



U.S. Department of Housing and Urban  
Development

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Washington, DC 20410  
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**Broad-Level Tiered Environmental Review  
for Activity/Project that is  
Categorically Excluded Subject to Section 58.5  
Pursuant to 24 CFR Part 58.35(a)**

**Project Information**

Project Name	Critical Community Improvement – Bayview Façade and Tenant Improvement Program
Responsible Entity (RE)	Mayor's Office of Housing and Community Development (MOHCD) of the City and County of San Francisco
State/Local Identifier	
RE Preparer	Eugene T. Flannery
Certifying Office:	Katha Hartley, Deputy Director, MOHCD
Grant Recipient (if different than Responsible Entity):	McCormack Baron Salazar and the San Francisco Housing Authority (SFHA)
Point of Contact:	
Consultant (if applicable):	
Point of Contact:	
Project Location:	Bayview District of San Francisco
Additional Location Information:	Primary focus is on the Third Street Commercial Corridor from Evans Street to Key Avenue and adjacent blocks on intersecting streets. The Choice Neighborhoods Initiative area is shown on the map below. Commercial establishments outside the primary focus area will be considered if funding permits.
Direct Comments to:	

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The Bayview Façade and Tenant Improvement Program provides architectural and engineering design services, project management, and grants for fixed equipment purchases and façade and tenant improvements. Examples of typical façade and tenant improvements include addition of new windows and entrance doors, new exterior lighting, murals, exterior and interior paint, signage, removal of security grilles and gates, awnings, electrical and plumbing upgrades, kitchen build-outs, and removal of accessibility barriers. The 3-tier Program would support both existing and new businesses in the Bayview, and could assist property owners with no existing commercial tenants so as to improve the space to a cold shell in order to attract viable commercial tenants.

The three tiers will be:

Tier 1) Focused Façade Grant Program: Grant funding up to \$35,000 per project; Projected number of projects: 10-12; Geographic Area = All CNI area, with focus on Third Street.

Tier 2) Façade and Tenant Improvement Grant Program: Grant funding of up to \$75,000 per project; Projected number of projects: 11-13; Geographic Area = Priority on Third Street. Projects considered in remaining CNI if good job creation candidates (defined as 1 FTE created per \$35,000 in requested funding).

Tier 3) Major Commercial Rehab Grant Program: Grants of up to \$350,000 per project; Projected number of projects: 3-5; Geographic Area = Priority on Third Street. Projects considered in remaining CNI if good job creation candidates (defined as 1 FTE created per \$35,000 in requested funding)

**Approximate size of the project area:** Approximately 5 square miles. See attached map

**Length of time covered by this review:** Two years.

**Maximum number of dwelling units or lots addressed by this tiered review:** 30 lots, no dwelling units.

**Level of Environmental Review Determination:**

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3): Rehabilitation of non-residential structures, including commercial, industrial and public buildings when the following conditions are met In the case of non-residential structures, including commercial, industrial, and public buildings:

A. The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and

B. The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another

**Funding Information**

Grant Number	HUD Program	Program Name	Funding Amount
CA9A506CNI110	Choice Neighborhood Initiative	Critical Community Investment – Bayview Façade and Tenant Improvement Program	\$2,750,000

**Estimated Total HUD Funded Amount:** \$2,750,000

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:**T  
\$4,024,049

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities and Written Strategies**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6	Was compliance achieved at the broad level of review?	<b>If Yes:</b> Describe compliance determinations made at the broad level.  <b>If No:</b> Describe the policy, standard, or process to be followed in the site-specific review.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The nearest airport, San Francisco International Airport, is approximately 30,000 feet from the southernmost border of the CCI area. The project does not lie within an Airport Clear Zone or Accident Potential Zone.  Source Document:  City/County Association of Governments of San Mateo County. Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport. Adopted July 2012.
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project is not located in a coastal barrier resource area.  Source Document:  16 USC §3501(a)(1) which defines the locations of coastal barrier resource areas. The Pacific Coast of the Continental United States is not included in that definition.
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project involves the rehabilitation of commercial buildings.  FEMA has not completed a study to determine flood hazard for the City and County of San Francisco; therefore, a flood map has not been published at this time. Site specific reviews will evaluate individual sites' proximity to floodplains as mapped in the preliminary Flood Insurance Rate Maps prepared for the City and County of San Francisco on November 2015.  Source Documents:

		<p>1. City and County of San Francisco Interim Floodplain Map. Internet Web Site: <a href="http://sfgsa.org/Modules/ShowDocument.aspx?documentid=1761">http://sfgsa.org/Modules/ShowDocument.aspx?documentid=1761</a> Accessed on April 27, 2016.</p> <p>2. United States Federal Emergency Management Administration. FEMA Issued Flood Maps, San Francisco County. Internet Web Site: <a href="https://msc.fema.gov/portal/search">https://msc.fema.gov/portal/search</a> Accessed on April 27, 2016.</p>
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5</b>		
<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The project does not involve acquisition of undeveloped land, a change in land use, major rehabilitation that would cost 75% or more of the property value, or new construction. The project does not meet thresholds for review by the Bay Area Air Quality Management District (BAAQMD) for air quality impacts, as it is minor in nature; thus, the project conforms to the State Implementation Plan (SIP).</p> <p>Source Document: HUD Exchange at <a href="https://www.hudexchange.info/programs/environmental-review/air-quality">https://www.hudexchange.info/programs/environmental-review/air-quality</a> website accessed on April 27, 2016</p>
<b>Coastal Zone Management</b>  Coastal Zone Management Act, sections 307(c) & (d)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The San Francisco Bay Conservation and Development Commission (BCDC) has permit authority over San Francisco Bay and lands located within 100 feet of the Bay shoreline.</p> <p>BCDC's San Francisco Bay Plan is the Coastal Zone Management Program for the San Francisco Bay Segment of the California Coastal Zone Management Program, pursuant to the Federal Coastal Zone Management Act (CZMA).</p> <p>Under the CZMA, projects requiring federal approval or funding must, to the maximum extent practicable, be consistent with a state's coastal management program if the project would affect the coastal zone.</p> <p>Individual sites will be evaluated to determine proximity to the San Francisco</p>

		<p>Bay shoreline; the documentation will include the San Francisco Planning Department Property Information Map Report which documents proximity to the Coastal Zone.</p> <p>Source Documents:</p> <ol style="list-style-type: none"> <li>1. San Francisco Bay Conservation and Development Commission. San Francisco Bay Plan. Adopted 1973. Reprinted in February 2008.</li> </ol> <p><a href="http://www.bcdc.ca.gov/laws_plans/plans/sf_bay_plan.shtml">http://www.bcdc.ca.gov/laws_plans/plans/sf_bay_plan.shtml</a></p> <ol style="list-style-type: none"> <li>2. United States National Oceanic and Atmospheric Administration. State Coastal Zone Boundaries, California. Internet Web Site:</li> </ol> <p><a href="http://coastalmanagement.noaa.gov/mystate/docs/StateCZBoundaries.pdf">http://coastalmanagement.noaa.gov/mystate/docs/StateCZBoundaries.pdf</a></p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)]</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>Each site will be studied using EDR Reports, which include evaluation of previous uses of the site and other evidence of contamination on or near the site. The evaluation will determine whether users and occupants of proposed sites would be adversely affected by any hazards.</p> <p>The EDR Reports which accomplish the requirement to a review of databases maintained by U.S. EPA and state, local, and tribal environmental quality departments or agencies to screen for potential on-site and off-site facilities that could pose health and safety problems and toxic clean-up sites that are presently under analysis or remediation. The EDR Reports include investigation of previous uses of the site.</p> <p>Site inspections will be conducted by an Environmental Professional to search for evidence of previous land uses which could have left toxic residues. Other methods of evaluation will include interviews with property owners or managers and local officials, and analyzing local land use records, permits, and violations.</p>

		When an evaluation indicates that the subject property is contaminated or likely contaminated by toxic substances, hazardous materials or petroleum products, an ASTM certified Phase I ESA report will be prepared. Any hazards that are identified will be evaluated for the potential to affect the health and safety of the occupants and end-users.
<b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project activities involve previously developed urban properties and thus would have no effect on any natural habitats or federally protected species. The project sites are entirely developed and therefore do not support these endangered species' habitat requirements.
<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project will not result in an increased number of people being exposed to hazardous operations by increasing residential densities, converting the type of uses of buildings to habitation, or making vacant buildings habitable. The project does not involve explosive or flammable materials or operations.  Source Documents:  United States Department of Housing and Urban Development. Environmental Criteria and Standards. 24 CFR Part 51
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project area consists of urban land; therefore, the project would not affect farmlands. There are no protected farmlands in the City and County of San Francisco.  Source Documents: 1. United States Department of Agriculture. 7 CFR Part 658.2(a) Farmland Protection Policy Act 2. United States Department of Agriculture, Natural Resources Conservation Services. Web Soil Survey. Internet Web Site: <a href="http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx">http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx</a> . Accessed on April 27, 2016

<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project involves the rehabilitation of commercial buildings.</p> <p>FEMA has not completed a study to determine flood hazard for the City and County of San Francisco; therefore, a flood map has not been published at this time. Site specific reviews will evaluate individual sites' proximity to floodplains as mapped in the preliminary Flood Insurance Rate Maps prepared for the City and County of San Francisco on November 2015.</p> <p>Source Documents:</p> <p>1. City and County of San Francisco Interim Floodplain Map. Internet Web Site: <a href="http://sfgsa.org/Modules/ShowDocument.aspx?documentid=1761">http://sfgsa.org/Modules/ShowDocument.aspx?documentid=1761</a> Accessed on April 27, 2016.</p> <p>2. United States Federal Emergency Management Administration. FEMA Issued Flood Maps, San Francisco County. Internet Web Site: <a href="https://msc.fema.gov/portal/search">https://msc.fema.gov/portal/search</a> Accessed on April 27, 2016.</p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The proposed building improvements will include, but are not limited to, rehabilitation and tenant improvements to new and existing commercial structures in the project area.</p> <p>The City has consulted with the California State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP) pursuant to Section 800.14(b) of the regulations, 36 CFR Part 800, implementing Section 106 of the National Historic Preservation Act (16 USC 470f) and has executed a Programmatic Agreement (PA) with the SHPO and the ACHP, which establishes the City's Section 106 responsibilities for the administration of undertakings which may have an effect on historic properties for projects subject to 24 CFR Part 58.</p>

		<p>The City is required to comply with the stipulations set forth in the PA for all Undertakings that (1) are assisted in whole or in part by revenues from the HUD Programs subject to 24 CFR Part 58 and that (2) can result in changes in the character or use of any Historic Properties that are located in an Undertaking's Area of Potential Effect (APE).</p> <p>Undertakings limited exclusively to the activities listed in Appendix A of the PA have been determined to have no adverse effect on the property. Pursuant to Stipulation IV of the PA, Appendix A activities require only administrative review by the City and not the SHPO or the ACHP. However, undertakings involving Historic Properties but nevertheless exempt from review pursuant to Appendix A must be designed to conform to the greatest extent feasible with the California State Historic Building Code, [California Code of Regulations (CCR), Title 24, Building Standards, Part 8 (SHBC)] as well as the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring &amp; Reconstructing Historic Building, 1995.</p> <p>All activities of the CCI will be individually assessed in a Tier II review according to the terms of the Programmatic Agreement. Accordingly, they will receive the appropriate level of review per the Programmatic Agreement by the City and County at the time of application for building permits for each individual site. The review contemplated by the City and County at the time of permit application incorporates the standards of the California State Historic Building Code, [California Code of Regulations (CCR), Title 24, Building Standards, Part 8 (SHBC)] as well as the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating,</p>
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<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The project involves minor modernization and rehabilitation improvements of existing commercial establishments along the Third Street Commercial Corridor in San Francisco. The project would not create new noise sources and would have no noise impacts under HUD guidelines. The project does lie within 15 miles of San Francisco International Airport, but because the project would not significantly expand existing operations, this airport noise would not have an effect on the area. The project would create new noise sources only during construction activities.</p> <p>Source Documents:</p>

		<p>United States Department of Housing and Urban Development. The Noise Guidebook. Environmental Planning Division, Office of Environment and Energy. September 1991.</p> <p>United States Department of Housing and Urban Development. Environmental Criteria and Standards. 24 CFR Part 51</p>
<p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The project area is not served by a US EPA designated sole-source aquifer, is not located within a sole source aquifer watershed, and would not affect a sole-source aquifer subject to the HUD EPA MOU.</p> <p>Source Documents:</p> <p>1. United States Environmental Protection Agency. Sole Source Aquifers subject to HUD-EPA Memorandum of Understanding, dated September 30, 1990.</p> <p>2. United States Environmental Protection Agency. Sole Source Aquifers in Region 9. Internet Website:  <a href="http://www.epa.gov/region9/water/groundwater/ssa.html">http://www.epa.gov/region9/water/groundwater/ssa.html</a>  Accessed on April 27, 2016.</p>
<p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>Any coastal, riparian, or bayfront wetlands within the project area will not be affected by the project activities as they will not include acquisition of undeveloped land, a change in land use, or new construction.</p>
<p><b>Wild and Scenic Rivers</b></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>No wild and scenic rivers are located within the City and County of San Francisco.</p> <p>Source Documents:</p> <p>1. United States National Park Service. Designated Wild and Scenic Rivers by State. California. Internet Web Site:  <a href="http://www.blm.gov/wo/st/en/prog/blm_special_areas/NLCS/Rivers.html#California">http://www.blm.gov/wo/st/en/prog/blm_special_areas/NLCS/Rivers.html#California</a>  Accessed April 27, 2016</p>
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>	<p>Yes    No</p>	<p>The project would not result in disproportionately adverse environmental</p>

Executive Order 12898	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>effects on minority or low income populations as the project involves rehabilitation of commercial establishments that would enhance the quality of life for low income residents of the area.</p> <p>Source Documents:</p> <p>HUD Guidance and Technical Advice, Environmental Justice.  <a href="http://portal.hud.gov/hudportal/HUD?srrv/programoffices/commplanning/environment/review/iusUce">http://portal.hud.gov/hudportal/HUD?srrv/programoffices/commplanning/environment/review/iusUce</a></p>
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Attach supporting documentation as necessary, including a site-specific checklist.

**Determination:**

- ☐ Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
- ☒ There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

Preparer Signature

Eugene T. Flannery, Env. Compliance Manager, MOHCD

Name/Title/Organization

4-27-16  
Date

Responsible Entity Agency Official Signature

Katha Hartley, Deputy Director, MOHCD

Name/Title

4/28/16  
Date

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

**This document represents the Tier 1 or Broad-Level review *only*. As individual sites are selected, this review must be supplemented by individual Tier 2 or Site-Specific reviews for each site. All laws and authorities requiring site-specific analysis will be addressed in these individual reviews.**

Update this document as site-specific reviews are completed. Complete each site-specific review according to the written strategies outlined in the broad-level review and attach it in the environmental review record.

[illegible]

# Neighborhood Assets

