

PROGRAMMATIC AGREEMENT COMPLIANCE REPORT
SEVENTEENTH REPORTING PERIOD
JANUARY 1, 2016 – JUNE 30, 2016

Prepared for:

California State Historic Preservation Officer
and
Advisory Council on Historic Preservation

Submitted by:

City and County of San Francisco
Mayor's Office of Housing and Community Development
July 15, 2016

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CERTIFICATION OF ACTIVITIES

July 15, 2016

The undersigned hereby certifies as required by Stipulation V.B of the Programmatic Agreement, that all work subject to the Programmatic Agreement was carried out in compliance with the terms of the Programmatic Agreement, including any undertakings subject to Appendix A of the Programmatic Agreement.

BY: _____

Eugene T. Flannery

Environmental Compliance Manager

Mayor's Office of Housing and Community Development

City and County of San Francisco

INTRODUCTION

On January 19, 2007 a Programmatic Agreement (“PA”) was executed among the City and County of San Francisco (“City”), the California State Historic Preservation Officer (“SHPO”), and the Advisory Council on Historic Preservation (“Advisory Council”) regarding properties affected by the City’s use of funds subject to Part 58 of Title 24 of the Code of Federal Regulations (“Undertakings”). The PA contains stipulations that ensure the City’s responsibilities under Section 106 of the National Historic Preservation Act are carried out in accordance with the appropriate regulations for all undertakings that may have an effect on properties included in or eligible for inclusion in the National Register of Historic Places (“Historic Properties”). The Mayor’s Office of Housing and Community Development (MOHCD) administers Part 58 activities in the City and County of San Francisco. These activities are funded through a variety of Federal Programs that are subject to the regulations contained in 24 C.F.R. Part 58. These programs are listed in Appendix 1. The PA requires the City to document in writing all actions taken pursuant to the PA and to report these activities to the SHPO and the Advisory Council in a Programmatic Agreement Compliance Report (PACR) every six months. This report covers the activities for which the Federal Environmental Review Records required by the National Environmental Policy Act (NEPA) were completed between January 1, 2016 and June 30, 2016.

The regulations in 24 CFR Part 58 apply to “responsible entities” (RE) as defined in 24 C.F.R. §58.2¹. Responsible entities are recipients of funds who assume the environmental responsibilities imposed upon the United States Department of Housing and Urban Development (HUD) by the National Environmental Policy Act (NEPA)². As a Responsible Entity, the City and County of San Francisco assumes HUD’s responsibilities for compliance with NEPA as well as those provisions of law identified at 24 CFR §§58.5 and 58.6³ for activities in the City and County of San Francisco. The RE certifies to HUD that it has complied with all requirements that would, in the absence of its assumption of authority, have applied to HUD in regards to responsibilities under NEPA.

In accordance with the Housing and Community Development Act of 1974⁴, HUD delegated its responsibilities for decision-making under NEPA to the City and County of San Francisco for Undertakings as defined at 36 C.F.R. §800.16⁵ which are subject to 24 C.F.R. Part 58 and which are administered by the City and County of San Francisco.

¹ Environmental Review Procedures For Entities Assuming HUD Environmental Responsibilities

² Pub. L. 91-190, §2, Jan. 1, 1970, 83 Stat. 852, 20 U.S.C. 5501.

³ See Appendix 2 for a list of these laws.

⁴ Pub. L. 93-383; Aug. 22, 1974, 88 Stat. 633; 42 U.S.C. 5301 et seq.

⁵ Undertaking means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval. 36 CFR §800.16(y).

As the chief executive of the responsible entity, The City and County of San Francisco, the Mayor of San Francisco assumes the status of a Federal official under the National Environmental Policy Act of 1969 and the laws listed in 24 CFR §§58.5 and 58.6 insofar as these laws apply to Housing and Urban Development's responsibilities for environmental review, decision-making and action. Included in the list of these NEPA related authorities are the National Historic Preservation Act (NHPA) and its implementing regulations at 36 C.F.R. Part 800. The Mayor has appointed the Director of his Office of Housing and Community Development as the certifying official for these Undertakings.

STATEMENT OF PURPOSE

The purposes of this 17th reporting period PACR are to:

- Describe the Methodology used by the City to carry out its responsibilities under the PA.
- Summarize for the SHPO and the Advisory Council the activities carried out under the PA from January 1, 2016 through June 30, 2016;
- Document all decisions made with respect to Identification and Evaluation of Historic Properties; Treatment of Historic Properties; Resolution of Adverse Effects; and Consideration and Treatment of Archeological Resources; and Exempt Projects;
- Provide copies of all Standard Mitigation Measures Agreements (SMMA), Memoranda of Agreement (MOA) and Programmatic Agreements (PA) entered into during the reporting period;
- Present the views of the City regarding the usefulness of the PA in promoting the efficiency and effectiveness of both the Programs and the consideration of Historic Properties;
- Inform the public of the activities carried out under the terms of the PA by making the PACR available for public inspection and comment.

METHODOLOGY

This section summarizes the methodology used by the City and County of San Francisco to carry out its duties under the PA. As the evaluation of undertakings required by the NHPA is incorporated into the preparation of Environmental Review Records (ERR) mandated by NEPA, some discussion of the NEPA review process is necessary in order to describe the City's Section 106 compliance procedures for Part 58 projects. Copies of the appropriate forms and other documentation used in complying with the terms of the PA are available upon request from the City.

The City's review of Undertakings begins with the preparation of a REQUEST FOR PREPARATION OF ENVIRONMENTAL REVIEW RECORD (Request) by the Project Manager. The Request is reviewed by the Environmental Compliance Manager (Manager) to determine the appropriate level of environmental review necessary to inform the decision whether to proceed with the project. This review includes a determination whether the project is subject to the laws listed at 24 C.F.R. §58.5. If the project is subject to §58.5, the first level of review for all projects is an evaluation under the criteria, standards, policies and regulations affecting properties included in or eligible for inclusion in the National Register of Historic Places (Register).⁶

A determination is made whether the project qualifies for review under the terms of the PA. The PA covers all undertakings that are assisted in whole or in part by revenues from HUD programs subject to 24 CFR Part 58 and that can result in changes in the character or use of any resource that is fifty (50) years of age or older or that are otherwise eligible for listing in the Register. If subject to the PA, an Undertaking is then evaluated to determine if it is exempted from review and determinations of eligibility by Stipulation IV of the PA. Stipulation IV of the PA exempts from review and determinations of eligibility undertakings that:

- Affect resources that are less than 50 years old;
- Are limited exclusively to the interior portions of single family residences where the proposed work is not visible from the property's exterior;
- And those listed in Appendix A of the PA. Properties exempt from review per Appendix A are required to conform to the greatest extent feasible with the California State Historic Building Code and the Secretary of the Interior's Standards.

Accordingly, the age of each affected resource is determined by consulting public records on file at the San Francisco Planning Department. Projects less than 50 years old are then evaluated to determine if they meet the criteria for listing on a basis other than age. If the project is older than

⁶ See The National Historic Preservation Act of 1966, (16 U.S.C. 470 *et seq.*); Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921), 3 CFR 1971-1975 Comp., p. 559; 36 CFR part 800; 36 CFR part 801; The Reservoir Salvage Act of 1960 as amended by the Archeological and Historic Preservation Act of 1974 (16 U.S.C. 469 *et seq.*).

50 years old and does not involve the interior of a single family dwelling it is evaluated to determine if it is exempt under Appendix A. All undertakings determined to be exempt are documented. Documentation of determinations of exemption includes property identifying information, description of the undertaking, basis for the exemption and date of the determination. MOHCD maintains this documentation on site. Those projects exempted under Appendix A are then evaluated to determine if they comply with the California State Historic Building Code, as well as the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings, 1995. This evaluation is made by either the Planning Department of the City and County of San Francisco (Planning) or by a qualified consultant under contract with the City and County of San Francisco. Undertakings not exempted by Appendix A of the Programmatic Agreement are reviewed in accordance with 36 CFR Part 800, and the appropriate stipulation of the Programmatic Agreement. These reviews are performed in consultation with Planning.

IDENTIFICATION AND EVALUATION OF HISTORIC PROPERTIES. Stipulation VII of the PA requires the City to review existing information on any property within an Undertaking's Area of Potential Effects (APE) to determine if it may be a Historic Property unless the Undertaking is exempted by Stipulation IV. The determination of eligibility is made by the Planning Department based upon information provided to it by MOHCD. The procedure used in making the determination of eligibility follows.

For each Undertaking affecting a resource which has not been reviewed by the San Francisco Planning Department for eligibility for inclusion in the Register within the previous five years MOHCD submits a Request for Determination of Eligibility on "Form A, Section 106 Research Form" to the San Francisco Planning Department. Form A contains basic information necessary for the Planning Department to conduct further research and make a determination regarding the resource's eligibility for inclusion in the Register. Form A is accompanied by the following information, if appropriate:

- State of California DPR Forms 523
- Sanborn Maps, Metroscan Maps, Coastal Survey Maps;
- Photographs; both current and, if available, historic;
- Plans and drawings for the proposed Undertaking;
- Description of the Area of Potential Effects;
- Results of a literature search of the following sources to determine if the Resource has been identified, mentioned or listed therein:
 1. National Register;
 2. State Office of Historic Preservation Historic Resources Inventory;

3. City and County of San Francisco Landmark Listings per Article 10 of the San Francisco Planning Code;
4. City and County of San Francisco Historic District Listing per Article 10 of the San Francisco Planning Code;
5. Conservation Building or Districts Listing per Article 11 of the San Francisco Planning Code;
6. General Area Plan;
7. Here Today Survey;
8. 1976 Architectural Survey;
9. Unreinforced Masonry Building Survey;
10. San Francisco Heritage Survey;
11. Historical Files maintained by the City and County of San Francisco Planning Department.
12. California State Department of Parks and Recreation DPR Series 523 Forms
13. Northwest Information Center at Sonoma State University
14. San Francisco Planning Department Property Information Map

Planning reviews the proposed undertaking using the Criteria for Eligibility on the National Register of Historic Places. Planning determines the nature of the resource, assesses the integrity of the resource's location, design, setting, materials, workmanship, and feelings and association. Planning also determines whether the resource has significance by virtue of association with events contributing to the broad patterns of our history; with the lives of significant persons, or if it embodies distinctive characteristics of a type, period or method of construction which represents the work of a master, possesses high artistic value, represents a significant and distinguishable entity whose components may lack individual distinction. Additionally, Planning determines whether the resource has yielded or is likely to yield, information important in prehistory or history.

Planning documents its review of the undertaking on Form B, Section 106 Review Form. If the State Office of Historic Preservation has not made a previous determination of eligibility for the resource, the Planning Department proceeds to do so. Additionally, Form B documents the effect of the Undertaking on the resource, regardless of the resource's eligibility for inclusion in the Register. The effect is classified as not adverse, not adverse with mitigations, or adverse. Depending upon Planning's assessment of the effect of the Undertaking, MOHCD implements, modifies, or abandons the Undertaking. MOHCD maintains requests for Determinations of Eligibility and Section 106 Review Forms on site.

If Planning determines the property is eligible for listing in the Register, MOHCD documents determination of eligibility for listing in the National Register of Historic Places on a State of California Historic Resources Inventory Form – DPR 523 and forwards it to the California State Office of Historic Preservation for concurrence. Unless exempted by Stipulations IV or VII of the PA, the City reviews all existing information on any property within an Undertaking's APE as required by 36 CFR §800.4 to determine if such properties may also be Historic Properties.

TREATMENT OF HISTORIC PROPERTIES. Stipulation VIII of the PA lists the procedures to be followed when historic properties are proposed to be rehabilitated, demolished, or relocated. Procedures for new construction and the relocation of non-historic properties that may affect historic properties are also set forth.

RESOLUTION OF ADVERSE EFFECTS. Stipulation IX of the PA requires the City and SHPO to consult for period of up to 30 days to determine if Historic Properties affected by an Undertaking should be treated in accordance with Standard Mitigation Measures set forth in Appendix B of the PA or if the consultation process set forth in 36 CFR Section 800.6 should be initiated. All actions under this Stipulation are to be documented.

EMERGENCY UNDERTAKINGS. When the City determines that Emergency Conditions require the immediate demolition of a Historic Property in connection with an activity subject to the PA, the City is required to notify in writing the ACHP, SHPO, the Historic Preservation Commission, formerly the Landmarks Preservation Advisory Board, and any interested Indian Tribes. The notified parties are to be given seven days to comment on the proposed demolition. If the City determines that circumstances do not permit a seven-day comment period, the City must notify the parties mentioned above and invite comment in the allowable time. All actions under this Stipulation X are to be documented.

CONSIDERATION AND TREATMENT OF ARCHEOLOGICAL RESOURCES. When an Undertaking has the potential to affect archeological resources as identified in Stipulation XI of the PA and the Undertaking does not qualify as an exemption under Stipulation XI.B, the City is required to request a records search of the Undertaking's APE by the Northwest Information Center of the California Historical Resources Information System at Sonoma State University (IC). Stipulation XI identifies the procedures to be followed if the IC informs the City that an archeological property is located within the Undertaking's APE or recommends that a survey be conducted. The City is required to document all actions taken in relation to this Stipulation. If the IC informs the City that

REVIEW OF CHANGES TO APPROVED UNDERTAKINGS. The City is required to notify the SHPO promptly if previously approved scopes of work are changed in such a manner that they are no longer exempt from review under the terms of the PA. The City is also required to notify the SHPO of proposed changes to executed SMMA's.

DISCOVERIES AND UNANTICIPATED EFFECTS. The City is required to notify the SHPO as soon as possible if it is apparent that an Undertaking will affect previously unidentified historic resources.

PUBLIC INVOLVEMENT. The City is required to notify any public person or organization interested in the Undertakings subject to the PA by informing the public about Historic Properties when complying with the public notice requirements of 24 CFR Part 58. Interested parties are invited to participate in the development of SMMAs. The City is to notify the SHPO of any objections lodged by the public. Stipulation XIV contains the standards and procedures for addressing public objections to undertakings.

SUMMARY OF ACTIVITIES

The table in this section summarizes all Part 58 activities carried out under the PA between January , 2016 and June 30, 2016 for which an environmental review was completed.

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
225 Bush Street	Tenant improvements at Jewish Vocational Services Technology Center. Project activities include: removal of partitions; installation of new acoustical partition system; new signage; removal of old surface finishes; electrical, lighting and data systems.	1921	CDBG
214 Dolores Street	Dry rot repair, painting, replace doors and planning activities for historical trees in rear yard of supported housing program for individuals with HIV/AIDS.	1849	CDBG
1500 Howard Street	Replace doors, install security system, and lobby improvements.	1930	CDBG
167 Jessie Street	Buildout of program space in facility offering homeless outreach services to homeless youth and young adults. Improvements include installation of new flooring, doors and hardware, upgrade electrical system, HVAC, windows, fire sprinklers, Life Safety systems, painting woodwork, decorative metals, glazing and drywall, telephone and	2002	CDBG

January 1, 2016 to June 30, 2016

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	data system to provide access to traditional and support services.		
141 Leland Avenue	Replace elevator computer, including telephone and emergency call system; remove and replace dining room sub-floor leveling compound; replace fire alarm control panel and smoke detectors.	1920	CDBG
111 Page Street	Seismic upgrades and accessibility upgrades to 13-unit, two year transitional housing program for homeless families.	1900	CDBG
1761 Page Street	Removal of three story set of rear porches; replace non-original exterior rear stairs, fencing, rear windows, exterior lighting. and repainting of rear of transitional housing for adults.	1912	CDBG
1650 Sunnydale Avenue	Site preparation, removal of old playground matting, installation of new matting at three sites at Sunnydale Housing Development	1941	CDBG
4439 Third Street	Tenant improvements include reconfiguration of office space; repairs to HVAC system.	2003	CDBG
4 th and Folsom	The proposed project includes the development of a multi-family 86 unit affordable housing structure above 3,000 square feet of retail space at the northwest corner of	Vacant Lot	HOME

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Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	4th Street and Folsom Street in the South of Market (SoMa) neighborhood of San Francisco, California. The project site is above the new subway station. .		
901 Fairfax Avenue	Tenant Improvements to Childcare Center including: concrete polishing; cabinet installation; installation of sound insulation in ceilings; partition walls; surface finishing; appliances; fire suppression systems; plumbing work above slab, setting and finishing of fixtures, and connection of appliances; installation of all fan coil units exhaust fans duct distribution, thermostats, and interior grilles and registers; power distribution for receptacles, lighting and equipment.	2015	CDBG
Potrero Terrace	Demolition of 620 public housing units and construction of 1,700 units of mixed income housing units at the Potrero Terrace, and Potrero Annex housing developments. The purpose of the Proposed Project is to revitalize the distressed Potrero Housing Development as part of the HOPE SF program and add additional affordable housing options in the City of San Francisco. The Proposed Project would include,	1941	CDBG, HOME

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	but not be limited to, new vehicle connections, new pedestrian connections, a new street and block layout, new transit stops, and new water, wastewater, and storm water infrastructure.		
1855 15 th Street	Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). Renovation and rehabilitation of the existing building includes the following: the renovation of existing kitchens and bathrooms; the conversion of eleven units to "Mobility Units"; the upgrade of four units to include visual and hearing impaired capabilities; the renovation of outdoor common spaces at the ground-floor level; the renovation of the community kitchen; the renovation of the community room; the renovation of existing common use restrooms to comply with Chapter 11B and Americans with Disabilities Act (ADA) guidelines; and the upgrade of existing elevators. The proposed project would include the following exterior improvements: the replacement of existing windows and patio doors; upgrading ADA and egress pathways; re-stripping existing	1965	RAD

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Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	parking to include van accessible parking; replacement of roof; and installing of new exterior fence at existing rear courtyard. In addition, the proposed project would require seismic upgrades that include new micropiles, pile caps, and fiberwrap around columns for seismic reinforcement of the building. The micropiles would extend at least 30 feet below ground surface.		
320 Clementina	Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). Rehabilitation work includes structural, life safety and accessibility upgrades and general renovations. Twenty eight apartments will be reconfigured for mobility accessibility. Twelve apartments will be modified to be accessible for persons with hearing and/or visual disabilities. Structural upgrades will include new shear walls from the 1st-8th floors. Original exterior sliding doors and windows and exterior doors will be replaced. Fire safety upgrades will include: fire/smoke doors at each elevator lobby; fire alarm system upgrade, including adding emergency voice/alarm communications and notification	1971	RAD

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	<p>devices; an automatic fire sprinkler system will be added; and sprinkler heads will be replaced. Interior components of individual units will be replaced, including: cabinetry, plumbing fixtures and fittings, light fixtures, appliances, floor finishes, doors and hardware. GFCI receptacles will be provided at kitchens and counters where they do not currently exist. New ducted range hoods will be provided to improve indoor air quality. Electrical systems will be refined and/or replaced. Other improvements include: the addition of a maintenance shed to the open yard area; improvements to building entry security; replacement of mailboxes; and improvements and reconfiguration of the community room, community kitchen and laundry facilities.</p>		
500-610 Alemany Boulevard	<p>Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). Demolish two residential buildings (Buildings 9 & 13; Build new residential building (3,200 sf) with four accessible flats in the general location of the existing building; Build new community building (4,800 sf) for new</p>	1955	RAD

January 1, 2016 to June 30, 2016

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	<p>community room, offices, and relocated police substation; New paving and landscape throughout the site; 4-5 new accessible ramps; Install 8' fence along Alemany Boulevard; New garbage/ recycling/ compost bin storage locations on site; Provide additional accessible parking spaces, 2 perpendicular, 6 parallel; Remove existing playground equipment; Install one new playground, refurbish basketball court, and provide other site amenities; Provide storage in backyard and yard fencing at front and back of each residential unit; Provide security cameras and additional exterior lighting;</p> <p>Residential Buildings – Exterior: Replace all roofing; Replace all windows; Replace all doors, frames, and hardware; Repair stucco and wood siding where needed; Structural retrofits to 3-story buildings; Provide insulation at exterior walls; Remove and replace exterior stairs, railings, and decks at 3-story buildings; Paint all exterior surfaces; Provide window security system; Provide entry overhangs over unit doors at 3-story buildings; Re-roof entry overhangs at 2-story buildings;</p>		

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	<p>New electric meters per unit; Enlarge stoops at front and back door of each unit; Isolate plumbing shut-off for future maintenance;</p> <p>Residential Buildings – Interior: Remove vinyl tile flooring, replace with vinyl sheet flooring; Refinish hardwood floors; Remove and replace all water heaters; Remove and replace HVAC system at each unit; Provide accessibility upgrades to 7 units; Provide new tub, tub surround, faucet, showerhead, mixing valves, and lavatory; Provide new casework, countertop, appliances, fixtures and fittings at kitchen; Paint all surfaces; Provide new washer hook ups and direct venting for dryers in all units; Provide gas outlet at dryer location at all units; Provide bathroom exhaust at all units; Provide pest proofing; Replace all interior doors, frames, and hardware; Upgrade to LED lighting;</p> <p>Administrative/Public Space: Reconfigure laundry room to accommodate 15 washers and 15 dryers; Paint walls and provide new flooring at laundry room; Convert existing community room into maintenance shop; Paint walls and provide new flooring at offices</p>		

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	and bathroom adjacent to new maintenance shop; Convert existing office within Building 2 back into a unit.		
838 Pacific	<p>Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. The structural upgrades include:</p> <ul style="list-style-type: none"> • The installation of new three-foot-deep footings to support new shear walls; • The installation of about 156 new micropiles; and • The installation of a small footing for a new enclosure around the existing cogeneration plant. 	1961	RAD
655, 711, 795 and 895 Pacific Avenue	Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). Structural upgrades to increase seismic safety; repairs to elevators; improvements to garbage rooms, lobbies, and laundry rooms; repairs to balconies; painting of exterior	1951	RAD

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Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	walls; replace roofing; repairs to windows; replace common area doors; painting of interior surfaces; replace carpeting and tiling; new entryways adjacent to elevator lobbies; improve path of travel; conversion of some units to accessibility; new appliances in all units; replace all bathroom fixtures and surfaces; improvements to plumbing, electrical and sewage systems; improvements to fire and safety systems; landscaping improvements. Additionally, the project sponsor is proposing to construct a one-story rear horizontal 29 foot addition at the ground floor of 711 Pacific Avenue for use as a community center.		
1251 Turk Street	Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). Repairs to the various elements and systems listed below will be made and deferred maintenance items will be addressed. Elevator Upgrades; Exterior Upgrades to roof, windows, balconies, cladding and courtyard; Interior upgrades to units including repainting; replacement of appliances and cabinetry, replacement of	1961	RAD

January 1, 2016 to June 30, 2016

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	bathroom fixtures and surface coverings, and electrical systems; Common Area Upgrades including: repainting of common area surfaces, replacement of doors; curtain walls in corridors and trash chute doors; Security upgrades including installation of a minimum of two security cameras per floor; Reconfiguration of staff, managerial, supportive services, and maintenance spaces; provide new interior finishes and floors; Mechanical, plumbing, and electrical upgrades throughout the building		
40 Harbor Road	Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). The goals of the substantial rehabilitation are to: ensure compliance with all applicable accessibility codes including, but not limited to, the Americans with Disabilities Act; make critical life safety repairs; extend the useful life of key building components, systems, appliances, and finishes to 20 years; and create a tight, energy efficient building envelope. The project involves the substantial rehabilitation of 226 existing units and property management offices.	1956	RAD

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	The post-rehabilitation unit mix will include 223 residential units and 3 non-residential units benefitting residents (resident council office, police substation, social services).		
Sunnydale	<p>The proposed project would demolish the existing buildings, including 775 family and senior dwelling units at the Sunnydale and Velasco public housing complexes in the Visitacion Valley neighborhood and build replacement and new housing, new infrastructure, open space and community amenities. Highlights of the plan include:</p> <ul style="list-style-type: none"> • Up to 1,700 units of housing, including one-for-one public housing replacement units, affordable rental units and market rate and affordable for-sale units; • Up to 72,500 square feet of community service, recreational and educational facilities; • 11.5 acres of new parks and open spaces, including a community garden, a farmer's market pavilion and secure outdoor courtyards within residential buildings; 	1941	HOME, CDBG

January 1, 2016 to June 30, 2016

Address	Undertaking Description	Year of Initial Construction	Part 58 Program
	<ul style="list-style-type: none">• 12.2 acres of a new and reconfigured street network potentially including “green” features including bioswales and landscaping; and• Up to 16,200 square feet of neighborhood-serving retail.		

IDENTIFICATION AND EVALUATION OF HISTORIC PROPERTIES.

Unless exempt pursuant to Stipulation IV or to Sections B and C of Stipulation VII, the City is required to evaluate all properties that may be affected by an Undertaking using the National Register Criteria set forth in 36 CFR § 60.4. All evaluations are to be documented by the City on a State of California Historic Resources Inventory Form – DPR 523.

The San Francisco Planning Department made the following determinations of ineligibility for listing in the National Register during the XVII Reporting Period.

Project	Property within APE
1855 15 th Street	1855 15 th Street

TREATMENT OF HISTORIC PROPERTIES

Rehabilitation: All rehabilitation activities were exempt under the programmatic agreement

Relocation: None

Demolition: Sunnydale: Not eligible for listing

Potrero Terrace and Annex: Not eligible for listing

CONSIDERATIONS AND TREATMENT OF ARCHEOLOGICAL RESOURCES

During this the 17th Reporting Period, the following projects will involve ground disturbing activities that could affect archeological resources.

Undertaking	Project Description	MOA for Archeological Resources
Potrero Terrace	The Proposed Project would demolish 620 public housing units and develop housing for a range of income levels for a total up to 1,700 new units on the Project site, which is located in Potrero Hill and comprised of the existing Potrero Terrace, and Potrero Annex housing developments, and Block X.	Yes; effective April 13, 2015
1855 15th Street	The proposed project would require seismic upgrades that include new micropiles, pile caps, and fiberwrap around columns for seismic reinforcement of the building. The micropiles would extend at least 30 feet below ground surface	Yes; effective March 14, 2016
Sunnydale	The proposed project would demolish the existing buildings, including 775 family and senior dwelling units, at the Sunnydale and Velasco public housing complexes in the Visitacion Valley neighborhood, and build replacement and new housing, new infrastructure, open space and community amenities.	Yes; effective June 22, 2014

EXEMPT PROJECTS

Address	Undertaking Description	Year of Initial Construction
225 Bush Street	Tenant improvements at Jewish Vocational Services Technology Center. Project activities include: removal of partitions; installation of new acoustical partition system; new signage; removal of old surface finishes; electrical, lighting and data systems.	1921
214 Dolores Street	Dry rot repair, painting, replace doors and planning activities for historical trees in rear yard of supported housing program for individuals with HIV/AIDS.	1849
1500 Howard Street	Replace doors, install security system, and lobby improvements.	1930
167 Jessie Street	Buildout of program space in facility offering homeless outreach services to homeless youth and young adults. Improvements include installation of new flooring, doors and hardware, upgrade electrical system, HVAC, windows, fire sprinklers, Life Safety systems, painting woodwork, decorative metals, glazing and drywall, telephone and data system to provide access to traditional and support services.	2002
141 Leland Avenue	Replace elevator computer, including telephone and emergency call system; remove and replace dining room sub-floor leveling compound; replace fire alarm control panel and smoke detectors.	1920

Address	Undertaking Description	Year of Initial Construction
111 Page Street	Seismic upgrades and accessibility upgrades to 13-unit, two year transitional housing program for homeless families.	1900
1761 Page Street	Removal of three story set of rear porches; replace non-original exterior rear stairs, fencing, rear windows, exterior lighting. and repainting of rear of transitional housing for adults.	1912
1650 Sunnysdale Avenue	Site preparation, removal of old playground matting, installation of new matting at three sites at Sunnysdale Housing Development	1941
4439 Third Street	Tenant improvements include reconfiguration of office space; repairs to HVAC system.	2003
4 th and Folsom	The proposed project includes the development of a multi-family 86 unit affordable housing structure above 3,000 square feet of retail space at the northwest corner of 4th Street and Folsom Street in the South of Market (SoMa) neighborhood of San Francisco, California. The project site is above the new subway station. .	Vacant Lot
901 Fairfax Avenue	Tenant Improvements to Childcare Center including: concrete polishing; cabinet installation; installation of sound insulation in ceilings; partition walls; surface finishing; appliances; fire suppression systems; plumbing work above slab, setting and finishing of fixtures, and connection of appliances; installation of all fan coil units exhaust fans duct distribution, thermostats, and interior grilles and registers; power distribution for receptacles, lighting and equipment.	2015
320 Clementina	Convert the public housing site to funding under the federal Rental Assistance	1971

January 1, 2016 to June 30, 2016

Address	Undertaking Description	Year of Initial Construction
	<p>Demonstration Program (RAD). Rehabilitation work includes structural, life safety and accessibility upgrades and general renovations. Twenty eight apartments will be reconfigured for mobility accessibility. Twelve apartments will be modified to be accessible for persons with hearing and/or visual disabilities. Structural upgrades will include new shear walls from the 1st-8th floors. Original exterior sliding doors and windows and exterior doors will be replaced. Fire safety upgrades will include: fire/smoke doors at each elevator lobby; fire alarm system upgrade, including adding emergency voice/alarm communications and notification devices; an automatic fire sprinkler system will be added; and sprinkler heads will be replaced. Interior components of individual units will be replaced, including: cabinetry, plumbing fixtures and fittings, light fixtures, appliances, floor finishes, doors and hardware. GFCI receptacles will be provided at kitchens and counters where they do not currently exist. New ducted range hoods will be provided to improve indoor air quality. Electrical systems will be refined and/or replaced. Other improvements include: the addition of a maintenance shed to the open yard area; improvements to building entry security; replacement of mailboxes; and improvements and reconfiguration of the community room, community kitchen and laundry facilities.</p>	
500-610 Alemany Boulevard	<p>Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). Demolish two residential buildings (Buildings 9 & 13; Build</p>	1955

January 1, 2016 to June 30, 2016

Address	Undertaking Description	Year of Initial Construction
	<p>new residential building (3,200 sf) with four accessible flats in the general location of the existing building; Build new community building (4,800 sf) for new community room, offices, and relocated police substation; New paving and landscape throughout the site; 4-5 new accessible ramps; Install 8' fence along Alemany Boulevard; New garbage/ recycling/ compost bin storage locations on site; Provide additional accessible parking spaces, 2 perpendicular, 6 parallel; Remove existing playground equipment; Install one new playground, refurbish basketball court, and provide other site amenities; Provide storage in backyard and yard fencing at front and back of each residential unit; Provide security cameras and additional exterior lighting;</p> <p>Residential Buildings – Exterior: Replace all roofing; Replace all windows; Replace all doors, frames, and hardware; Repair stucco and wood siding where needed; Structural retrofits to 3-story buildings; Provide insulation at exterior walls; Remove and replace exterior stairs, railings, and decks at 3-story buildings; Paint all exterior surfaces; Provide window security system; Provide entry overhangs over unit doors at 3-story buildings; Re-roof entry overhangs at 2-story buildings; New electric meters per unit; Enlarge stoops at front and back door of each unit; Isolate plumbing shut-off for future maintenance;</p> <p>Residential Buildings – Interior: Remove vinyl tile flooring, replace with vinyl sheet flooring; Refinish hardwood floors; Remove and replace all water heaters; Remove and replace HVAC</p>	

January 1, 2016 to June 30, 2016

Address	Undertaking Description	Year of Initial Construction
	<p>system at each unit; Provide accessibility upgrades to 7 units; Provide new tub, tub surround, faucet, showerhead, mixing valves, and lavatory; Provide new casework, countertop, appliances, fixtures and fittings at kitchen; Paint all surfaces; Provide new washer hook ups and direct venting for dryers in all units; Provide gas outlet at dryer location at all units; Provide bathroom exhaust at all units; Provide pest proofing; Replace all interior doors, frames, and hardware; Upgrade to LED lighting;</p> <p>Administrative/Public Space: Reconfigure laundry room to accommodate 15 washers and 15 dryers; Paint walls and provide new flooring at laundry room; Convert existing community room into maintenance shop; Paint walls and provide new flooring at offices and bathroom adjacent to new maintenance shop; Convert existing office within Building 2 back into a unit.</p>	
838 Pacific	<p>Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). The proposed project consists of tenant improvements to the existing dwelling units and supporting accessory uses, upgrades to building and life safety systems, and structural upgrades to the existing building. The structural upgrades include:</p> <ul style="list-style-type: none"> • The installation of new three-foot-deep footings to support new shear walls; 	1961

January 1, 2016 to June 30, 2016

Address	Undertaking Description	Year of Initial Construction
	<ul style="list-style-type: none"> • The installation of about 156 new micropiles; and • The installation of a small footing for a new enclosure around the existing cogeneration plant. 	
655, 711, 795 and 895 Pacific Avenue	Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). Structural upgrades to increase seismic safety; repairs to elevators; improvements to garbage rooms, lobbies, and laundry rooms; repairs to balconies; painting of exterior walls; replace roofing; repairs to windows; replace common area doors; painting of interior surfaces; replace carpeting and tiling; new entryways adjacent to elevator lobbies; improve path of travel; conversion of some units to accessibility; new appliances in all units; replace all bathroom fixtures and surfaces; improvements to plumbing, electrical and sewage systems; improvements to fire and safety systems; landscaping improvements. Additionally, the project sponsor is proposing to construct a one-story rear horizontal 29 foot addition at the ground floor of 711 Pacific Avenue for use as a community center.	1951
1251 Turk Street	Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). Repairs to the various elements and systems listed below will be made and deferred maintenance items will be addressed. Elevator Upgrades; Exterior Upgrades to roof, windows, balconies, cladding and courtyard; Interior upgrades to units	1961

January 1, 2016 to June 30, 2016

Address	Undertaking Description	Year of Initial Construction
	including repainting; replacement of appliances and cabinetry, replacement of bathroom fixtures and surface coverings, and electrical systems; Common Area Upgrades including: repainting of common area surfaces, replacement of doors; curtain walls in corridors and trash chute doors; Security upgrades including installation of a minimum of two security cameras per floor; Reconfiguration of staff, managerial, supportive services, and maintenance spaces; provide new interior finishes and floors; Mechanical, plumbing, and electrical upgrades throughout the building	
40 Harbor Road	Convert the public housing site to funding under the federal Rental Assistance Demonstration Program (RAD). The goals of the substantial rehabilitation are to: ensure compliance with all applicable accessibility codes including, but not limited to, the Americans with Disabilities Act; make critical life safety repairs; extend the useful life of key building components, systems, appliances, and finishes to 20 years; and create a tight, energy efficient building envelope. The project involves the substantial rehabilitation of 226 existing units and property management offices. The post-rehabilitation unit mix will include 223 residential units and 3 non-residential units benefitting residents (resident council office, police substation, social services).	1956

**THE VIEWS OF THE CITY REGARDING THE USEFULNESS OF THE PA IN
PROMOTING THE EFFICIENCY AND EFFECTIVENESS OF BOTH THE
PROGRAMS AND THE CONSIDERATION OF HISTORIC PROPERTIES.**

This is the 17th period in which the City has had the opportunity to implement its responsibilities under Section 106 using the subject Programmatic Agreement.

As reported in previous periods, our expectation that review times for individual projects would decrease was realized. Overall the City is pleased with the advantages afforded by the PA. The PA is an important and crucial element in the project planning process for Part 58 projects.

The City would like to discuss revisions to the PA especially in regards to Stipulation XI. Consideration And Treatment Of Archeological Resources. We believe that the Programmatic Agreement for 1855 15th Street, which would serve as an excellent model.

APPENDIX ONE

Programs and activities subject to 24 CFR Part 58 include:

1. Community Development Block Grant programs authorized by Title I of the Housing and Community Development Act of 1974, in accordance with section 104(g) (42 U.S.C. 5304(g));
2. Grants to states and units of general local government under the Emergency Shelter Grant Program, Supportive Housing Program (and its predecessors, the Supportive Housing Demonstration Program (both Transitional Housing and Permanent Housing for Homeless Persons with Disabilities) and Supplemental Assistance for Facilities to Assist the Homeless), Shelter Plus Care Program, Safe Havens for Homeless Individuals Demonstration Program, and Rural Homeless Housing Assistance, authorized by Title IV of the McKinney-Vento Homeless Assistance Act, in accordance with section 443 (42 U.S.C. 11402);
3. Grants beginning with Fiscal Year 2001 to private non-profit organizations and housing agencies under the Supportive Housing Program and Shelter Plus Care Program authorized by Title IV of the McKinney-Vento Homeless Assistance Act, in accordance with section 443 (42 U.S.C. 11402);
4. The HOME Investment Partnerships Program authorized by Title II of the Cranston-Gonzalez National Affordable Housing Act (NAHA), in accordance with section 288 (42 U.S.C. 12838);
5. Grants to States and units of general local government for abatement of lead-based paint and lead dust hazards pursuant to Title II of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1992, and grants for lead-based paint hazard reduction under section 1011 of the Housing and Community Development Act of 1992, in accordance with section 1011(o) (42 U.S.C. 4852(o));
6. Public Housing Programs under Title I of the United States Housing Act of 1937, including HOPE VI grants authorized under section 24 of the Act for Fiscal Year 2000 and later, in accordance with section 26 (42 U.S.C. 1437x);
7. Grants for the revitalization of severely distressed public housing (HOPE VI) for Fiscal Year 1999 and prior years, in accordance with Title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Pub. L. 105-276, approved October 21, 1998); and
8. Assistance administered by a public housing agency under section 8 of the United States Housing Act of 1937, except for assistance provided under part 886 of this title, in accordance with section 26 (42 U.S.C. 1437x);

9. Special Projects appropriated under an appropriation act for HUD, such as special projects under the heading "Annual Contributions for Assisted Housing" in Title II of various Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Acts, in accordance with section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994 (42 U.S.C. 3547);
10. The FHA Multifamily Housing Finance Agency Pilot Program under section 542(c) of the Housing and Community Development Act of 1992, in accordance with section 542(c)(9)(12 U.S.C. 1707 note);
11. The Self-Help Homeownership Opportunity Program under section 11 of the Housing Opportunity Program Extension Act of 1996 (Pub. L. 104-120, 110 Stat. 834), in accordance with section 11(m));
12. Assistance provided under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), in accordance with Section 105 for Indian Housing Block Grants and Federal Guarantees or Financing for Tribal Housing Authorities (25 U.S.C. 4115 and 4226); and Section 806 for Native Hawaiian Housing Block Grants (25 U.S.C. 4226);
13. Indian Housing Loan Guarantees authorized by section 184 of the Housing and Community Development Act of 1992, in accordance with section 184(k) (12 U.S.C. 1715z-13a(k)); and
14. Grants for Housing Opportunities for Persons with AIDS (HOPWA) under the AIDS Housing Opportunity Act, as follows: competitive grants beginning with Fiscal Year 2001 and all formula grants, in accordance with section 856(h) (42 U.S.C. 12905(h)); all grants for Fiscal Year 1999 and prior years, in accordance with section 207(c) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Pub. L. 105-276, approved October 21, 1998).
15. When HUD assistance is used to help fund a revolving loan fund that is administered by a recipient or another party, the activities initially receiving assistance from the fund are subject to the requirements in Part 58. Future activities receiving assistance from the revolving loan fund, after the fund has received loan repayments, are subject to the environmental review requirements if the rules of the HUD program that initially provided assistance to the fund continue to treat the activities as subject to the Federal requirements. If the HUD program treats the activities as not being subject to any Federal requirements, then the activities cease to become Federally-funded activities and the provisions of Part 58 do not apply.

APPENDIX TWO

Historic Preservation Authorities

1. The National Historic Preservation Act of 1966 as amended (16 U.S.C. 470 *et seq.*), particularly sections 106 and 110 (16 U.S.C. 470 and 470h-2), except as provided in § 58.17 for Section 17 projects.
2. Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921), 3 CFR 1971–1975 Comp., p. 559, particularly section 2(c).
3. Federal historic preservation regulations as follows:
 - (i) 36 CFR part 800 with respect to HUD programs other than Urban Development Action Grants (UDAG); and
 - (ii) 36 CFR part 801 with respect to UDAG.
4. The Reservoir Salvage Act of 1960 as amended by the Archeological and Historic Preservation Act of 1974 (16 U.S.C. 469 *et seq.*), particularly section 3 (16 U.S.C. 469a-1).

Floodplain Management And Wetland Protection.

1. Executive Order 11988, Floodplain Management, May 24, 1977 (42 FR 26951), 3 CFR, 1977 Comp., p. 117, as interpreted in HUD regulations at 24 CFR part 55, particularly section 2(a) of the order (For an explanation of the relationship between the decision-making process in 24 CFR part 55 and this part, see § 55.10 of subtitle A.)
2. Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 FR 26961), 3 CFR, 1977 Comp., p. 121, particularly sections 2 and 5.

Coastal Zone Management

1. The Coastal Zone Management Act of 1972 (16 U.S.C. 1451 *et seq.*), as amended, particularly section 307(c) and (d) (16 U.S.C. 1456(c) and (d)).

Sole source aquifers.

1. The Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300(f) *et seq.*, and 21 U.S.C. 349) as amended; particularly section 1424(e)(42 U.S.C. 300h-3(e)).
2. Sole Source Aquifers (Environmental Protection Agency—40 CFR part 149).

Endangered Species.

1. The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) as amended, particularly section 7 (16 U.S.C. 1536).

Wild And Scenic Rivers.

1. The Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 *et seq.*) as amended, particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c)).

Air Quality.

- 1 The Clean Air Act (42 U.S.C. 7401 *et seq.*) as amended; particularly section 176(c) and (d) (42 U.S.C. 7506(c) and (d)).
- 2 Determining Conformity of Federal Actions to State or Federal Implementation Plans (Environmental Protection Agency— 40 CFR parts 6, 51, and 93).

Farmlands Protection

1. Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 *et seq.*) particularly sections 1540(b) and 1541 (7 U.S.C. 4201(b) and 4202).
2. Farmland Protection Policy (Department of Agriculture—7 CFR part 658).

HUD Environmental Standards.

1. Applicable criteria and standards specified in HUD environmental regulations (24 CFR part 51) (other than the runway clear zone and clear zone notification requirement in 24 CFR 51.303(a)(3)) and HUD Notice 79–33, Policy
2. Guidance to Address the Problems Posed by Toxic Chemicals and Radioactive Materials, September 10, 1979).

Environmental justice.

1. Executive Order 12898—Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994 (59 FR 7629), 3 CFR, 1994 Comp. p. 859.

Other Requirements.

1. Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001–4128).
2. National Flood Insurance Program
3. Coastal Barrier Resources Act, as amended by the

4. Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3501)
5. 24 CFR 51, Subpart D—Siting of HUD Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields

APPENDIX THREE - CONSULTANTS

ESA

550 Kearny St

San Francisco, CA

Rincon Consultants, Inc.

437 Figueroa Street, Suite 203

Monterey, CA 93940

APPENDIX FOUR AGREEMENTS

PROGRAMMATIC AGREEMENT
BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE
CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING 1855 15TH STREET AFFORDABLE HOUSING DEVELOPMENT,
SAN FRANCISCO, CALIFORNIA

WHEREAS, the Mayor's Office of Housing and Community Development of the City and County of San Francisco (City) has determined that the transfer of the property at 1855 15th Street, San Francisco CA from the San Francisco Housing Authority to a Limited Partnership to be formed by Bridge Housing Ventures, Inc. and MEDA Housing, LLC and its subsequent rehabilitation (Undertaking) under the Rental Assistance Program (RAD), may have an effect on yet unidentified subsurface properties; and

WHEREAS, the City, through use of funds subject to regulation by 24 CFR Part 58, specifically RAD will assist in the undertaking; and

WHEREAS, the City has consulted with the California State Historic Preservation Officer (SHPO) pursuant to the *Programmatic Agreement (PA) by and among the City and County of San Francisco, the California State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Historic Properties Affected by Use of Revenue from the Department of Housing and urban Development Part 58 Programs* executed January 10, 2007; and

WHEREAS, pursuant to the PA the City and the SHPO have agreed that resolution of potential adverse effects cannot be resolved through a Standard Mitigation Measures Agreement (SMMA); and

WHEREAS, the City and County of San Francisco (City) has assumed responsibility for environmental review responsibilities for programs and activities subject to regulation under Part 58; and

WHEREAS, the Director of the Mayor's Office of Housing and Community Development has been designated the Agency Official under Section 106 of the National Historic Preservation Act (NHPA) and the Certifying Officer under Part 58; and

WHEREAS, the City is a Certified Local Government pursuant to Section 101(c)(1) of the National Historic Preservation Act; and

WHEREAS, the City has established the Area of Potential Effects (APE) for the Undertaking as defined at 36 CFR §800.16 to be limited to the legal lot lines of the property described as 1855 Mission Street, San Francisco, California, County of San Francisco; and

WHEREAS, the Northwest Information Center (NWIC) at Sonoma State University has advised the City that there is a low potential of identifying Native American archeological resources and a high potential of identifying historic-period archeological resources in the APE

and has recommended a qualified archeologist conduct further archival and field study to identify historic resources;

WHEREAS, NWIC has further advised the City that if archeological resources are encountered during construction, that work should be temporarily halted in the vicinity of discovered materials and workers should avoid altering the materials and their context until a qualified professional archeologist has evaluated the situation and provided appropriate recommendations; and

WHEREAS the San Francisco Planning Department employs staff archeologists (Staff Archeologist) who are appropriately qualified to coordinate the reviews of resources and historic properties as applicable to the resources and historic properties being addressed and who meet the Secretary of the Interior's Professional Qualifications Standards and have the knowledge to assess the resources within an undertaking's APE; and

WHEREAS, the Staff Archeologist has conducted archival research, and has identified site sensitivity in regards to prehistoric and historical archaeological resources; and

WHEREAS, the California Native American Heritage Commission (NAHC) advised the City that a search of its Native American sacred lands file did not identify any such resources in the Undertaking's archeological area of potential effects (APE); and

WHEREAS, pursuant to the Advisory Council on Historic Preservation's (ACHP) Section 106 regulations and the PA for Part 58, the City has conducted outreach and has actively sought and requested the comments and participation of members of the Ohlone/Costanoan Indian tribe; and the members did not respond to our requests to engage in such consultation;

WHEREAS, in accordance with 36 CFR § 800(6)(a)(1), the City has informed the ACHP of its potential adverse effect determination with specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, Bridge Housing Ventures, Inc., and MEDA Housing LLC (Project Developers) have been invited to be signatories to this agreement;

WHEREAS the City and the California State Historic Preservation Officer have agreed to the procedures and methodology that the City will use to avoid any adverse effects from the proposed project on buried or submerged historical resources; and

NOW, THEREFORE, the City and the California State Historic Preservation Officer (SHPO) agree that the Undertaking shall be implemented according to the following stipulations in order to take into account the effects of the Undertaking may have on historic properties.

Execution of this PA by the City and County of San Francisco and the California State Historic Preservation Officer, and implementation of its terms, evidence that the City has taken into account the effects of the undertaking on historic properties and afforded the Advisory Council on Historic Preservation an opportunity to comment. Based on the reasonable assumption that

the Undertaking may cause alterations in the character or use of historic properties and in accordance with the requirements of Stipulation XI of the PA (Consideration and Treatment of Archeological Resources) of the PA, the following measures shall be undertaken to avoid any adverse effects from the proposed project on buried or submerged historical resources:

STIPULATIONS

The City will ensure that the following measures are carried out.

I. Qualified Archeological Consultant Responsibilities

- A. The City shall ensure that all work carried out pursuant to this Agreement shall be done by or under the direct supervision of historic preservation professionals who meet the Secretary of the Interior's Professional Qualifications Standards.
- B. The Project Developers will retain the services of an archaeological consultant (Archeological Consultant) from the rotational Department Qualified Archaeological Consultants List (QACL) maintained by the San Francisco Planning Department archaeologist;
- C. The Archeological Consultant will meet the Secretary of the Interior's professional qualifications as specified at 62 FR 33708;
- D. All work carried out pursuant to this Agreement shall meet the Secretary of the Interior's Standards for Archaeology and Historic Preservation (SOI's Standards).
- E. The Archeological Consultant shall undertake such archival research, conduct field studies as deemed necessary by the Staff Archeologist .
- F. The Archeological consultant shall develop an Archeological Testing Plan.
- G. The archeological consultant shall undertake the archeological testing program as specified herein. In addition, the archeological consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure.
- H. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Staff Archeologist.
- I. All plans and reports prepared by the Archeological Consultant as specified herein shall be submitted first and directly to the Staff Archeologist for review and comment, and shall be considered draft reports subject to revision until final approval by the Staff Archeologist.

II. Consultation with Descendant Communities

On discovery of an archeological site associated with descendant Native Americans, the Overseas Chinese, or other descendant group an appropriate representative of the descendant group and the Staff Archeologist shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with the Staff Archeologist regarding appropriate archeological treatment of the site, of

recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group;

III. Evaluation of Archeological Resources

The City shall use the National Register criteria for evaluating the significance of the archeological properties and their eligibility for listing on the National Register of Historic Places. The criteria for evaluation are the quality of significance in American history, architecture, archeology, engineering, and culture, and may be present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

- (a) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b) that are associated with the lives of persons significant in our past; or
- (c) that embody distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) that have yielded, or may be likely to yield, information important in prehistory or history.

If evaluation of archeological resources results in a determination of eligibility, the City shall act in accordance with the applicable provisions of the Programmatic Agreement (PA) by and among the City and County of San Francisco, the California State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Historic Properties Affected by Use of Revenue from the Department of Housing and Urban Development Part 58 Programs executed January 10, 2007. Under stipulation VII.D. the property and eligibility determination will be submitted to the SHPO for review.

If resources are found that the Staff Archeologist determines to meet significance criterion d, an Archeological Data Recovery Program shall be implemented in accordance with Stipulation VI if preservation in place is not feasible. If resources are found to meet the other criteria, then representatives of the appropriate descendant community or the appropriate community member shall be notified immediately upon the determination. Upon such notification and in consultation with appropriate descendant community representatives appropriate treatment will be identified by the Staff Archeologist and will be implemented by the Archeological Consultant and project sponsor. If after seven days of notification to the descendant community does not respond to the request for consultation then the appropriate treatment, as approved by the Staff Archeologist, will be implemented by the Archeological Consultant and project sponsor

IV. Archeological Testing Program

A. The archeological testing program shall be conducted in accordance with the approved Archeological Testing Plan (ATP). The ATP will identify the types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing.

B. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historic property using the criteria of the NRHP.

C. At the completion of the archeological testing program, a project archeologist shall submit a written report of the findings to the Staff Archeologist. If based on the archeological testing program the project archeologist finds that significant archeological resources may be present, the Staff Archeologist in consultation with the project archeologist shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. No archeological data recovery shall be undertaken without the prior approval of the Staff Archeologist. If the Staff Archeologist determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- 1) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- 2) A data recovery program shall be implemented, unless the Staff Archeologist determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

V. Archeological Monitoring Program (AMP)

A. If the Staff Archeologist (in consultation with project archeologist) determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions:

- 1) The Archeological Consultant, project sponsor, and Staff Archeologist shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing.
- 2) The Staff Archeologist (in consultation with the Archeological Consultant) shall determine what project activities shall be archeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archeological resources and to their depositional context;
- 3) The Archeological Consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how

- to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- 4) Archeological monitor(s) (Monitors) under the supervision of the Archeological Consultant and as approved by the Staff Archeologist shall be present on the project site according to a schedule agreed upon by the archeologist and the Staff Archeologist until the Staff Archeologist has (in consultation with the Archeological Consultant) determined that project construction activities could have no effects on significant archeological deposits;
 - 5) The Monitors shall meet the Secretary of the Interior's Professional Qualifications Standards;
 - 6) The Monitors shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
 - 7) If an intact archeological resource is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The Monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the Monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the Staff Archeologist. The Archeological Consultant shall immediately notify the Staff Archeologist of the encountered archeological deposit. The Archeological Consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the Staff Archeologist.
 - 8) 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 Staff Archeologist.

VI. Archeological Data Recovery Program

- A. If archeological resources are identified and determined by the Staff Archeologist to be significant under criterion d, the archeological data recovery program shall be conducted in accordance with an archeological data recovery plan (ADRP). The project archeologist, project sponsor, and Staff Archeologist shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The project archeologist shall submit a draft ADRP to the Staff Archeologist. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions.
- B. Data recovery, in general, should be limited to archaeological properties determined to be significant, following application of all National Register criteria, as defined above, and portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical;
- C. The scope of the ADRP shall include the following elements:
 - 1. Field Methods and Procedures. Descriptions of proposed field strategies, procedures, and operations.
 - 2. Cataloguing and Laboratory Analysis. Description of selected cataloguing system and artifact analysis procedures.
 - 3. Discard and Deaccession Policy. Description of and rationale for field and post-field discard and deaccession policies.
 - 4. Interpretive Program. Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
 - 5. Security Measures. Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
 - 6. Final Report. Description of proposed report format and distribution of results.
 - 7. Curation. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities

VII. Human Remains and Associated or Unassociated Funerary Objects

If human remains are discovered at any time during the implementation of the Undertaking, the agency shall follow the provisions of the Native American Graves Protection and Repatriation Act (25 USC § 3001) and the California Health and Human Safety Code (Human Remains) Section 7050.5 as well as local laws as appropriate. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The project archeologist, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects. The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

VIII. Final Archeological Resources Report

A. The project archeologist shall submit a Draft Final Archeological Resources Report (FARR) to the Staff Archeologist that evaluates the historic 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. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

B. Once approved by the Staff Archeologist, copies of the FARR shall be distributed as follows: the California Historical Resources Information System, Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the Staff Archeologist may require a different final report content, format, and distribution than that presented above.

IX. Objections

A. Should any signatory object at any time to the manner in which the terms of this agreement are implemented, the City shall consult with the objecting party(ies) to resolve the objection and inform the other signatories of the objection. If the City determines within fifteen (15) calendar days of receipt that such objection's cannot be resolved, the City will forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (ACHP) in accordance with 36 CFR § 800.2(b)(2). The City in reaching a final decision regarding the dispute shall take any ACHP comment provided into account. The City's responsibility to carry out all other actions under this PA that are not the subjects of the disputed will remain unchanged.

B. At any time during implementation of the measures situated in this agreement, should an objection to any such measure or its manner of implementation be raised in writing by a member of the public, the City shall take the objection into account and consult, as needed, with the objecting party and the SHPO, as needed, for a period of time not to exceed fifteen (15) calendar days and inform the other signatories of the objection. If the City is unable to resolve the conflict, the City shall forward all documentation relevant to the dispute to the ACHP in accordance with 36 CFR 800.2(b)(2)..

C. If any signatory believes that the terms of this agreement cannot be carried out, or than an amendment to its terms should be made, that signatory shall immediately consult with the other parties to develop amendments pursuant to 36 CFR §§ 800.6(c)(7) and 800.6(c)(8). If this agreement is not amended as provided for in this stipulation, any signatory may terminate it, whereupon the City shall proceed in accordance with 36 CFR 800.

D. If either the terms of this agreement or the undertaking have not been carried out within three (3) years following the date of execution of the agreement, the signatories shall reconsider its terms. If the signatories agree to amend the agreement, they shall proceed in accordance with the amendment process referenced in Stipulation VIII.C , above.

X. Duration of the agreement.

If either the terms of this PA or the undertaking have not been carried out within five (5) years following the date of execution of the PA, the signatories shall reconsider its terms. If the signatories agree to amend the PA, they shall proceed in accordance with the amendment process referenced in stipulation IV, above.

XI. Post-Review Discoveries.

After all archeological work has concluded there is the possibility that unanticipated discovery of archeological deposits and/or features could occur during additional construction efforts. It is possible that such actions could unearth, expose, or disturb subsurface archeological, historical, or Native American resources that were not observable during previous archeological phases. To facilitate compliance with regulatory requirements, project personnel shall be alerted to the possibility of encountering archeological materials and/or human remains during construction, and apprised of the proper procedures to follow in the event that such materials are found in accordance with 36 CFR 800.13(a)(3).

XII. Dispute Resolution:

A. Should any signatory or concurring party to this PA object at any time to any actions proposed or the manner in which the terms of this PA are implemented, City shall consult with

such party to resolve the objection. If the City determines that such objection cannot be resolved, the City will:

1. Forward all documentation relevant to the dispute, including the City's proposed resolution, to the ACHP. The ACHP shall provide the City with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, City shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. City will then proceed according to its final decision.
2. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period; City may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the City shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the PA, and provide them and the ACHP with a copy of such written response.
3. City's responsibility to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remain unchanged.


XIII. AMENDMENTS, NONCOMPLIANCE, AND TERMINATION

- A. If any signatory believes that the terms of this PA cannot be carried out or that an amendment to its terms should be made, that signatory shall immediately consult with the other parties to develop amendments pursuant to 36 CFR § 800.6(c)(7). If this PA is not amended as provided for in this stipulation, any signatory may terminate it, whereupon the City shall proceed in accordance with 36 CFR § 800.6(c)(8).
- B. If either the terms of this PA or the Undertaking have not been carried out within five (5) years of the execution of this agreement, the signatories shall reconsider its terms. If signatories agree to amend the PA, they shall proceed in accordance with the amendment process outlined in stipulation XII.A.

Execution and implementation of this agreement evidence that the City has taken into account the effects of the undertaking on historic properties, and the City has satisfied its responsibilities under Section 106 of the National Historic Preservation Act and its implementing regulations.

CITY AND COUNTY OF SAN FRANCISCO
MAYOR'S OFFICE OF HOUSING AND
COMMUNITY DEVELOPMENT

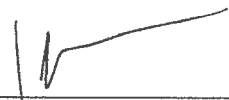
By:



Olson Lee, Director 3-5-16
Date

CALIFORNIA STATE HISTORIC
PRESRVATION OFFICER

By:




Julianne Polanco 14 March 2016
Date

MEDA Housing LLC,
a California limited liability company

By:

Its:



Luis Granados 3-8-16
Executive Director Date

BRIDGE Housing Ventures, Inc.,
A California nonprofit public benefit corporation

By:

Its:



Susan Johnson 3-8-16
Vice President Date

