional measures as set forth below in Archeological Measures II and III, such as preparation and implementation of an Archeological Monitoring Plan, an Archeological Testing Plan, and/or an Archeological Data Recovery Plan, and including associated research designs, descendant group consultation, other reporting, curation, and public interpretation of results.

E. Report Reviews. All plans and reports prepared by an archeological consultant, as specified herein, shall be submitted first and directly to the ERO for review and comment with a copy to the Public Works and shall be considered draft reports subject to revision until final approval by the ERO.

F. Draft and Final Archeological Resources Reports. For projects in which a significant archeological resource is encountered and treated during project implementation (see Archeological Measures II and III), the archeological consultant shall submit a draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken, research questions addressed, and research results. Information that may put at risk any archeological resource shall be provided in a separate, removable insert within the draft final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: two copies to the applicable California Historic Information System Information Center (CHRIS), one copy to each descendant group involved in the project, and documentation to the San Francisco Planning Department of transmittal of the above copies. In addition, the Planning Department shall be provided one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR, which shall include copies of any formal site recordation forms (CA DPR 523 series) and/or National Register of Historic Places/California Register of Historical Resources nominations.

G. Other Reports. In instances of high public interest or interpretive value, the ERO may require different or additional final report content, format, and distribution than that presented above.

H. Human Remains, Associated or Unassociated Funerary Objects. Public Works shall ensure that human remains and associated or unassociated funerary objects discovered during any soils disturbing activity are treated in compliance with applicable State and federal laws. In the event of the discovery of potential human remains, the construction contractor shall ensure that construction activity within 50 feet of the find is halted and the Public Works PM, ERO, and the County Coroner are notified immediately. If the Coroner determines that the remains are of Native American origin, he/she will notify the California State Native American Heritage Commission. Subsequent consultation on and treatment of the remains shall be conducted consistent with Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(d), in consultation with the ERO.

I. Consultation with Descendant Communities. Consistent with AB 52 requirements, if requested, Public Works shall provide opportunities for Native American descendant groups to provide input during project planning for projects that may affect potential Tribal Cultural Resources. In addition, on discovery during construction of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other descendant group, an appropriate representative of the descendant group shall be contacted by Public Works at the direction of the ERO. Public Works will offer this representative the opportunity to monitor archeological field investigations of the site and to consult with the ERO regarding the appropriate treatment and, if applicable, interpretation of the site and the recovered materials.

J. Construction Delays. Archeological monitoring and/or data recovery programs required by this measure may suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if this is the only feasible means to reduce potential effects on a significant archeological find to a less-than-significant level.

## Attachment G. Public Works Archeological Measure II (Archeological Monitoring)

A. Archeological Monitoring Plan (AMP). Where an archeological field investigation to identify expected buried or submerged resources cannot reasonably be carried out during project planning/ environmental review (for example, where definitive determination would require extensive street opening prior to construction), prior to any project-related soils-disturbing activities the qualified archeologist identified under Archeological Measure I.C. shall consult with Public Works and the ERO to develop an Archeological Monitoring Plan (AMP). The AMP which will be implemented in conjunction with soil-disturbing activities during construction. Preparation and implementation of an AMP also may be required based on the results of pre-construction archeological testing or upon a discovery during construction.

The AMP shall include the following elements, at minimum:

- Historical context and research design for assessment of resource types likely to be encountered;
- Project activities to be archeologically monitored and intensity of monitoring of each type and location of project construction activity; and
- Procedures for the documentation, significance and integrity assessment, treatment, interpretation and reporting of the types of resources likely to be encountered.

B. Reporting. Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO at the end of construction (See Archeological Measure I.E [Report Reviews] and I.F. [Draft and Final Archeological Research Report]).

C. Monitoring Authorities

- The archeological monitor will have the authority to halt construction activity at the location of a suspected resource for inspection, documentation, and assessment of the need for further measures as set forth in Archeological Measure III.
- The Archeological Monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.
- The Archeological Monitor(s) shall be present on the project site according to a schedule identified in the AMP, subject to modification upon ERO concurrence, based on findings.

D. Testing/Data Recovery. In the event of a discovery during construction, if the ERO and archeological consultant determine that the discovery is a significant resource (that is, a

resource that meets the eligibility criteria of the California Register of Historic Resources or qualifies as a unique archeological resource) that will be adversely affected (that is, where the project would result in loss of data potential) or that additional investigation is required to make this determination, all applicable elements of Archeological Measure III (Archeological Testing/Data Recovery) also shall be implemented.

## Attachment H. Public Works Archeological Measure III (Testing / Data Recovery)

The following provisions apply prior to or during construction when a significant archeological resource (as defined in Measure II.D) or an archeological resource of undetermined significance is expected to be present in the work area and the ERO, in consultation with the qualified archeologist, determines that an archeological field investigation is needed to determine: a) the presence of an archeological resource, b) whether it retains depositional integrity, and c) whether it qualifies as a legally significant resource under CEQA criteria. All archeological work under this Measure will be carried out by a qualified archeologist as identified in Archeological Measure I.C. Per Archeological Measure I.J, implementation of this measure shall not exceed four weeks except at the direction of the ERO and only if this is the only feasible means to reduce potential effects on a significant archeological find to a less-than-significant level.

A. Archeological Testing Program. If an archeological investigation is required in order to verify resource location and/or assess the significance of the resource, the archeological consultant shall consult with the ERO to prepare and implement an Archeological Testing Plan (ATP) that identifies:

- Key research questions and associated data needs,
- Testing/ sampling methods, and
- Testing locations.

Results of testing shall be presented to ERO in a written report following Measure I.E. If, based on the archeological testing program, the archeological consultant finds and the ERO concurs that significant archeological resources may be present, Measures III.B and/or III.C below will be implemented.

B. Treatment. If the project could adversely affect a significant (CRHR-eligible) archeological resource, preservation in place is the preferred manner of mitigating impacts, as detailed in CEQA Guidelines 15126.6(b) (3)(a) and (b).

If preservation in place is determined to be infeasible, the Public Works at its discretion shall either:

- Re-design the proposed project so as to reduce the adverse effect to a less-than-significant level through preservation in place or other feasible measures; and/or
- For a resource important for its association with an important event or person, or which is of demonstrable public interest for both its scientific and historical values (e.g., a submerged ship), and where feasible, preserve the resource in



place with appropriate documentation; or, if not feasible to preserve in place, systematically document and/or recover for interpretive use, at the discretion of the ERO, and/or;

- For an archeological resource significant primarily for its data potential, design and implement an archeological data recovery program, as detailed under Measure III.D, below.

C. Archeological Data Recovery Plan (ADRP). For resources for which the elected treatment is archeological data recovery, the archeological consultant, in consultation with the ERO, shall prepare and implement an ADRP. It will identify how the significant information the archeological resource is expected to contain will be recovered and preserved. Data recovery results will be reported in the FARR, as detailed in Measure I.F. The ADRP shall include the following elements:

- Historic context and research design
- Field methods and procedures, including sampling strategy
- Archeological monitoring recommendations for ongoing construction
- Cataloguing and laboratory analysis
- Discard, deaccession, and curation policy
- Interpretive program
- Security measures