

File No. 250053

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date March 26, 2025

Board of Supervisors Meeting Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Award Notice and Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- BOS Ord No. 7-25 File No. 250022 Contents
- PRT Presentation 3/26/2025
- _____
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Completed by: Brent Jalipa Date March 20, 2025

Completed by: Brent Jalipa Date _____

Item 2 File 25-0053	Department: Port
EXECUTIVE SUMMARY	
<p style="text-align: center;">Legislative Objectives</p> <ul style="list-style-type: none"> The proposed hearing would release \$2,700,000 in grant funds placed on Budget & Finance Committee reserve for Port’s Pier 94/96 Seismic Improvement Project. <p style="text-align: center;">Key Points</p> <ul style="list-style-type: none"> Originally constructed in the early 1960s, Pier 94/96 is a critical deep-water cargo and emergency response hub for San Francisco. It spans 76 acres, includes heavy maritime infrastructure, and is one of the few remaining piers capable of accommodating large cargo operations. Studies of San Francisco’s Southern Waterfront found Pier 94/96 is highly vulnerable to liquefaction, slope failure, and structural damage during a significant earthquake, posing potential long-term disruption to citywide emergency and cargo operations. On August 5, 2024, FEMA awarded the City \$2,700,000 through Cal OES for studies and design work to address seismic weaknesses. The City must provide a \$900,000 local match. The grant funds will support geotechnical investigations, risk analyses, selection of strengthening alternatives, and development of a 60% design plan. Environmental reviews and permit applications will also be completed. Although a 36-month project period was initially planned through August 2027, FEMA’s official disaster period of performance ends on August 28, 2026. Work completed after that date will require a grant term extension or risk ineligibility for federal reimbursement. The Port reports it expects to complete most of the grant eligible work by the 2026 deadline. <p style="text-align: center;">Fiscal Impact</p> <ul style="list-style-type: none"> The total project budget is \$3,600,000 (inclusive of the Port’s \$900,000 local match). The Port will use previously approved Harbor Fund appropriations for its 25% match. <p style="text-align: center;">Recommendation</p> <ul style="list-style-type: none"> Approve the requested release of reserves. 	

MANDATE STATEMENT

City Administrative Code Section 3.3(j) states that the Budget and Finance Committee of the Board of Supervisors has jurisdiction over the City’s budget and may reserve proposed expenditures to be released at a later date subject to Board of Supervisors approval. The practice of the Board of Supervisors is for the Budget and Finance Committee to approve release of funds placed on reserve by the Committee, without further Board of Supervisors approval.

BACKGROUND

Pier 94/96’s Earthquake Risk

Constructed in the early 1960s, Pier 94/96 is one of the few remaining piers in San Francisco designed to handle heavy maritime cargo operations. It spans 76 acres and includes three deep-water berths capable of accommodating large ships, a maintenance building, two cranes for loading and unloading cargo, railroad tracks directly on the pier for easy transport, and immediate connections to a facility designed to transfer shipping containers between ships, trucks, and trains. Due to these features, Pier 94/96 is identified as an emergency response hub in both City and regional emergency plans.

In 2021, the Port conducted a study to examine earthquake risks along San Francisco’s Southern Waterfront area. The study showed that Pier 94/96 faces significant danger in the event of a strong earthquake. Specifically, the ground behind the pier could become unstable and behave like quicksand (known as liquefaction), slopes along the shoreline could collapse or shift, and critical parts of the pier’s support structure, such as docks and walls, could be severely damaged or collapse. Damage of this magnitude would render the pier unusable for months or years, significantly disrupting emergency response efforts.

Hazard Mitigation Grant Program

The Hazard Mitigation Grant Program, administered by the Federal Emergency Management Agency (FEMA), helps governments plan to protect communities from future disasters and reduce potential damage.

On August 5, 2024, FEMA awarded \$2,700,000 through California’s Office of Emergency Services (Cal OES) to fund studies and design improvements at Pier 94/96.

Authorization and Funding Status

On October 8, 2024, the San Francisco Port Commission authorized the Port’s Executive Director to request final approval from the Board of Supervisors to accept and expend these grant funds.

In January 2025, the Board of Supervisors and Mayor enacted a resolution that approved the Port accept \$2,700,000 from FEMA/Cal OES with the awarded funds being placed into Board of Supervisors Budget & Finance reserve (File 25-0022). The grant agreement requires the City to provide matching funds of \$900,000 and, as a result, the grant has “fiscal impact,” as defined in Administrative Code Section 2.6-1, and therefore required a hearing before a fiscal committee of

the Board of Supervisors and a report from the Budget & Legislative Analyst. Because that did not happen, the resolution placed the revenues on Budget & Finance Committee reserve, pending a report from our office.

DETAILS OF PROPOSED LEGISLATION

The proposed hearing would release \$2,700,000 in grant funds placed on Budget & Finance Committee reserve for Port’s Pier 94/96 Seismic Improvement Project.

Grant

Under this Hazard Mitigation Grant Program subaward, the California Governor’s Office of Emergency Services (Cal OES) is the grantor (on behalf of FEMA), and DEM and the Port are the subgrantees. The approved performance period for the award spans August 5, 2024, through August 28, 2026.

Scope of Work

The Port of San Francisco applied for a grant to carry out the Pier 94/96 Seismic Improvements project. The main goal is to study and advance design solutions that address the aging seawall, deteriorating wharf, and unstable soil conditions that could cause serious damage in a major earthquake.

The project involves several steps. First, the Port will evaluate current conditions by assessing land and underwater surfaces, inspecting structures like cranes and utilities, and performing soil testing. Next, the project team will assess earthquake risks, identify and evaluate different options to strengthen the pier, and develop detailed plans for the selected option up to a 60 percent completion level. Environmental reviews and necessary permits will also be completed.

Once this design work is finished, the Port plans to use these findings to request additional Federal Emergency Management Agency (FEMA) grants for construction. The ultimate aim is to restore Pier 94/96 to safe and reliable standards, improve the strength of the surrounding soil, and ensure the facility can adequately handle future cargo operations and emergency response needs.

The Port does not anticipate significant impacts on maritime operations during the assessment phase, as all work involves geotechnical investigations that can be scheduled around tenant activities. Outreach to local communities will occur through direct tenant communications and updates at the Southern Waterfront Advisory Committee.¹

Schedule

The Port planned for and was awarded a 36-month project period ending in August 2027 for the completion of site investigations, risk assessments, design work, and environmental reviews.

¹ The Southern Waterfront Advisory Committee is a community advisory body that provides input on development, environmental, and maritime projects along San Francisco’s southern waterfront.

However, under the current FEMA award terms, the federal disaster period of performance will end on August 28, 2026, and any work conducted after that date may be ineligible for reimbursement unless the Port secures a formal time extension from FEMA and the California’s Office of Emergency Services (Cal OES). The Port expects to finish the core tasks—such as geotechnical investigations, risk modeling, and preliminary design—by August 2026, but acknowledges that unforeseen complexities could require additional time. If an extension is not granted, any remaining work would either have to be completed at the Port’s expense or deferred until new funding could be identified. There is a risk that some grant funds could effectively go unused if the scope isn’t finished by the August 2026 deadline or an extension is not granted.

Local Business Enterprise Program

While this contract is designated for contractual services that will be put out for bid, Local Business Enterprise requirements are not applicable as federal grants are prohibited from inclusion of requirements that advantage local producers.

FISCAL IMPACT

The proposed hearing authorizes the release from reserve of \$2,700,000 in federal grant funds awarded by FEMA’s Hazard Mitigation Grant Program through Cal OES for the Pier 94/96 Seismic Improvements Project. Additionally, the Port of San Francisco will provide the required matching funds of \$900,000 from the Port Harbor Fund, resulting in a total project budget of \$3,600,000. The Port proposes to maximize the use of grant funds by waiving indirect costs in the grant budget. The allocation of the funds is detailed below in Exhibit 1.

Exhibit 1: Total Grant Budget

Category	Amount
Project Management	\$179,400
Consultant Procurement	35,100
Existing Conditions Assessment	494,000
Earthquake Risk Assessment	470,000
Alternative Assessment and Design	540,000
Design (up to 60%) and Environmental Approvals	1,828,000
Project Closeout	52,500
Total	\$3,600,000

Source: Port

Note: Total might not add due to rounding.

The Port acknowledges that project costs may fluctuate over time due to unforeseen conditions and the extended grant award timeline. If increases occur, the Port will engage with FEMA and Cal OES to request additional funding or adjust the project scope to align with available resources.

Funding Source

The FEMA Hazard Mitigation Grant Program requires a 25 percent local funding match. The Port's match of \$900,000 will be sourced from previously approved appropriations from the Port Harbor Fund. This grant does not require an amendment to the City's Annual Salary Ordinance.

Future Construction Funding

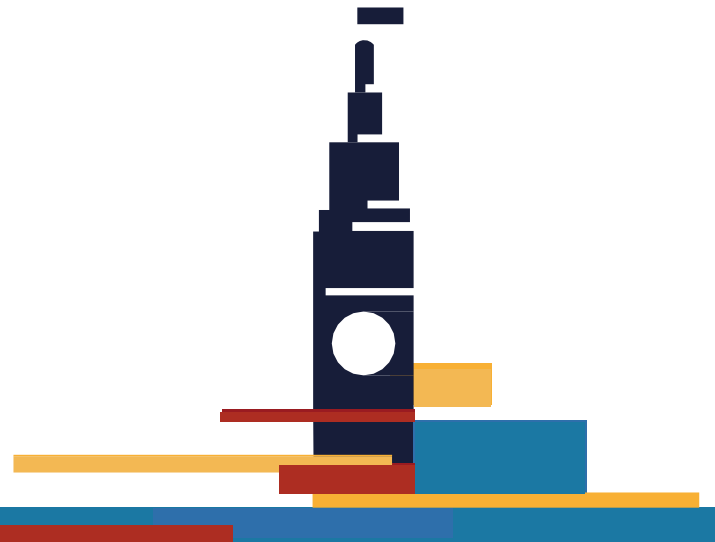
If FEMA does not approve additional grants for seismic work identified in the needs assessment process, the Port will explore other financing and delivery options, such as integrating the Pier 94/96 work into the Waterfront Resilience Project or leveraging an offshore wind industry redevelopment plan. This initial grant work is needed to better understand existing site conditions, select a preferred design alternative, and begin detailed design.

RECOMMENDATION

Approve the requested release of reserves.

Port of San Francisco
Release of Reserve Hearing
Federal Grants

March 26, 2025



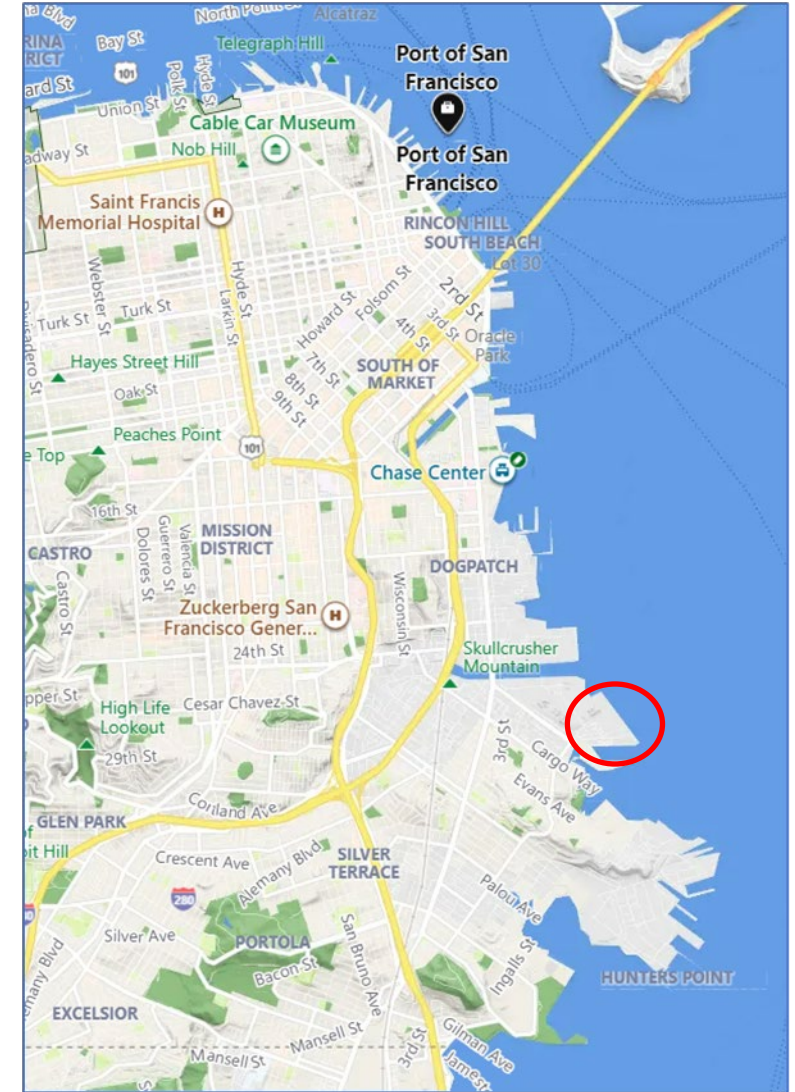
Federal Emergency Management Agency Hazard Mitigation Grant Program (HMGP)

PROJECT SCOPE

- Improve seismic stability of Pier 94/96 Marine Terminal
 - Pier 94/96
 - Constructed in 1960's – legacy cargo and heavy maritime use pier
 - Important source of diverse local jobs
 - Critical deep water maritime facility for disaster response
 - Assess and investigate current site conditions
 - Develop earthquake risk assessment and technical report
 - Design up to 60% and prepare environmental approvals

PROJECT DURATION - 32 months

AWARD AMOUNT - \$2,700,000 PORT MATCH - \$900,000



Environmental Protection Agency

Clean Ports Program

Joint project between San Francisco Bay Ferry, SFPUC, and Working Waterfront Coalition to fund first zero-emission high speed ferry network in the country.

PROJECT SCOPE

- A new ferry terminal in Mission Bay equipped with electric charging infrastructure
- Electric charging infrastructure at the Downtown San Francisco Ferry Terminal
- A 400-passenger zero-emission ferry
- Support for a regional maritime workforce development program

PROJECT DURATION - 36 months

AWARD AMOUNT - \$55.3M

MATCH - \$15.5M





City and County of San Francisco
Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 250022 **File Type:** Resolution **Status:** Passed

Enacted: 007-25 **Effective:** 01/16/2025

Version: 2 **In Control:** Clerk of the Board

File Name: Accept and Expend Grant - Federal Emergency Management Agency - California Office of Emergency Services - Pier 94/96 Seismic Improvements Project - \$2,700,000 **Date Introduced:** 01/08/2025

Requester: Port **Cost:** **Final Action:** 01/16/2025

Comment: Fiscal Impact; No Budget and Legislative Analyst Report **Title:** Resolution authorizing the Port of San Francisco to accept and expend a grant award in the amount of \$2,700,000 from the United States Federal Emergency Management Agency Hazard Mitigation Grant Program through the California Office of Emergency Services for the Pier 94/96 Seismic Improvement Project for the period of January 31, 2025, through August 4, 2027.

Companion Files: 250037, 250038 **Sponsors:** Mayor; Mandelman

History of Legislative File 250022

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	01/08/2025	RECEIVED AND ASSIGNED	Board of Supervisors		
1	Board of Supervisors	01/14/2025	AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE <i>Supervisor Mandelman requested to be added as a co-sponsor.</i>			Passed
2	Board of Supervisors	01/14/2025	ADOPTED AS AMENDED			Passed
2	Mayor	01/16/2025	APPROVED			

1 [Accept and Expend Grant - Federal Emergency Management Agency - California Office of
2 Emergency Services - Pier 94/96 Seismic Improvements Project - \$2,700,000]

3 **Resolution authorizing the Port of San Francisco to accept and expend a grant award**
4 **in the amount of \$2,700,000 from the United States Federal Emergency Management**
5 **Agency Hazard Mitigation Grant Program through the California Office of Emergency**
6 **Services for the Pier 94/96 Seismic Improvement Project for the period of January 31,**
7 **2025, through August 4, 2027.**

8
9 WHEREAS, The Port manages the San Francisco waterfront within its jurisdictional
10 boundaries as the gateway to a world class city, and advances environmentally and financially
11 sustainable maritime, recreational and economic opportunities to serve the City, Bay Area,
12 California, and nation; and

13 WHEREAS, The Port of San Francisco is an economic engine welcoming millions of
14 people to its jurisdiction each year while supporting operations that provide sustainable jobs
15 for people in the community; and

16 WHEREAS, The Port of San Francisco applied for grant funds to undertake the Pier
17 94/96 Seismic Improvements project to design improvements to the project site; and

18 WHEREAS, On August 5, 2024, the Federal Emergency Management Agency (FEMA)
19 through the California Office of Emergency Services as a pass-through entity, announced its
20 award of \$2,700,000 for the investigation, assessment, and design phases of the Pier 94/96
21 Seismic Improvements project; and

22 WHEREAS, The Port will provide \$900,000 in matching funds as required by FEMA for
23 its Hazard Mitigation Grant Program; and

1 WHEREAS, On October 8, 2024, the San Francisco Port Commission through
2 Resolution No. 24-42 authorized the Port Executive Director or her designee to seek Board of
3 Supervisors authorization to accept and expend these funds; and

4 WHEREAS, This grant does not create any new positions and will not require an
5 amendment to the Annual Salary Ordinance; and

6 WHEREAS, Administrative Code, Section 2.6-3, requires the Budget Analyst to review
7 legislation and report on matters that are deemed to have fiscal impact and on January 10,
8 2025, the Budget and Legislative Analyst determined this matter has fiscal impact and
9 requires a fiscal impact report be submitted prior to the legislation being heard in a fiscal
10 committee; and

11 WHEREAS, The Port of San Francisco proposes to maximize the use of grant funds on
12 the program expenditures by not including indirect costs in the grant budget; now, therefore,
13 be it

14 RESOLVED, Due to the lack of a fiscal impact report, as required by Administrative
15 Code, Section 2.6-3, the funds accepted for this grant shall be placed into the Board of
16 Supervisors' reserve until released; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Port of
18 San Francisco to accept \$2,700,000 from the United States Federal Emergency Management
19 Agency Hazard Mitigation Grant Program through the California Office of Emergency Services
20 for the Pier 94/96 Seismic Improvement Project; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of
22 indirect costs in the grant budget; and, be it

23 FURTHER RESOLVED, Once the fiscal impact requirements of Administrative Code,
24 Section 2.6-3 have been resolved, the Board of Supervisors delegates their authority to
25 release these funds to the Budget and Finance Committee and the Clerk of the Board is

1 directed to schedule a hearing at the Budget and Finance Committee to duly review the
2 submitted documents and consider the release of the funds to the Port; and, be it

3 FURTHER RESOLVED, That the Port, subject to the Board of Supervisors' approval,
4 authorizes the Executive Director or her designee to execute for and on behalf of the City and
5 County, the Project Assurances for Federal Assistance and any documents necessary with
6 the United States Federal Emergency Management Agency through the Hazard Mitigation
7 Grant Program including any extensions, augmentations, or amendments, thereof; and, be it

8 FURTHER RESOLVED, That the Port shall be hereby authorized to expend the grant
9 award of \$2,700,000 upon the release of funds from the Board of Supervisors' Reserve.

10
11
12
13 Recommended:

Approved: /s/

14 Benjamin McCloskey,

15 Interim Mayor's Budget Director

16 /s/

17 Elaine Forbes

Approved: /s/Jocelyn Quintos for Greg Wagner

18 Executive Director

Greg Wagner, Controller

19 Port of San Francisco
20
21
22
23
24
25



City and County of San Francisco

**Tails
Resolution**

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 250022

Date Passed: January 14, 2025

Resolution authorizing the Port of San Francisco to accept and expend a grant award in the amount of \$2,700,000 from the United States Federal Emergency Management Agency Hazard Mitigation Grant Program through the California Office of Emergency Services for the Pier 94/96 Seismic Improvement Project for the period of January 31, 2025, through August 4, 2027.

January 14, 2025 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

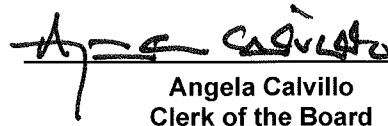
Ayes: 11 - Chan, Chen, Dorsey, Engardio, Fielder, Mahmood, Mandelman, Melgar, Sauter, Sherrill and Walton

January 14, 2025 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Chan, Chen, Dorsey, Engardio, Fielder, Mahmood, Mandelman, Melgar, Sauter, Sherrill and Walton

File No. 250022

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 1/14/2025 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board



Daniel Lurie
Mayor

1.16.25

Date Approved

- c. 1. If no, why are indirect costs not included? **N/A**
[] Not allowed by granting agency [X] To maximize use of grant funds on direct services
[] Other (please explain):
- c. 2. If no indirect costs are included, what would have been the indirect costs? **N/A**

12. Any other significant grant requirements or comments:

****Disability Access Checklist***(Department must forward a copy of all completed Grant Information Forms to the Mayor’s Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Existing Site(s) | <input type="checkbox"/> Existing Structure(s) | <input type="checkbox"/> Existing Program(s) or Service(s) |
| <input type="checkbox"/> Rehabilitated Site(s) | <input type="checkbox"/> Rehabilitated Structure(s) | <input type="checkbox"/> New Program(s) or Service(s) |
| <input type="checkbox"/> New Site(s) | <input type="checkbox"/> New Structure(s) | |

14. The Departmental ADA Coordinator or the Mayor’s Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor’s Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

Comments:

Departmental ADA Coordinator or Mayor’s Office of Disability Reviewer:

Melanie Kung
(Name)

Disability Access Coordinator
(Title)

Date Reviewed: 1/7/2025

DocuSigned by:
Melanie Kung
(Signature Required)

Department Head or Designee Approval of Grant Information Form:

Elaine Forbes
(Name)

Executive Director
(Title)

Date Reviewed: 1/7/2025

DocuSigned by:
Elaine Forbes
(Signature Required)



Disaster No: _____
 Cal OES ID No: _____
 UEI No: _____

PROJECT ASSURANCES FOR FEDERAL ASSISTANCE

SUBRECIPIENT'S NAME: _____
 (Name of Organization)

PRIMARY MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE: _____ FAX NUMBER: _____

CA ASSEMBLY DIST: _____ CA SENATE DIST: _____ U.S. CONGRESSIONAL DIST: _____

Visit sos.ca.gov/elections/who-are-my-representatives to find your district number.

AUTHORIZED AGENT: _____

TITLE: _____

EMAIL ADDRESS: _____

ASSURANCES – CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to all your projects. If you have questions, please contact the California Governor's Office of Emergency Services. Further, certain federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the subrecipient named above:

1. Has the legal authority to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, Federal Office of Inspector General 2 CFR 200.336, and if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.



3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance-awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gains.
8. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residential structures.
9. Will comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibit discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255) as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd- 3 and 290 ee-3) as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of



- 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and (j) the requirements on any other non-discrimination statute(s) which may apply to the application.
10. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
 11. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$5,000 or more.
 12. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.O. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.O. 93-205).
 13. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
 14. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).



15. Will comply with Standardized Emergency Management (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447, and 2448.
16. Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 and the Single Audit Act Amendments of 1996.
17. Will disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with §200.112.
18. Will comply with all applicable requirements of all other federal laws, Executive Orders, regulations and policies governing this program.
19. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the subrecipient application for federal assistance. Will, after the receipt of federal financial assistance, through the State of California, agree to the following:
 - a. The state warrant covering federal financial assistance will be deposited in a special and separate account and will be used to pay only eligible costs for projects described above.
 - b. To return to the State of California such part of the funds so reimbursed pursuant to the above numbered application, which are excess to the approved actual expenditures as accepted by final audit of the federal or state government.
 - c. In the event the approved amount of the above numbered project application is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
20. The non-Federal entity for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award §200.113. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment.



21. Will not make any award or permit any award (subaward or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension."

"I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized by _____
 (Name of Organization)

to enter into this agreement for and on behalf of said subrecipient, and by my signature do bind the subrecipient to the terms thereof."

 PRINTED NAME

 SIGNATURE OF AUTHORIZED AGENT

 TITLE DATE

GAVIN NEWSOM
GOVERNOR



NANCY WARD
DIRECTOR

August 26, 2024

Steven Reel
Deputy Program Manager, Engineering & Project Delivery
San Francisco, City and County
Pier 1, the Embarcadero
San Francisco, CA 94111

Subject: **Notification of Subapplication Approval**
Hazard Mitigation Grant Program
FEMA-**4569**-DR-CA, Project #**AP00689**, FIPS #**075-00000**
Supplement #**41**

Dear Mr. Reel:

The California Governor's Office of Emergency Services (Cal OES) received notification that the Federal Emergency Management Agency (FEMA) has approved your organization's subaward application in the amount of **\$2,700,000.00**. A copy of the FEMA award package is enclosed for your records. In order to receive payment as a grant subrecipient, your organization must have the following on file with the Recovery Financial Processing Unit:

- A valid, current (approved within the last 3 years) Governing Body Resolution
- A Project Assurances for Federal Assistance agreement
- A Supplemental Grant Subaward Information sheet
- A current Federal Funding Accountability and Transparency Act (FFATA) Financial Disclosure form. This form must be submitted each fiscal year.
- An active registration with the federal System for Award Management (SAM) website. The registration must remain active for the duration of this grant subaward.

For your convenience, this subapplication approval package includes the required post-obligation documents as well as guides to completing and renewing a SAM registration. Please complete the documents and mail copies to the address listed at the end of this letter, keeping the originals with your records. Alternatively, you may scan and email the completed documents to the Recovery Financial Processing Unit at HMgrantsPayments@CalOES.ca.gov. Electronic copies of the post-obligation documents can also be requested at the same address.



3650 SCHRIEVER AVENUE • MATHER, CA 95655
RECOVERY FINANCIAL PROCESSING UNIT
(916) 845-8110

Mr. Reel
Page 2

Payments will be made on a reimbursement basis using the enclosed Hazard Mitigation Reimbursement Request Form. A ten percent (10%) retention will be withheld from all reimbursement payments and will be released as part of the subaward closeout process.

Reimbursements can be made only for items listed on the approved subaward application. Expenditures for any other work should be separately maintained and are the sole responsibility of the subrecipient. Any funds received in excess of current needs or approved amounts, or those found owed as a result of a final inspection or audit, must be refunded to the State within 30 days of receipt of an invoice from Cal OES.

When mailing documents to the Recovery Financial Processing Unit, please use the following address:

California Governor's Office of Emergency Services
Attention: Recovery Financial Processing Unit
3650 Schriever Avenue
Mather, CA 95655

For further assistance regarding post-obligation documents or the reimbursement request process, please contact the Recovery Financial Processing Unit at (916) 845-8110 or at HMGrantsPayments@caloes.ca.gov. For program-related questions, please contact the Hazard Mitigation Grants Program Unit at (916) 328-7450.

Recovery Financial Processing Unit

Enclosures

c: Subrecipient's Project File

*The Recovery Financial Processing Unit has universal Resolution No. 76-23, passed on 2/28/23, on file. A copy of the resolution is included in this package for your review. With the written permission of an Authorized Agent, the resolution can be applied to this project.

**The Recovery Financial Processing Unit has a current FFATA Financial Disclosure form on file for your organization. There is no need to resubmit the document to Cal OES for this fiscal year.



3650 SCHRIEVER AVENUE • MATHER, CA 95655
RECOVERY FINANCIAL PROCESSING UNIT
(916) 845-8110

U.S. Department of Homeland Security
 FEMA Region 9
 1111 Broadway, Suite 1200
 Oakland, CA 94607



FEMA

August 5, 2024

RECEIVED
AUG 5 2024
FINANCIAL PROCESSING UNIT

Robyn Fennig
 Assistant Director, Hazard Mitigation
 Governor’s Authorized Representative
 California Governor’s Office of Emergency Services
 3650 Schriever Avenue
 Mather, California 95655

Reference: Application Approval, HMGP DR-4569-689-009
 City and County of San Francisco
 Advance Assistance - Earthquake Risk Assessment
 FIPS Code: ~~000-UDE6N~~, Supplement 41
075-00000 (AB)

Dear Robyn Fennig:

We approve and issue Hazard Mitigation Grant Program (HMGP) funds for the City and County of San Francisco, DR-4569-689-009, Advance Assistance - Earthquake Risk Assessment.

The total project cost is \$3,600,000.00. As shown in the enclosed Obligation Report - Supplement #41, we are obligating \$2,700,000.00 for the 75 percent Federal share; the 25 percent non-Federal share is \$900,000.00. These funds are available in SmartLink for immediate and eligible disbursements. The following is a summary of the approved funding:

Funding Type:	Federal Share:	Non-Federal Share:	Total Project Cost:
Supplement 41	\$2,700,00.00	\$900,000.00	\$3,600,000.00

This HMGP project approval and obligation of funds are subject to the following conditions:

- 1. Scope of Work (SOW)** – The City and County of San Francisco will fund Advance Assistance activities at Piers 94 and 96 in the City of San Francisco in San Francisco County, California. Project tasks will include an existing conditions assessment including topographic and bathymetric surveys, structures/crane/utility inspections and testing, geotechnical borings, earthquake risk assessment, development and evaluation of earthquake improvement alternatives, completion of a 60 percent level of design on the selected alternative, and completion of the California Environmental Quality Act (CEQA) and regulatory approvals needed for construction of the project.
- 2. Project Completion Date** – The work schedule included with the project application indicates that the project will take 36 months to complete; however, we can only approve a project up to the approved disaster period of performance (POP). Therefore, the project

Robyn Fennig
August 5, 2024
Page 2 of 3

completion date is August 28, 2026. Please inform the sub-recipient that work completed after the disaster period of performance (POP) is not eligible for federal funding, and that federal funds may be de-obligated for work completed outside the completion date when there is no approved time extension.

3. **Project Closeout** – Within 90 days of the award period of performance’s expiration, all project funds must be liquidated and final closeout documentation for the project must be submitted to FEMA. Please note the project must comply with Code of Federal Regulations Title 2, Part 200 reporting requirements at the time of closeout.
4. **Record of Environmental Consideration (REC)** – This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusions A4 (Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents), A7 (commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature), and N5 (Federal Assistance for Actions in Coastal Areas Subject to Moderate Wave Action or V Zones) have been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding. Please reference the enclosed REC for further information.
1. **Standard Conditions** – This project approval is subject to the enclosed *Standard Mitigation Grant Program (HMGP) Conditions*, amended August 2018. Please note that federal funds may be de-obligated for work that does not comply with these conditions.

If you have any questions please contact Jocelyn Maison-Kelly, Hazard Mitigation Assistance Specialist, by email at jocelyn.madisonkelly@fema.dhs.gov, or phone (202) 717-0135.

Sincerely,

KATHRYN J LIPIECKI

Digitally signed by KATHRYN J
LIPIECKI
Date: 2024.08.05 08:37:30 -07'00'

Kathryn Lipiecki
Director, Mitigation Division
FEMA Region 9

Enclosures (3):

Obligation Report – Supplement 41
Record of Environmental Considerations (REC)
Standard Mitigation Grant (HMGP) Conditions

cc: Ron Miller, Hazard Mitigation Assistance Branch Chief, California Governor’s Office of
Emergency Services

Robyn Fennig
August 5, 2024
Page 3 of 3

Melissa Boudrye, Resilience Branch Chief, California Governor's Office of Emergency Services

Concepcion Chavez, Technical Assistance Division Chief, California Governor's Office of Emergency Services

Joseph Purvis, Hazard Mitigation Grants Division Chief, California Governor's Office of Emergency Services

Ryan Massello, Hazard Mitigation Quality Assurance Division Chief, California Governor's Office of Emergency Services

Robert McCord, Chief, Hazard Mitigation Assistance Branch, FEMA Region 9

HAZARD MITIGATION GRANT PROGRAM

Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4569	9-R	0	689	1	41	CA	Statewide

Subrecipient: CITY AND COUNTY OF SAN FRANCISCO Project Title : POSF Southern Waterfront EQ Risk Assessment Advance Assistance
 Subrecipient FIPS Code: 000-UDE6N

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation		
\$2,700,000.00	\$2,700,000.00	\$0.00	\$0.00		

Project Amount	Subrecipient Management Cost Amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$2,700,000.00	\$0.00	\$2,700,000.00	08/01/2024	Accept	2024

Comments

Date: 08/01/2024 User Id: SSCOTT39

Comment: Approved funding for DR-4569-689-9R - POSF Southern Waterfront EQ Risk Assessment Advance Assistance - \$2,700,000.00 Fed Share.

Authorization

Preparer Name: STEVEN SCOTT

Preparation Date: 08/01/2024

HMO Authorization Name: JARED PERI

HMO Authorization Date: 08/01/2024

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

NEPA DETERMINATION

Non Compliant Flag: No	EA Draft Date:	EA Final Date:
EA Public Notice Date:	EA Fonsi	Level: CATEX
EIS Notice of Intent	EIS ROD Date:	

Comment The Port of San Francisco proposes to implement the Pier 94-96 Earthquake Resilience Project, Advance Assistance at Piers 94 and 96 in the City of San Francisco in San Francisco County, California (37.740612, -122.374138). This project would improve earthquake survivability of Piers 94 and 96. The proposed scope of work for this advance assistance project includes the following: existing conditions assessment including topographic and bathymetric surveys, structures/crane/utility inspections and testing, geotechnical borings, earthquake risk assessment, development and evaluation of earthquake improvement alternatives, completion of a 60 percent level of design on the selected alternative, and completion of the California Environmental Quality Act (CEQA) and regulatory approvals needed for construction of the project. Based on a review of existing data, it is expected that both land and waterside borings would be required to provide information needed for earthquake slope stability analysis. Geotechnical borings are expected to be up to 250 feet deep through fill soils, native soils, and bedrock.

This review does not cover construction actions, which will require separate review. No ground disturbance or structural activities, other than the geotechnical borings, are permitted without prior notice to FEMA.

This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusions A4 (Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents), A7 (commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature), and N5 (Federal Assistance for Actions in Coastal Areas Subject to Moderate Wave Action or V Zones) have been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding. - lholm2 - 05/31/2024 19:58:38 GMT

CATEX CATEGORIES

Catex Category Code	Description	Selected
*n5	(*n5) Federal Assistance for Actions in Coastal Areas Subject to Moderate Wave Action or V Zones. Assistance for repair, hazard mitigation, new construction, or restoration actions of less than one-half acre within the following areas: seaward of limit of moderate wave action (LiMWA) (line mapped to delineate inland extent of wave heights of 1.5 feet) during base flood (area with at least one-percent chance of flood in any year); or areas within V zone (coastal area with velocity hazard due to wave action) if LiMWA is not established. Actions must meet the following criteria: (a) Consistent with State or Tribe enforceable policies of approved coastal management programs, (b) Not within or affect a Coastal Barrier Resource System unit, (c) Do not result in man-made alterations of sand dunes, (d) Do not result in permanent removal of vegetation (including mangrove stands, wetlands, and dune vegetation), (e) Applicable Federal requirements and local codes and standards are followed, and (f) If actions involve substantial improvement or new construction of structures, the following criteria also apply: 1. structure must be elevated on open works (e.g. piles and columns), as opposed to fill, such that bottom lowest horizontal structural member is at or above base flood level, 2. foundation must be anchored to resist flotation, collapse, and lateral movement due to effects of wind and water loads, and 3. project siting must conform to applicable State, Tribe, or local setback requirements. Examples of activities covered by this CATEX include but are not limited to: repair and elevation of structures; repair and new construction of jetties and groins; repair, hazard mitigation, and new construction of functionally dependent facilities such as piers,	Yes

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Catex Category Code	Description	Selected
	marinas, boat ramps, bathrooms, and port facility structures; and beach restoration projects except projects that result in man-made alteration of dunes and wetlands such as beach nourishment projects.	
a4	(a4) Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents. If any of these activities result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include but are not limited to: (a) Document mailings, publication and distribution, training and information programs, historical and cultural demonstrations, and public affairs actions. (b) Studies, reports, proposals, analyses, literature reviews; computer modeling; and non-intrusive intelligence gathering activities.	Yes
a7	(a7) The commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature. If any of these commitments result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include, but are not limited to: (a) Activities designed to support the improvement or upgrade management of natural resources, such as surveys for threatened and endangered species, wildlife and wildlife habitat, historic properties, and archeological sites; wetland delineations; timber stand examination; minimal water, air, waste, material and soil sampling; audits, photography, and interpretation. (b) Minimally-intrusive geological, geophysical, and geo-technical activities, including mapping and engineering surveys. (c) Conducting Facility Audits, Environmental Site Assessments and Environmental Baseline Surveys, and (d) Vulnerability, risk, and structural integrity assessments of infrastructure.	Yes

EXTRAORDINARY

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/ Executive Order	Status	Description	Comment
Clean Air Act (CAA)	Completed	Project is located in a non-attainment area	The project is in San Francisco County and is within a nonattainment area for PM-2.5 (2006) 8-hour ozone (2008, 2015) according to the U.S. Environmental Protection Agency (USEPA). Based on the scope of work, the potential emissions from project activities are clearly below de minimis thresholds for the General Conformity Rule. Thus, the project is exempt from a conformity determination. See Condition. - lholm2 - 05/31/2024 19:42:52 GMT
	Completed	Coordination required with applicable state administering agency - Review concluded	

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Environmental Law/ Executive Order	Status	Description	Comment
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would affect waters, including wetlands, of the U.S.	The scope of work associated with this project has the potential to affect waters of the U.S. This project may require Section 404/401 Clean Water Act (CWA) or Section 9/10 (Rivers and Harbors Act) Permit(s), including qualification under Nationwide Permits. The Subrecipient is required to contact USACE to determine whether project activities require USACE permits under the CWA. See Condition. - lholm2 - 05/31/2024 19:40:56 GMT
	Completed	Project may require Section 404/401 or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits - Review concluded	
Coastal Zone Management Act (CZMA)	Completed	Project is located in a coastal zone area and/or affects the coastal zone	The project occurs within the coastal zone and is an activity that may have a reasonably foreseeable effect on a coastal use or resource, therefore administering agency requires consistency review. See Condition. - lholm2 - 05/31/2024 19:41:38 GMT
	Completed	State administering agency requires consistency review - Review concluded	
Executive Order 11988 - Floodplains	Completed	Located in floodplain or effects on floodplain/flood levels	The project is located within zones AE and VE, areas of Special Flood Hazard Area (100-year floodplain, base floodplain), per Flood Insurance Rate Map (FIRM) panel 0602980251A, dated 03/23/2021. The proposed action is not likely to result in any potential direct impacts that would adversely affect the natural values and function of floodplains, nor is it likely to increase the risk of flood loss. The Initial Disaster Public Notice was published on 10/31/2020. Per 44 CFR 9.5(d)(4), the 8-step Process was completed, and the determination was the project is the only practicable alternative. Floodplain Management 8-Step Checklist is attached. See Condition. See attached map. - lholm2 - 05/31/2024 19:51:45 GMT
	Completed	Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment	
	Completed	8 Step Process Complete - documentation attached - Review	

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Environmental Law/ Executive Order	Status	Description concluded	Comment
Executive Order 11990 - Wetlands	Completed	Located in wetlands or effects on wetlands	Per the U.S. Fish and Wildlife Service Wetland Mapper viewed on 07/06/2022, the project is within estuarine and marine deepwater habitat. The proposed action is not likely to result in any potential direct impacts that will adversely affect the natural values and function of wetlands. Initial Disaster Public Notice was published on 10/31/2020. See Conditions. See attached. - lholm2 - 05/31/2024 19:54:49 GMT
	Completed	Possible adverse effect associated with constructing in or near wetland	
	Completed	Review completed as part of floodplain review - Review concluded	
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	Minority or low-income populations were identified through program coordination and public involvement, state EJ community lists or maps, or EJSCREEN reports for the area around Pier 94 and 96. Review of the project scope of work revealed no adverse effects on these populations. Therefore, no additional review for potential EJ concerns is required. - lholm2 - 05/31/2024 19:55:08 GMT
	Completed	No disproportionately high and adverse impact on low income or minority population - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	Informal Consultation with the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act was concluded on 05/02/2024, and informal consultation with the National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act was concluded on 05/20/2024. Per the Letters of Concurrence, the proposed action May Affect but is Not Likely to Adversely Affect Federally Listed Species and/or designated Critical Habitat. See attached. See Condition(s). - lholm2 - 05/31/2024 19:36:14 GMT
	Completed	May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence attached) - Review concluded	

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Environmental Law/ Executive Order	Status	Description	Comment
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Completed	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project located in or near Essential Fish Habitat	Per consultation with NMFS; recommendations were provided. See NMFS Letter of Concurrence reference number WCRO-2024-01019. See Condition. - lholm2 - 05/31/2024 19:44:41 GMT
	Completed	Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence attached)	
	Completed	NOAA Fisheries provided recommendation(s)	
	Completed	Written reply to NOAA Fisheries recommendations completed - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement (enter date in comments).	Consultation with the appropriate tribes was conducted per 36 CFR 800.2(c)(2)(ii) and 36 CFR 800.2(c)(5). Consultation was concluded on 05/26/2023. The tribes did not provide comments within 30 days or declined to comment. FEMA has determined that the proposed project would not adversely affect traditional, religious, or culturally significant sites. See attached. FEMA consulted with the State Historic Preservation Officer (SHPO) on 10/24/2023 and made a finding of no historic properties affected in accordance with Stipulation II.C of the Programmatic Agreement among the Federal Emergency Management Agency (FEMA), the California State Historic Preservation Officer (SHPO), and the California Governor's Office of Emergency Services, signed 10/29/2019. SHPO had no objection to FEMA's finding by letter dated 11/27/2023. See attached. - lholm2 - 05/31/2024 19:31:51 GMT

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Environmental Law/ Executive Order	Status	Description	Comment
	Completed	Building or structure 50 years or older or listed on the National Register in the project area and activity not exempt from review	
	Completed	Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence attached) - Review concluded	
	Completed	Project affects undisturbed ground	
	Completed	Project area has potential for presence of archeological resources	
	Completed	Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence attached) - Review concluded	
OTHER (enter specifics in comments)	Completed	Review concluded	Marine Mammal Protection Act (MMPA)According to the NMFS Species List Tool, the project area has the potential to support marine mammals protected under the Marine Mammal Protection Act (MMPA). Although no marine mammal haul-out locations are present within the project area, the proposed geotechnical activities could impact marine mammals through noise disturbance, decreased water quality, and/or vessel strikes. Effects from noise disturbance and decreased water quality would be temporary and localized and would not be expected to permanently degrade marine habitats used by marine mammals. See Condition. - lholm2 - 05/31/2024 19:50:18 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

CONDITIONS

Special Conditions required on implementation of Projects:

The Subrecipient must coordinate with the local floodplain administrator and obtain any required permits prior to initiating work. Coordination correspondence with the Floodplain administrator, including any required permits, and implementation documentation to any permit conditions need to be forwarded to the State and FEMA for inclusion in the permanent project files.

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

The Subrecipient must coordinate with the local floodplain administrator and obtain any required permits prior to initiating work. Coordination correspondence with the Floodplain administrator, including any required permits, and implementation documentation to any permit conditions need to be forwarded to the State and FEMA for inclusion in the permanent project files.

Source of condition: Executive Order 11988 - Floodplains Monitoring Required: Yes

Best Management Practices: The Subrecipient shall ensure that best management practices are implemented to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. This includes equipment storage and staging of construction to prevent erosion and sedimentation to ensure that wetlands are not adversely impacted per the Clean Water Act and Executive Order 11990.

Source of condition: Executive Order 11990 - Wetlands Monitoring Required: Yes

Permitting: The Subrecipient is responsible for proper identification of wetlands. Under EO11990 - Protection of Wetlands, the Subrecipient is responsible for coordinating with and obtaining any required Section 404 Permit(s) from the USACE prior to initiating work. The Subrecipient shall comply with all conditions of the required permit. All coordination pertaining to these activities shall be documented and copies forwarded to the State and FEMA as part of the permanent project files.

Source of condition: Executive Order 11990 - Wetlands Monitoring Required: Yes

The Subrecipient is responsible for complying with all applicable subparts of the Clean Air Act. Copies of any permits/authorizations, or consultation documentation should be forwarded to FEMA for inclusion in the administrative record. Failure to comply with these conditions may jeopardize the receipt of federal funding.

Source of condition: Clean Air Act (CAA) Monitoring Required: No

This project may impact Waters of the U.S., and the Subrecipient is required to contact the USACE to determine whether project activities require a USACE permit under Section 404 of the Clean Water Act (CWA). All documentation pertaining to coordination and permitting must be attached to the project file. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.

Source of condition: Clean Water Act (CWA) Monitoring Required: Yes

In compliance with the Coastal Zone Management Act (CZMA), prior to initiation of any work the Subrecipient is responsible for coordinating with the San Francisco Bay Conservation and Development Commission (BCDC) to obtain Federal Consistency Certification. Subrecipient will need to implement any conditions associated with Federal Consistency Certification from BCDC. Any changes to the scope of work must be resubmitted to FEMA and the BCDC for Federal Consistency Certification review prior to initiation of any work. Noncompliance with these requirements may jeopardize federal funding.

Source of condition: Coastal Zone Management Act (CZMA) Monitoring Required: Yes

The Subrecipient is responsible for implementing Avoidance and Minimization Measures and Conservation Measures in the attached Letters of Concurrence reference number(s) 2023-0042025-S7-001 and WCRO-2024-01019. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.

Source of condition: Endangered Species Act (ESA) Monitoring Required: Yes

The Subrecipient must return the completed Post-construction Notification Reporting Form to FEMA-PCNR@fema.dhs.gov and the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) within 45 days of project completion.

Source of condition: Endangered Species Act (ESA) Monitoring Required: Yes

The Subrecipient is responsible for implementing all conditions in the attached documentation per National Marine Fisheries Service (NMFS). Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.

Source of condition: Magnuson-Stevens Fishery Conservation and Management Act (MSA) Monitoring Required: Yes

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)**Project** HMGP-4569-0009-CA (4569-689-09) (1)**Title:** Advance Assistance - Earthquake Risk Assessment

MMPA: Compliance and permitting requirements related to the Marine Mammal Protection Act is the sole responsibility of the Subrecipient. Should it be determined that the proposed activities could harass or harm marine mammals, an Incidental Harassment Authorization from NMFS would be required. The Incidental Harassment Authorization to conduct the proposed activities would need to be obtained by the Subrecipient from the NMFS prior to commencing the proposed activities within San Francisco Bay.

Source of condition: OTHER (enter specifics in comments)

Monitoring Required: Yes

Standard Conditions:

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Standard Mitigation Grant Program (HMGP) Conditions FEMA Region IX, August, 2018

The following list applies to Recipients and Subrecipients accepting HMGP funds from the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security (DHS):

1. **Applicable Federal, State, and Local Laws and Regulations.** The Recipient/Subrecipient must comply with all applicable Federal, State, and Local laws and regulations, regardless of whether they are on this list or other project documents. DHS financial assistance Recipients and Subrecipients are required to follow the provisions of the State HMGP Administrative Plan, applicable Hazard Mitigation Assistance Uniform Guidance, and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located in Title 2 of the Code of Federal Regulations (CFR) Part 200, adopted by DHS in 2 CFR 302.
2. **Financial Management Systems.** The Recipient and Subrecipient must maintain financial management systems to account for and track funds, as referenced in 2 CFR 200.302.
3. **Match or Cost Share.** Non-federal match or cost share must comply with 2 CFR 200.306, the scope of work (SOW), and any agreements among the Subrecipient, the Recipient, and FEMA.
4. **Budget Changes.** Unanticipated adjustments are permitted within the approved total cost. However, if costs exceed the federal share, the Subrecipient must notify the Governor's Authorized Representative (GAR) of overruns before implementation. The GAR shall submit a written request for approval to FEMA Region IX. The subaward must continue to meet HMGP requirements, including cost effectiveness and cost share. Refer to 2 CFR 200.308 for additional information.
5. **Real Property and Land.** The acquisition, use, and disposition must comply with 2 CFR 200.311.
6. **Equipment.** The acquisition, use, and disposition must comply with 2 CFR 200.313.
7. **Supplies.** Upon project completion, FEMA must be compensated for unused supplies, exceeding \$5,000 (fair market value), and not needed for other federal programs. Refer to 2 CFR 200.314.
8. **Procurement.** Procurement procedures must be in conformance with 2 CFR 200.318-320.
9. **Monitoring and Reporting Program Performance.** The Recipient and Subrecipient must submit quarterly progress reports, as referenced in the 2 CFR 200.328 and State HMGP Administrative Plan.
10. **Records Retention.** In accordance with 2 CFR 200.333, financial/ programmatic records related to expenditures must be maintained at least 3 years after the date of Recipient's final expenditure report.
11. **Enforcement and Termination.** If the Recipient or Subrecipient fails to comply with the award or subaward terms, whether stated in a Federal statute or regulation, the State HMGP Administrative Plan, subapplication, a notice of award, an assurance, or elsewhere, FEMA may take one or more of the actions outlined in 2 CFR 200.338, including termination or partial termination of the award or subaward outlined in 2 CFR 200.339.
12. **Allowable Costs.** Funds are to be used for allowable costs in compliance with 2 CFR 200.403, the approved SOW, and any agreements among the Subrecipient, Recipient, and FEMA.

13. **Non-Federal Audit.** The Recipient and Subrecipient are responsible for obtaining audits in accordance with the Single Audit Act of 1984, in compliance with 2 CFR 200.501.
14. **Debarred and Suspended Parties.** Recipients and Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, and 2 CFR 180. These regulations restrict federal financial assistance awards, subawards, and contracts with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in the federal assistance programs or activities.
15. **Equipment Rates.** Rates claimed for use of Subrecipient-owned equipment in excess of the FEMA-approved rates must be approved under State guidelines issued by the State Comptroller's Office or must be certified by the Recipient to include only those costs attributable to equipment usage less any fixed overhead and/or profit.
16. **Duplication of Funding between Public Assistance (PA) and HMGP.** Funding for PA Section 406 and HMGP Section 404 are permitted on the same facility/location, but the activities identified under each program must be distinct with separately accounted funds. At closeout, FEMA may adjust the funding to ensure the Subrecipient was reimbursed for eligible work from only one funding source.
17. **Historic Properties and Cultural Resources.** In compliance with 2 CFR 800, if a potential historic property or cultural resource is discovered during construction, the Subrecipient must cease work in the area and take all reasonable measures to avoid or minimize harm to the discovered property/resource. During construction, the Subrecipient will monitor ground disturbance activity, and if any potential archeological resources are discovered, will immediately cease work in that area, and notify the Recipient and FEMA. Construction in the area may resume with FEMA's written approval after FEMA's consultation, if applicable, with the State Historic Preservation Officer (SHPO).
18. **NEPA and Changes to the Scope of Work (SOW).** To comply with the National Environmental Policy Act (NEPA), and other Laws and Executive Orders, any change to the approved SOW shall be re-evaluated before implementation. Construction associated with a SOW change, prior to FEMA approval, may be ineligible for funding. Acceptance of federal funding requires environmental permits and clearances in compliance with all appropriate federal, state and local laws, and failure to comply may jeopardize funding.

Within their authority, the Recipient and Subrecipient must use of all practicable means, consistent with other essential policies, to create and maintain productive harmony for people and nature, and fulfill the social, economic, and other needs of present and future generations of Americans.

U.S. Department of Homeland Security
 FEMA Region 9
 1111 Broadway, Suite 1200
 Oakland, CA 94607



FEMA

August 5, 2024

Robyn Fennig
 Assistant Director, Hazard Mitigation
 Governor’s Authorized Representative
 California Governor’s Office of Emergency Services
 3650 Schriever Avenue
 Mather, California 95655

Reference: Application Approval, HMGP DR-4569-689-009
 City and County of San Francisco
 Advance Assistance - Earthquake Risk Assessment
 FIPS Code: 000-UDE6N, Supplement 41

Dear Robyn Fennig:

We approve and issue Hazard Mitigation Grant Program (HMGP) funds for the City and County of San Francisco, DR-4569-689-009, Advance Assistance - Earthquake Risk Assessment.

The total project cost is \$3,600,000.00. As shown in the enclosed Obligation Report - Supplement #41, we are obligating \$2,700,000.00 for the 75 percent Federal share; the 25 percent non-Federal share is \$900,000.00. These funds are available in SmartLink for immediate and eligible disbursements. The following is a summary of the approved funding:

Funding Type:	Federal Share:	Non-Federal Share:	Total Project Cost:
Supplement 41	\$2,700,00.00	\$900,000.00	\$3,600,000.00

This HMGP project approval and obligation of funds are subject to the following conditions:

- 1. Scope of Work (SOW)** – The City and County of San Francisco will fund Advance Assistance activities at Piers 94 and 96 in the City of San Francisco in San Francisco County, California. Project tasks will include an existing conditions assessment including topographic and bathymetric surveys, structures/crane/utility inspections and testing, geotechnical borings, earthquake risk assessment, development and evaluation of earthquake improvement alternatives, completion of a 60 percent level of design on the selected alternative, and completion of the California Environmental Quality Act (CEQA) and regulatory approvals needed for construction of the project.
- 2. Project Completion Date** – The work schedule included with the project application indicates that the project will take 36 months to complete; however, we can only approve a project up to the approved disaster period of performance (POP). Therefore, the project

Robyn Fennig
August 5, 2024
Page 2 of 3

completion date is August 28, 2026. Please inform the sub-recipient that work completed after the disaster period of performance (POP) is not eligible for federal funding, and that federal funds may be de-obligated for work completed outside the completion date when there is no approved time extension.

3. **Project Closeout** – Within 90 days of the award period of performance’s expiration, all project funds must be liquidated and final closeout documentation for the project must be submitted to FEMA. Please note the project must comply with Code of Federal Regulations Title 2, Part 200 reporting requirements at the time of closeout.
4. **Record of Environmental Consideration (REC)** – This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusions A4 (Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents), A7 (commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature), and N5 (Federal Assistance for Actions in Coastal Areas Subject to Moderate Wave Action or V Zones) have been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding. Please reference the enclosed REC for further information.
1. **Standard Conditions** – This project approval is subject to the enclosed *Standard Mitigation Grant Program (HMGP) Conditions*, amended August 2018. Please note that federal funds may be de-obligated for work that does not comply with these conditions.

If you have any questions please contact Jocelyn Maison-Kelly, Hazard Mitigation Assistance Specialist, by email at jocelyn.madisonkelly@fema.dhs.gov, or phone (202) 717-0135.

Sincerely,

KATHRYN J LIPIECKI

Digitally signed by KATHRYN J
LIPIECKI
Date: 2024.08.05 08:37:30 -07'00'

Kathryn Lipiecki
Director, Mitigation Division
FEMA Region 9

Enclosures (3):

Obligation Report – Supplement 41
Record of Environmental Considerations (REC)
Standard Mitigation Grant (HMGP) Conditions

cc: Ron Miller, Hazard Mitigation Assistance Branch Chief, California Governor’s Office of
Emergency Services

Robyn Fennig
August 5, 2024
Page 3 of 3

Melissa Boudrye, Resilience Branch Chief, California Governor's Office of Emergency Services

Concepcion Chavez, Technical Assistance Division Chief, California Governor's Office of Emergency Services

Joseph Purvis, Hazard Mitigation Grants Division Chief, California Governor's Office of Emergency Services

Ryan Massello, Hazard Mitigation Quality Assurance Division Chief, California Governor's Office of Emergency Services

Robert McCord, Chief, Hazard Mitigation Assistance Branch, FEMA Region 9

HAZARD MITIGATION GRANT PROGRAM

Obligation

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4569	9-R	0	689	1	41	CA	Statewide

Subrecipient: CITY AND COUNTY OF SAN FRANCISCO Project Title : POSF Southern Waterfront EQ Risk Assessment Advance Assistance
 Subrecipient FIPS Code: 000-UDE6N

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation		
\$2,700,000.00	\$2,700,000.00	\$0.00	\$0.00		

Project Amount	Subrecipient Management Cost Amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$2,700,000.00	\$0.00	\$2,700,000.00	08/01/2024	Accept	2024

Comments

Date: 08/01/2024 User Id: SSCOTT39

Comment: Approved funding for DR-4569-689-9R - POSF Southern Waterfront EQ Risk Assessment Advance Assistance - \$2,700,000.00 Fed Share.

Authorization

Preparer Name: STEVEN SCOTT

Preparation Date: 08/01/2024

HMO Authorization Name: JARED PERI

HMO Authorization Date: 08/01/2024

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

NEPA DETERMINATION

Non Compliant Flag: No	EA Draft Date:	EA Final Date:
EA Public Notice Date:	EA Fonsi	Level: CATEX
EIS Notice of Intent	EIS ROD Date:	

Comment The Port of San Francisco proposes to implement the Pier 94-96 Earthquake Resilience Project, Advance Assistance at Piers 94 and 96 in the City of San Francisco in San Francisco County, California (37.740612, -122.374138). This project would improve earthquake survivability of Piers 94 and 96. The proposed scope of work for this advance assistance project includes the following: existing conditions assessment including topographic and bathymetric surveys, structures/crane/utility inspections and testing, geotechnical borings, earthquake risk assessment, development and evaluation of earthquake improvement alternatives, completion of a 60 percent level of design on the selected alternative, and completion of the California Environmental Quality Act (CEQA) and regulatory approvals needed for construction of the project. Based on a review of existing data, it is expected that both land and waterside borings would be required to provide information needed for earthquake slope stability analysis. Geotechnical borings are expected to be up to 250 feet deep through fill soils, native soils, and bedrock.

This review does not cover construction actions, which will require separate review. No ground disturbance or structural activities, other than the geotechnical borings, are permitted without prior notice to FEMA.

This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusions A4 (Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents), A7 (commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature), and N5 (Federal Assistance for Actions in Coastal Areas Subject to Moderate Wave Action or V Zones) have been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding. - lholm2 - 05/31/2024 19:58:38 GMT

CATEX CATEGORIES

Catex Category Code	Description	Selected
*n5	(*n5) Federal Assistance for Actions in Coastal Areas Subject to Moderate Wave Action or V Zones. Assistance for repair, hazard mitigation, new construction, or restoration actions of less than one-half acre within the following areas: seaward of limit of moderate wave action (LiMWA) (line mapped to delineate inland extent of wave heights of 1.5 feet) during base flood (area with at least one-percent chance of flood in any year); or areas within V zone (coastal area with velocity hazard due to wave action) if LiMWA is not established. Actions must meet the following criteria: (a) Consistent with State or Tribe enforceable policies of approved coastal management programs, (b) Not within or affect a Coastal Barrier Resource System unit, (c) Do not result in man-made alterations of sand dunes, (d) Do not result in permanent removal of vegetation (including mangrove stands, wetlands, and dune vegetation), (e) Applicable Federal requirements and local codes and standards are followed, and (f) If actions involve substantial improvement or new construction of structures, the following criteria also apply: 1. structure must be elevated on open works (e.g. piles and columns), as opposed to fill, such that bottom lowest horizontal structural member is at or above base flood level, 2. foundation must be anchored to resist flotation, collapse, and lateral movement due to effects of wind and water loads, and 3. project siting must conform to applicable State, Tribe, or local setback requirements. Examples of activities covered by this CATEX include but are not limited to: repair and elevation of structures; repair and new construction of jetties and groins; repair, hazard mitigation, and new construction of functionally dependent facilities such as piers,	Yes

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Catex Category Code	Description	Selected
	marinas, boat ramps, bathrooms, and port facility structures; and beach restoration projects except projects that result in man-made alteration of dunes and wetlands such as beach nourishment projects.	
a4	(a4) Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents. If any of these activities result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include but are not limited to: (a) Document mailings, publication and distribution, training and information programs, historical and cultural demonstrations, and public affairs actions. (b) Studies, reports, proposals, analyses, literature reviews; computer modeling; and non-intrusive intelligence gathering activities.	Yes
a7	(a7) The commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature. If any of these commitments result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include, but are not limited to: (a) Activities designed to support the improvement or upgrade management of natural resources, such as surveys for threatened and endangered species, wildlife and wildlife habitat, historic properties, and archeological sites; wetland delineations; timber stand examination; minimal water, air, waste, material and soil sampling; audits, photography, and interpretation. (b) Minimally-intrusive geological, geophysical, and geo-technical activities, including mapping and engineering surveys. (c) Conducting Facility Audits, Environmental Site Assessments and Environmental Baseline Surveys, and (d) Vulnerability, risk, and structural integrity assessments of infrastructure.	Yes

EXTRAORDINARY

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/ Executive Order	Status	Description	Comment
Clean Air Act (CAA)	Completed	Project is located in a non-attainment area	The project is in San Francisco County and is within a nonattainment area for PM-2.5 (2006) 8-hour ozone (2008, 2015) according to the U.S. Environmental Protection Agency (USEPA). Based on the scope of work, the potential emissions from project activities are clearly below de minimis thresholds for the General Conformity Rule. Thus, the project is exempt from a conformity determination. See Condition. - lholm2 - 05/31/2024 19:42:52 GMT
	Completed	Coordination required with applicable state administering agency - Review concluded	

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Environmental Law/ Executive Order	Status	Description	Comment
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would affect waters, including wetlands, of the U.S.	The scope of work associated with this project has the potential to affect waters of the U.S. This project may require Section 404/401 Clean Water Act (CWA) or Section 9/10 (Rivers and Harbors Act) Permit(s), including qualification under Nationwide Permits. The Subrecipient is required to contact USACE to determine whether project activities require USACE permits under the CWA. See Condition. - lholm2 - 05/31/2024 19:40:56 GMT
	Completed	Project may require Section 404/401 or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits - Review concluded	
Coastal Zone Management Act (CZMA)	Completed	Project is located in a coastal zone area and/or affects the coastal zone	The project occurs within the coastal zone and is an activity that may have a reasonably foreseeable effect on a coastal use or resource, therefore administering agency requires consistency review. See Condition. - lholm2 - 05/31/2024 19:41:38 GMT
	Completed	State administering agency requires consistency review - Review concluded	
Executive Order 11988 - Floodplains	Completed	Located in floodplain or effects on floodplain/flood levels	The project is located within zones AE and VE, areas of Special Flood Hazard Area (100-year floodplain, base floodplain), per Flood Insurance Rate Map (FIRM) panel 0602980251A, dated 03/23/2021. The proposed action is not likely to result in any potential direct impacts that would adversely affect the natural values and function of floodplains, nor is it likely to increase the risk of flood loss. The Initial Disaster Public Notice was published on 10/31/2020. Per 44 CFR 9.5(d)(4), the 8-step Process was completed, and the determination was the project is the only practicable alternative. Floodplain Management 8-Step Checklist is attached. See Condition. See attached map. - lholm2 - 05/31/2024 19:51:45 GMT
	Completed	Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment	
	Completed	8 Step Process Complete - documentation attached - Review	

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Environmental Law/ Executive Order	Status	Description concluded	Comment
Executive Order 11990 - Wetlands	Completed	Located in wetlands or effects on wetlands	Per the U.S. Fish and Wildlife Service Wetland Mapper viewed on 07/06/2022, the project is within estuarine and marine deepwater habitat. The proposed action is not likely to result in any potential direct impacts that will adversely affect the natural values and function of wetlands. Initial Disaster Public Notice was published on 10/31/2020. See Conditions. See attached. - lholm2 - 05/31/2024 19:54:49 GMT
	Completed	Possible adverse effect associated with constructing in or near wetland	
	Completed	Review completed as part of floodplain review - Review concluded	
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	Minority or low-income populations were identified through program coordination and public involvement, state EJ community lists or maps, or EJSCREEN reports for the area around Pier 94 and 96. Review of the project scope of work revealed no adverse effects on these populations. Therefore, no additional review for potential EJ concerns is required. - lholm2 - 05/31/2024 19:55:08 GMT
	Completed	No disproportionately high and adverse impact on low income or minority population - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	Informal Consultation with the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act was concluded on 05/02/2024, and informal consultation with the National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act was concluded on 05/20/2024. Per the Letters of Concurrence, the proposed action May Affect but is Not Likely to Adversely Affect Federally Listed Species and/or designated Critical Habitat. See attached. See Condition(s). - lholm2 - 05/31/2024 19:36:14 GMT
	Completed	May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence attached) - Review concluded	

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Environmental Law/ Executive Order	Status	Description	Comment
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Completed	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project located in or near Essential Fish Habitat	Per consultation with NMFS; recommendations were provided. See NMFS Letter of Concurrence reference number WCRO-2024-01019. See Condition. - lholm2 - 05/31/2024 19:44:41 GMT
	Completed	Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence attached)	
	Completed	NOAA Fisheries provided recommendation(s)	
	Completed	Written reply to NOAA Fisheries recommendations completed - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement (enter date in comments).	Consultation with the appropriate tribes was conducted per 36 CFR 800.2(c)(2)(ii) and 36 CFR 800.2(c)(5). Consultation was concluded on 05/26/2023. The tribes did not provide comments within 30 days or declined to comment. FEMA has determined that the proposed project would not adversely affect traditional, religious, or culturally significant sites. See attached. FEMA consulted with the State Historic Preservation Officer (SHPO) on 10/24/2023 and made a finding of no historic properties affected in accordance with Stipulation II.C of the Programmatic Agreement among the Federal Emergency Management Agency (FEMA), the California State Historic Preservation Officer (SHPO), and the California Governor's Office of Emergency Services, signed 10/29/2019. SHPO had no objection to FEMA's finding by letter dated 11/27/2023. See attached. - lholm2 - 05/31/2024 19:31:51 GMT

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

Environmental Law/ Executive Order	Status	Description	Comment
	Completed	Building or structure 50 years or older or listed on the National Register in the project area and activity not exempt from review	
	Completed	Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence attached) - Review concluded	
	Completed	Project affects undisturbed ground	
	Completed	Project area has potential for presence of archeological resources	
	Completed	Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence attached) - Review concluded	
OTHER (enter specifics in comments)	Completed	Review concluded	Marine Mammal Protection Act (MMPA)According to the NMFS Species List Tool, the project area has the potential to support marine mammals protected under the Marine Mammal Protection Act (MMPA). Although no marine mammal haul-out locations are present within the project area, the proposed geotechnical activities could impact marine mammals through noise disturbance, decreased water quality, and/or vessel strikes. Effects from noise disturbance and decreased water quality would be temporary and localized and would not be expected to permanently degrade marine habitats used by marine mammals. See Condition. - lholm2 - 05/31/2024 19:50:18 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

CONDITIONS

Special Conditions required on implementation of Projects:

The Subrecipient must coordinate with the local floodplain administrator and obtain any required permits prior to initiating work. Coordination correspondence with the Floodplain administrator, including any required permits, and implementation documentation to any permit conditions need to be forwarded to the State and FEMA for inclusion in the permanent project files.

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP-4569-0009-CA (4569-689-09) (1)

Title: Advance Assistance - Earthquake Risk Assessment

The Subrecipient must coordinate with the local floodplain administrator and obtain any required permits prior to initiating work. Coordination correspondence with the Floodplain administrator, including any required permits, and implementation documentation to any permit conditions need to be forwarded to the State and FEMA for inclusion in the permanent project files.

Source of condition: Executive Order 11988 - Floodplains Monitoring Required: Yes

Best Management Practices: The Subrecipient shall ensure that best management practices are implemented to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. This includes equipment storage and staging of construction to prevent erosion and sedimentation to ensure that wetlands are not adversely impacted per the Clean Water Act and Executive Order 11990.

Source of condition: Executive Order 11990 - Wetlands Monitoring Required: Yes

Permitting: The Subrecipient is responsible for proper identification of wetlands. Under EO11990 - Protection of Wetlands, the Subrecipient is responsible for coordinating with and obtaining any required Section 404 Permit(s) from the USACE prior to initiating work. The Subrecipient shall comply with all conditions of the required permit. All coordination pertaining to these activities shall be documented and copies forwarded to the State and FEMA as part of the permanent project files.

Source of condition: Executive Order 11990 - Wetlands Monitoring Required: Yes

The Subrecipient is responsible for complying with all applicable subparts of the Clean Air Act. Copies of any permits/authorizations, or consultation documentation should be forwarded to FEMA for inclusion in the administrative record. Failure to comply with these conditions may jeopardize the receipt of federal funding.

Source of condition: Clean Air Act (CAA) Monitoring Required: No

This project may impact Waters of the U.S., and the Subrecipient is required to contact the USACE to determine whether project activities require a USACE permit under Section 404 of the Clean Water Act (CWA). All documentation pertaining to coordination and permitting must be attached to the project file. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.

Source of condition: Clean Water Act (CWA) Monitoring Required: Yes

In compliance with the Coastal Zone Management Act (CZMA), prior to initiation of any work the Subrecipient is responsible for coordinating with the San Francisco Bay Conservation and Development Commission (BCDC) to obtain Federal Consistency Certification. Subrecipient will need to implement any conditions associated with Federal Consistency Certification from BCDC. Any changes to the scope of work must be resubmitted to FEMA and the BCDC for Federal Consistency Certification review prior to initiation of any work. Noncompliance with these requirements may jeopardize federal funding.

Source of condition: Coastal Zone Management Act (CZMA) Monitoring Required: Yes

The Subrecipient is responsible for implementing Avoidance and Minimization Measures and Conservation Measures in the attached Letters of Concurrence reference number(s) 2023-0042025-S7-001 and WCRO-2024-01019. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.

Source of condition: Endangered Species Act (ESA) Monitoring Required: Yes

The Subrecipient must return the completed Post-construction Notification Reporting Form to FEMA-PCNR@fema.dhs.gov and the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) within 45 days of project completion.

Source of condition: Endangered Species Act (ESA) Monitoring Required: Yes

The Subrecipient is responsible for implementing all conditions in the attached documentation per National Marine Fisheries Service (NMFS). Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.

Source of condition: Magnuson-Stevens Fishery Conservation and Management Act (MSA) Monitoring Required: Yes

05/31/2024

FEDERAL EMERGENCY MANAGEMENT AGENCY

REC-01

20:29:07

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)**Project** HMGP-4569-0009-CA (4569-689-09) (1)**Title:** Advance Assistance - Earthquake Risk Assessment

MMPA: Compliance and permitting requirements related to the Marine Mammal Protection Act is the sole responsibility of the Subrecipient. Should it be determined that the proposed activities could harass or harm marine mammals, an Incidental Harassment Authorization from NMFS would be required. The Incidental Harassment Authorization to conduct the proposed activities would need to be obtained by the Subrecipient from the NMFS prior to commencing the proposed activities within San Francisco Bay.

Source of condition: OTHER (enter specifics in comments)

Monitoring Required: Yes

Standard Conditions:

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Standard Mitigation Grant Program (HMGP) Conditions FEMA Region IX, August, 2018

The following list applies to Recipients and Subrecipients accepting HMGP funds from the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security (DHS):

1. **Applicable Federal, State, and Local Laws and Regulations.** The Recipient/Subrecipient must comply with all applicable Federal, State, and Local laws and regulations, regardless of whether they are on this list or other project documents. DHS financial assistance Recipients and Subrecipients are required to follow the provisions of the State HMGP Administrative Plan, applicable Hazard Mitigation Assistance Uniform Guidance, and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located in Title 2 of the Code of Federal Regulations (CFR) Part 200, adopted by DHS in 2 CFR 302.
2. **Financial Management Systems.** The Recipient and Subrecipient must maintain financial management systems to account for and track funds, as referenced in 2 CFR 200.302.
3. **Match or Cost Share.** Non-federal match or cost share must comply with 2 CFR 200.306, the scope of work (SOW), and any agreements among the Subrecipient, the Recipient, and FEMA.
4. **Budget Changes.** Unanticipated adjustments are permitted within the approved total cost. However, if costs exceed the federal share, the Subrecipient must notify the Governor's Authorized Representative (GAR) of overruns before implementation. The GAR shall submit a written request for approval to FEMA Region IX. The subaward must continue to meet HMGP requirements, including cost effectiveness and cost share. Refer to 2 CFR 200.308 for additional information.
5. **Real Property and Land.** The acquisition, use, and disposition must comply with 2 CFR 200.311.
6. **Equipment.** The acquisition, use, and disposition must comply with 2 CFR 200.313.
7. **Supplies.** Upon project completion, FEMA must be compensated for unused supplies, exceeding \$5,000 (fair market value), and not needed for other federal programs. Refer to 2 CFR 200.314.
8. **Procurement.** Procurement procedures must be in conformance with 2 CFR 200.318-320.
9. **Monitoring and Reporting Program Performance.** The Recipient and Subrecipient must submit quarterly progress reports, as referenced in the 2 CFR 200.328 and State HMGP Administrative Plan.
10. **Records Retention.** In accordance with 2 CFR 200.333, financial/ programmatic records related to expenditures must be maintained at least 3 years after the date of Recipient's final expenditure report.
11. **Enforcement and Termination.** If the Recipient or Subrecipient fails to comply with the award or subaward terms, whether stated in a Federal statute or regulation, the State HMGP Administrative Plan, subapplication, a notice of award, an assurance, or elsewhere, FEMA may take one or more of the actions outlined in 2 CFR 200.338, including termination or partial termination of the award or subaward outlined in 2 CFR 200.339.
12. **Allowable Costs.** Funds are to be used for allowable costs in compliance with 2 CFR 200.403, the approved SOW, and any agreements among the Subrecipient, Recipient, and FEMA.

13. **Non-Federal Audit.** The Recipient and Subrecipient are responsible for obtaining audits in accordance with the Single Audit Act of 1984, in compliance with 2 CFR 200.501.
14. **Debarred and Suspended Parties.** Recipients and Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, and 2 CFR 180. These regulations restrict federal financial assistance awards, subawards, and contracts with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in the federal assistance programs or activities.
15. **Equipment Rates.** Rates claimed for use of Subrecipient-owned equipment in excess of the FEMA-approved rates must be approved under State guidelines issued by the State Comptroller's Office or must be certified by the Recipient to include only those costs attributable to equipment usage less any fixed overhead and/or profit.
16. **Duplication of Funding between Public Assistance (PA) and HMGP.** Funding for PA Section 406 and HMGP Section 404 are permitted on the same facility/location, but the activities identified under each program must be distinct with separately accounted funds. At closeout, FEMA may adjust the funding to ensure the Subrecipient was reimbursed for eligible work from only one funding source.
17. **Historic Properties and Cultural Resources.** In compliance with 2 CFR 800, if a potential historic property or cultural resource is discovered during construction, the Subrecipient must cease work in the area and take all reasonable measures to avoid or minimize harm to the discovered property/resource. During construction, the Subrecipient will monitor ground disturbance activity, and if any potential archeological resources are discovered, will immediately cease work in that area, and notify the Recipient and FEMA. Construction in the area may resume with FEMA's written approval after FEMA's consultation, if applicable, with the State Historic Preservation Officer (SHPO).
18. **NEPA and Changes to the Scope of Work (SOW).** To comply with the National Environmental Policy Act (NEPA), and other Laws and Executive Orders, any change to the approved SOW shall be re-evaluated before implementation. Construction associated with a SOW change, prior to FEMA approval, may be ineligible for funding. Acceptance of federal funding requires environmental permits and clearances in compliance with all appropriate federal, state and local laws, and failure to comply may jeopardize funding.

Within their authority, the Recipient and Subrecipient must use of all practicable means, consistent with other essential policies, to create and maintain productive harmony for people and nature, and fulfill the social, economic, and other needs of present and future generations of Americans.

**HAZARD MITIGATION GRANT PROGRAM
ADVANCE ASSISTANCE SUBAPPLICATION**

Disaster Number: **DR-4558**

Jurisdiction Name: **San Francisco**

Project Title: Advance Assistance – **Pier 94-96 Earthquake Resilience Project, Advance Assistance**

Project Number: **PA-00000689**

Project Number is the control number received at the time of successful NOI submittal



***Cal* OES**

**GOVERNOR'S OFFICE
OF EMERGENCY SERVICES**

HAZARD MITIGATION GRANT PROGRAM (HMGP) INTRODUCTION

INTRODUCTION

As a result of a major disaster declaration by the President of the United States, the State of California is eligible for HMGP funding. The State has established priorities to accept project subapplications from subapplicants state-wide including, state agencies, Federally Recognized Tribes, local governments, and Private Non-Profits consistent with Title 44 of the Code of Federal Regulations (44CFR), Part 206.2.

Eligible hazard mitigation activities are intended to reduce or eliminate damages to life and improved property. Activities include cost effective hazard mitigation projects, and hazard mitigation planning activities approvable by the Federal Emergency Management Agency (FEMA).

PUBLIC ASSISTANCE

HMGP does not fund repairs for damages that result after a disaster. If your project proposes repairing a damaged facility resulting from a disaster, contact the [Public Assistance \(PA\) Program](mailto:disasterrecovery@caloes.ca.gov) at disasterrecovery@caloes.ca.gov.

TIME EXTENSIONS

Time extensions may be requested and will be evaluated on a case-by-case basis. To request additional time to submit a subapplication, contact the [HMA Inbox](mailto:HMA@caloes.ca.gov) at HMA@caloes.ca.gov. The subject line must include: "Subapplication Time Extension Request (include Disaster Number and Project Control Number)". The body of the message must include justification and specific details supporting why more time is needed and how much additional time is requested.

QUESTIONS

Submit all HMGP subapplication questions to the [HMA Inbox](mailto:HMA@caloes.ca.gov) at HMA@caloes.ca.gov.

HAZARD MITIGATION GRANT PROGRAM (HMGP) REGULATIONS

REGULATIONS

Federal funding is provided under the authority of the [Robert T. Stafford Emergency Assistance and Disaster Relief Act \(Stafford Act\)](#) through FEMA and the California Governor's Office of Emergency Services (Cal OES). Cal OES is responsible for identifying program priorities, reviewing subapplications and forwarding recommendations for funding to FEMA. FEMA has final approval for activity eligibility and funding.

The federal regulations governing HMGP are found in Title 44 of the Code of Federal Regulations (44CFR), Part 201 (Planning) and Part 206 (Projects) and in Title 2 of the Code of Federal Regulations (2CFR), Part 200 (Uniform Administrative Requirements).

The Council on Environmental Quality (CEQ) has developed regulations to implement the National Environmental Policy Act (NEPA). These regulations, as set forth in Title 40, Code of the Federal Regulations (CFR) Parts 1500-1508, require an investigation of the potential environmental impacts of a proposed federal action, and an evaluation of alternatives as part of the environmental assessment process. The FEMA regulations that establish the agency-specific process for implementing NEPA are set forth in 44 CFR Part 10. FEMA will undertake the NEPA clearance process.

The subapplicant is responsible for complying with the regulations set forth in the California Environmental Quality Act (CEQA) (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387) and any other state/local permits or requirements.

FEMA GUIDANCE

FEMA requires that all projects adhere to the [Hazard Mitigation Assistance Unified Guidance 2015](#).

ADVANCE ASSISTANCE

For complex problems where data and studies are needed to develop a mitigation solution, Advance Assistance (AA) is used to undertake studies and to develop mitigation strategies/alternatives to help prioritize, select, and develop complete applications. AA subapplications should either end in a subapplication for a future project or clearly demonstrate how the AA subapplication will lead to future HMA project(s).

HAZARD MITIGATION GRANT PROGRAM (HMGP) ELIGIBILITY CHECKLIST

Before completing the subapplication, review the following HMGP eligibility checklist to ensure advance assistance subapplication meets the requirements for HMGP funding.

1. Construction/Ground Breaking:
 - a. No construction or ground breaking activities are allowed prior to FEMA approval. HMGP does not fund projects that are in progress or projects that have already been completed.
2. Approved Notice of Interest:
 - a. Subapplicant must have an approved Notice of Interest (NOI) to submit a subapplication for HMGP funding. Only activities approved through the NOI process can be submitted for HMGP funding consideration. The approved NOI must be consistent with the subapplication submitted.
3. Scope of Work:
 - a. The project scope of work (SOW) must be consistent with the SOW provided in the approved Notice of Interest (NOI).
4. Narrative of Anticipated Cost Effectiveness:
 - a. Narrative should "indicate that there is a reasonable expectation that damages or loss of life or injury will be reduced or prevented by the future proposed project". The narrative should address that the actions will evaluate cost effectiveness in the advance assistance subapplication and that a full Benefit-Cost Analysis will be produced in the subsequent full project subapplication submission.
5. Subapplicant Eligibility:
 - a. Subapplicant must be an eligible State Agency, Local Government (City, County, and Special Districts), Federally Recognized Tribe or Private Nonprofit (PNP) Organization. PNP is defined as private nonprofit educational, utility, emergency, medical, or custodial care facility, facilities providing essential governmental services to the general public and such facilities on Indian reservations (see 44 CFR Sections 206.221(e) and 206.434(a)(2)).
6. LHMP/MJHMP:
 - a. Subapplicant must have a FEMA approved and adopted Local Hazard Mitigation Plan (LHMP), or be participating in a Multi-Jurisdictional LHMP, to be eligible for HMGP funding. If a jurisdiction has its own governing body, jurisdiction must be covered under its own plan. LHMP/Multi-Jurisdictional LHMP's expire five years after FEMA approval. Failure to update plan before expiration date may cause project de-obligation.
7. Cost Share:
 - a. Local funding match of 25% of the total project cost is required by the subapplicant. HMGP matching funds must be from a non-federal source. State does not contribute to local funding match.
8. Period of Performance:

- a. Projects must be completed (including close-out) within the 36-month Period of Performance (POP). POP begins upon FEMA approval of the subapplication.
- 9. Complete Subapplication:
 - a. Failure to include all required documentation will delay the processing of your subapplication and may result in denial of project. The SOW, cost estimate, cost estimate narrative, and work schedule must accurately mirror each other to be considered for funding. The budget narrative must include a detailed description of every cost estimate line-item, including the methodology used to estimate each cost.
- 10. Regulations:
 - a. Subapplications that are inconsistent with state and federal HMGP regulations, or do not meet eligibility criteria will not be considered.



SUBAPPLICANT MUST BE ABLE TO CHECK EVERY BOX TO QUALIFY FOR HMGP FUNDING.

SUBAPPLICATION FORMAT INSTRUCTIONS

Cal OES requires the following format to be used for all HMGP subapplications. Two complete subapplications must be submitted to Cal OES. Each subapplication must be on two separate CD-RWs. The first copy is logged and retained for Cal OES records. The second copy will be forwarded to FEMA for review and final determination.

COMPLETE SUBAPPLICATION PACKAGE CONSISTS OF THE FOLLOWING:

TWO identical CD-RWs must include functional copies of all subapplication documents/attachments.

1. Attachments must be in one of the following formats: Microsoft Word Version 2007 (or newer), Microsoft Excel or Adobe PDF.
2. All electronic attachments must be clearly titled.

ORGANIZATION OF THE SUBAPPLICATION MUST BE IN THE FOLLOWING FORMAT:

- Table of Contents
- 1. Subapplication
- 2. Scope of Work
- 3. Maps
- 4. Photos
- 5. Schedule (Additional documentation work schedule components, Gantt chart, etc.)
- 6. Cost Estimate ([HMGP Cost Estimate Spreadsheet](#) and cost estimate narrative)
- 7. Match ([Local Match Commitment Letter Template](#))
- 8. BCA Narrative-Narrative of expected cost effectiveness
- 9. Environmental and Historic Preservation Narrative
- 10. Authorization ([Subrecipient Grants Management Assessment Form](#))
- 11. Supporting Docs (Any additional supporting documentation)
- 12. Grant Management Cost Subapplication

MAIL OR DELIVER COMPLETED SUBAPPLICATIONS TO:

California Governor's Office of Emergency Services
Hazard Mitigation Assistance Branch
Attention: HMGP
3650 Schriever Avenue
Mather, CA 95655

PROJECT SUBAPPLICATION FORM

SUBAPPLICANT INFORMATION

1. Subapplicant: Port of San Francisco
 - a. Name of State Agency, Tribal Government, Private Non-Profit, or Special District applying for funding.
2. Type: State/Local
 - a. State/Local, Federally Recognized Tribe, Private Non-Profit, or Special District.
3. FIPS #: 075-91001
 - a. If you do not know your Federal Identification Processing System Number (FIPS #) request it by contacting the [HMA Inbox](mailto:HMA@caloes.ca.gov) at HMA@caloes.ca.gov
4. DUNS #: 001360213
 - a. If you do not know your Data Universal Numbering System (DUNS) #, call Dun & Bradstreet (D&B) at 1-866-705-5711 for information.
5. County: San Francisco
 - a. The name of the county where the proposed project is located.
6. Political District Numbers:
 - a. Congressional: 12
 - b. State Assembly: 17
 - c. State Legislative: **11**
 - d. Provide only the numbers of the political districts for the subapplicant.
7. Primary Contact:
 - a. First Name: Daley
 - b. Last Name: Dunham
 - c. Honorific (Mr., Ms.):
 - d. Title: Manager II
 - e. Organization: Port of San Francisco
 - f. Address: Pier 1
 - g. City, State, Zip Code: **San Francisco, CA 94109**
 - h. Telephone #: 415.215.4935
 - i. Fax #:
 - j. E-Mail: daley.dunham@sfport.com
8. Alternative Contact:
 - a. First Name: Steven
 - b. Last Name: Reel
 - c. Honorific (Mr., Ms.):
 - d. Title: Project Manager
 - e. Organization: Port of San Francisco
 - f. Address: Pier 1
 - g. City, State, Zip Code: **94111**
 - h. Telephone: 415.539.5359
 - i. Fax:
 - j. E-Mail: steven.reel@sfport.com

LOCAL HAZARD MITIGATION PLAN

LOCAL HAZARD MITIGATION PLAN (LHMP) REQUIREMENT

A FEMA approved and locally adopted LHMP is required to receive federal funding for all advance application subapplication activities. Subapplicants for HMGP funding must have a FEMA-approved Mitigation Plan in place at the time of sub-award. Subapplication will be reviewed to ensure that the proposed activity is in conformance with subapplicant’s plan.

LOCAL HAZARD MITIGATION PLAN INFORMATION

1. Name/Title of your LHMP: **Hazards and Climate Resilience Plan**
2. LHMP Type and Dates:
 - a. Single Jurisdictional or Multi-Jurisdictional: **Single**
 - b. Date Submitted to Cal OES: **unknown**
 - c. Date Approved by FEMA: **July 21, 2020**
 - d. Date Adopted by Local Agency: **June 16, 2020**
 - e. Lead Agency (if Multi-Jurisdictional): **n/a**
3. If your project is referenced in your LHMP, list where the proposed project can be found, if a section is not applicable enter N/A.
 - a. Chapter: **07 - Strategy**
 - b. Part: Domain: **Resilient Infrastructure**; Primary Hazard Group: **Geological**
 - c. Section: **IN-1.01**
 - d. Page: **242**
4. Do not include a copy of your plan with the subapplication.
5. Provide a short narrative detailing how your project aligns with the risk and hazard assessments, strategies, goals and/or objectives of your plan: **This work directly supports the approved strategy in San Francisco's LHMP: IN-1.01 "Conduct a seismic assessment of critical City assets along the Southern Waterfront", citing as the vulnerabilities addressed "a number of critical Port, industrial, shoreline protection and emergency response facilities and services may be damaged and disrupted in a seismic event, including... Piers 80-96". As a study of seismic and other vulnerabilities at the cited facilities, the activities outlined in the Scope of Work for this Advance Assistance grant application conform perfectly with the Port's LHMP strategies and assessments.**

COMMUNITY INFORMATION

COMMUNITY PARTICIPATION:

1. Check box(es) if your community participates in any of the factors below.
 - a. Select a column appropriate to your type of project. Acronyms include: Community Wildfire Protection Plan (CWPP), California Environmental Quality Act (CEQA), Community Rating System (CRS) Plan and Unreinforced Masonry (URM) Participation.

Fire

- CWPP, Fire Wire, Fire Safe
- Current CEQA Activity
- Defensible Space

Flood

- CRS Plan
- Current CEQA Activity
- Hydrology Study

- Shakeout Drill Participation
- Current CEQA Activity
- URM Participation

Earthquake

2. Provide a narrative description of all of factors selected from list above: **The Port of San Francisco participates in The Great American Shakeout Drill in October at its Pier 1 administrative offices and Pier 50 maintenance shed and offices.**
3. Is your jurisdiction required to provide public notice of this project? Yes or no, if yes provide details: **No**

PROJECT INFORMATION

PROJECT TITLE

Advance Assistance – **POSF Southern Waterfront EQ Risk Assessment**

1. Must include “Advance Assistance” in the project title.
2. Must use the same project title originally used in the approved notice of interest (NOI), or communicate with Cal OES HMA Branch regarding title change.
3. If you need to change your project title, contact the [HMA Inbox](mailto:hma@caloes.ca.gov) at hma@caloes.ca.gov.

PROJECT LOCATION (WHEN APPLICABLE)

1. Identify the County/Countries where the activity will occur: **San Francisco**
2. Latitude/Longitude Coordinates:
 - a. FEMA requires that all projects be geo-coded using latitude and longitude (lat/long) using NAD-83 or WGS-84 datum. The lat/long coordinates must be expressed in degrees including five or more decimal places (e.g., latitude 36.999221, longitude -109.044883).
 - i. Latitude: 37.4518786
 - ii. Longitude: -122.22573342
 - b. If there are more than one set of lat/long coordinates, provide them on a separate document and add them to the map section.
3. Structure Coordinates:
 - a. For projects that protect buildings or other facilities, provide coordinates for each structure at either the front door of the structure or the intersection of the public road and driveway that is used to access the property.

- b. For large activity areas, such as detention basins or vegetation management projects, the location must be described by three or more coordinates that identify the boundaries of the project.
 - c. The polygon created by connecting the coordinates must encompass the entire project area.
 - d. Structure Latitude/Longitude:
4. Seal Level Rise (SLR):
 - a. Is the risk to the project increased by SLR due to project location and project activity type? Yes or No: **Yes**
 - b. Was SLR considered and included in the mitigation measures implemented in this project? Yes or No: **Yes**
5. Site Photos:
 - a. A minimum of three ground photos per project site are required when applicable. Include them in the photo section.
6. Mapping Requirements:
 - a. Provide the following mapping elements in the map section (when applicable):
 - i. If project area has been mapped using GIS software, include the completed Shapefiles on CD-RW.
 - ii. Include a vicinity map of the general area showing major roads. Aerial photographs may be used as vicinity maps.
 - iii. Prominently mark the project location on the vicinity map.
 - iv. Provide a detailed project map that clearly identifies the project boundaries.
 - v. Project map must show all lat/long coordinates provided in the project description.
 - vi. Vicinity map and the project map must both have a north arrow and scale.
 - vii. Do not send rolled maps – maps must be folded until 8.5" x 11" in size.
7. Public Assistance (PA) Program Funding:
 - a. List any Public Assistance Disaster Survey Reports (DSR) or Project Worksheets (PWs) that were completed at the project location from previous disasters: **n/a**
 - b. List all current engagement with PA for this current disaster and include date(s) if known: **n/a**
8. Deed restrictions that limit federal funding:
 - a. Is there a deed restriction or permanent conservation easement on the property at the project site that would prohibit federal disaster funding (e.g., a previously FEMA funded acquisition of a structure on this property)? If yes, describe in detail: **n/a**

PROJECT DESCRIPTION

1. Project Type:

a. Select at least one project type; select as many as needed to accurately describe project.

Type 1: Earthquake

Code Enforcement

Non-Structural

Structural

Non-Structural & Structural

Type 2: Fire

Defensible Space

Fire Resistant Building Materials

Fire Vegetation Management

Soil Stabilization

Climate Resiliency Mitigation Action (CRMA): Projects that mitigate risk through restoration of the natural environment.

Type 3: Flood

Acquisition

Dry Flood Proofing

Flood Control

Elevation

Type 4: Other

Critical Facility Generator(s)

Drought

Tsunami

Wind

2. Describe Problem/Hazards/Risks:

a. Describe the problem this project is attempting to solve and the expected outcome. Describe the hazards and risks to life, safety and any improvements to property in the project area for at least the last 25 years. Describe in detail how the project reduces hazard effects and risks. **With this Advanced Assistance application, the Port proposes to improve the earthquake reliability of the Pier 94 & 96 Marine Terminals which form the heart of the Port's Maritime Eco-Industrial Center. These Piers, constructed in the early 1960's, are the remaining cargo and heavy maritime piers within San Francisco, are important for local maritime jobs for the adjacent Bayview and Hunters Point neighborhoods, and are critical maritime facilities for disaster response for the City and Region. Pier 94/96 is a 76-acre facility with 3 deep draft berths, 24,000 SF maintenance building, 2 cranes, on-dock rail access and direct access to the Intermodal Container Transfer Facility. This facility is adjacent to Islais Creek, its industrial zones, and has close freeway access. The structure on the pier is vulnerable to earthquake damage, including direct structural impacts from shaking as well as the effects on soils in the vicinity of those structures. The proposed project would facilitate a subsequent application for funds to construct improvements to increase the structural rating of facilities in the project area. While continuity of the Port's cargo operations is key to the local and regional economy in and of itself, Piers 94/96 play a key role in San Francisco's disaster response plans. The location and size of this facility,**

as well as its capacity to bring in resources by water should other avenues be compromised, are unique in San Francisco.

3. Describe Recent Events that influenced the selection of this project:
 - a. Describe recent events (e.g. changes in the watershed, discovery of a new hazard, zoning requirements, inter-agency agreements, etc.) that influenced the selection of this project. **The Port recently commissioned an initial study of earthquake vulnerability and found these facilities highly vulnerable to earthquake damage including liquefaction of the backlands, slope failures of the shoreline, and damage and collapse of pile supported bulkheads and wharves (Port of San Francisco Southern Waterfront Initial Seismic Study, Draft 3/24/2021, Parsons/RJSD JV). This type of damage may render the facilities unusable for months or years following a large earthquake, impairing response and recovery activities leading to additional human suffering and recovery costs.**
4. Scope of Work (SOW):
 - a. State the exact SOW document title: **2.0 Scope of Work.docx**
 - b. Insert this document in the SOW section:
 - i. Describe the entire SOW of the project in clear, concise, ample detail.
 - ii. Must provide a thorough description of all tasks and activities to be undertaken.
 - iii. Must be written in sequential order from start to finish of the project.
 - iv. Describe any ground disturbance activities that need to occur.
 - v. Describe any design parameters such as level of design.
 - vi. List key milestones.
 - vii. List expected deliverables.
 - c. Insert this document in the SOW section.
5. Has your jurisdiction previously received HMGP funding?
 - a. Yes, No, or Unknown. If Yes, provide disaster number(s): **Unknown**
6. Has your jurisdiction received any other funding?
 - a. Describe all other funding received for this project and all other recent projects. Identify the funding source (i.e., Federal, State, Private, etc.): **No other funding received for this project**
7. Related Projects:
 - a. Describe any other projects or project components (whether or not funded by FEMA), which may be related to the proposed project, or are in (or near) the proposed project area. FEMA must look at all projects to determine a cumulative effect. FEMA reviews all interrelated projects under NEPA regulations. **n/a**

WORK SCHEDULE INFORMATION

PROJECT WORK SCHEDULE

The intent of the work schedule is to provide a realistic appraisal of the time and components required to complete the project.

1. Describe each of the major work elements and milestones in the description section below.
2. Advance Assistance examples are: Designs, studies, engineering, inspection, evaluate and determine mitigation actions, BCA development, EHP compliance, etc.
3. State the total timeframe anticipated for each of the work elements.
4. State the total timeframe anticipated to complete the project.
5. Work schedule must mirror SOW and budget.
6. OPTIONAL: Provide the work schedule in GANTT chart form as supplemental documentation in the work schedule section, Include this information as an example.

Total project duration (including close-out) must not exceed a 36-month Period of Performance (POP).

Work Schedule Example

#	Milestone Descriptions	Timeframe
1.	Kick off meeting	3 months
2.	Public outreach campaign	4 months
3.	Procurement for consultant	3 months
4.	Inspection	4 months
5.	Evaluation of findings	4 months
6.	Cost estimate creation	2 months
7.	Cost benefit analysis	2 weeks
8.	Design	4 months
9.	BCA development	2 months
10.	Public meetings and disclosures	6 weeks
11.	EHP Compliance	4 months
12.		
13.		
14.		
18.	Project Close-out	1 month
19.	Grant Close-out STANDARD VALUE (DO NOT CHANGE)	3 months
20.	TOTAL MONTHS:	36 months

Work Schedule

#	Milestone Descriptions	Timeframe
1.	5.0 Project Schedule (P94-96).pdf	
2.		
3.		

#	Milestone Descriptions	Timeframe
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.	Project Close-out	
19.	Grant Close-out STANDARD VALUE (DO NOT CHANGE)	3 months
20.	TOTAL MONTHS:	

If more lines are needed than provided, indicate the title of document in box 1 and attach a separate work schedule in the schedule section.

COST ESTIMATE INFORMATION

HMGP COST ESTIMATE SPREADSHEET

1. Cost estimate instructions:
2. Using the HMGP Cost Estimate Spreadsheet, provide a detailed cost estimate breakdown.
3. Cost estimate describes the anticipated costs associated with the SOW for the proposed mitigation activity. Cost estimates must include detailed estimates of cost item categories.
4. Only include costs that are directly related to performing the mitigation activity. If additional work, such as remodeling, additions, or improvements are being done concurrently with the mitigation work, do not include these costs in the submitted budget.
5. Documentation that supports the budget must be included to the subapplication in the budget section.
6. Total costs must be consistent with the requested federal share plus the matching funds and must be consistent with the project cost in the SOW and work schedule.

HMGP Cost Estimate Spreadsheet Example

#	Item Name	Unit Quantity	Unit	Unit Cost	Cost Estimate Total
1.	Pre-Award Costs: Sub application development	40	HR	\$100.00	\$4000.00
2.	Site survey	2	EA	\$2500.00	\$5000.00
3.	Building evaluation	2	EA	\$3000.00	\$6000.00
4.	Hydraulic study	100	HR	\$40.00	\$4000.00
5.	Environmental study	65	HR	\$220.00	\$14300.00
6.	Hydrology report	30	HR	\$350.00	\$10500.00
7.	Watershed planning	70	HR	\$40.00	\$2800.00
8.	Engineering consultant	1	LS	\$9000.00	\$15750.00
9.	Building 1901 design	1	LS	\$9000.00	\$9000.00
10.	Building 1903 design	1	LS	\$9000.00	\$9000.00
11.	BCA consultant	1	LS	\$9000.00	\$9000.00
12.	Final Design review	60	HR	\$100.00	\$6000.00
13.					
14.					
15.					

#	Item Name	Unit Quantity	Unit	Unit Cost	Cost Estimate Total
16.					
17.					
18.					
19.					
20.					
21.					
22.					
23.					
24.					
25.					
	Total Project Cost Estimate:				\$95350.00

7. Ineligible Costs:

The following are ineligible line items: Lump Sums, Contingency Costs, Miscellaneous Costs, "Other" Costs, Cents (must use whole dollar amounts, round unit prices up to whole dollars.

8. Pre-Award Costs:

Eligible pre-award costs are costs incurred after the disaster date of declaration, but prior to grant award. Pre-award costs directly related to developing the application may be funded.

Example Pre-Award Costs: Workshops or meetings related to development, submission of subapplication, preparing design specifications, gathering environmental and historic data.

Subapplicants who are not awarded funds will not receive reimbursement for pre-award costs.

9. Cost Estimate Narrative:

FEMA requires a cost estimate narrative that explains all projected expenditures in detail. The cost-estimate narrative is intended to mirror the cost estimate spreadsheet and should include a full detailed narrative to support the cost estimates listed in the HMGP Project Cost Estimate Spreadsheet. If your cost estimate includes City, County, or State employees' time (your agency), include personnel titles and salary/hourly wages plus benefits for a total hourly cost. Detailed timesheets must be retained.

Title the document "Cost Estimate Narrative" and include in the budget section.

FEDERAL/NON-FEDERAL SHARE INFORMATION:

1. Funding Restrictions:

- a. There is no restriction or cap on the federal share that may be requested for each project subapplication. FEMA will contribute no more than 75 percent of the total project cost. A minimum of 25 percent of the total

- eligible costs must be provided from a non-federal source. State does not contribute to local cost share.
 - b. For example: for a \$10,000,000 total project cost, the federal requested share (75 percent) would be \$7,500,000. The non-federal match share (25 percent) provided would be \$2,500,000.
 - c. *The sum of the federal and non-federal shares must equal the total project cost.
 - d. *The federal share MUST NOT exceed 75 percent.
2. Project Cost Estimates formulated on the HMGP Cost Estimate Spreadsheet:
- a. Enter the total project cost: \$3,600,000
 - b. Federal Share (75% Maximum):
 - i. Requested Amount: \$2,700,000
 - ii. Percentage Amount: 75%
 - c. Non-Federal Share (Minimum 25%):
 - i. Requested Amount: \$900,000
 - ii. Percentage Amount: 25%
 - d. Verify all amounts entered are accurate.
 - e. Incorrect amounts will delay process of your subapplication.
3. Non-Federal Match Source: Match Commitment Letter:
- a. Use the Local Match Commitment Letter Template to complete this section and add completed letter to the match section.
 - b. A signed Match Commitment Letter must be provided on agency letterhead.
 - c. The non-federal source of matching funds must be identified by name and type.
 - d. If "other" is selected for funding type, provide a description.
 - e. Provide the date of availability for all matching funds.
 - f. Provide the date of the Funding Match Commitment Letter.
 - g. The funds must be available at the time of submission unless prior approval has been received from Cal OES.
 - h. If there is more than one non-federal funding source, provide the same information for each source on an attached document.
 - i. Match funds must be in support of cost items listed in the cost estimate spreadsheet.
 - j. Requirements for donated contributions can be found in 2 CFR 200.306.

BENEFIT/COST EFFECTIVENESS INFORMATION

BENEFIT/COST EFFECTIVENESS INFORMATION

1. Narrative of Anticipated Cost Effectiveness

Narrative should "indicate that there is a reasonable expectation that damages, or loss of life or injury will be reduced or prevented by the future proposed project." The narrative should address that the actions will evaluate cost effectiveness in the advance assistance subapplication and that a full Benefit-Cost Analysis will be

produced in the subsequent full project subapplication submission. See attached Narrative of Cost Effectiveness (SWEQ).doc

NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

NFIP INFORMATION:

1. Contact your county or local floodplain administrator for NFIP information.
2. NFIP Participation:
 - a. Is the jurisdiction where the project is located participating in the NFIP?
Yes/No: Yes
 - i. If yes, are they in good standing? Yes/No: Yes
 - ii. If no, explain: n/a
3. Project Location:
 - a. Is this project located in a floodplain or floodway designated on a FEMA Flood Insurance Rate Map (FIRM)? Yes/No: Yes
 - i. Mark the project location on the FIRM and attach to subapplication in the maps section.
 - b. Provide the following information for the location of the project:
 - i. FIRM panel number: **0251 and 0232**
 - ii. FIRM zone designations: **D, and possibly AE, depending on study**
 - iii. NFIP community ID number: **060298**
4. Last [Community Assistance Visit \(CAV\)](#) Date: n/a

ENVIRONMENTAL INFORMATION

ENVIRONMENTAL INFORMATION:

1. Environmental and Historic Preservation Narrative

The narrative must indicate that Environmental and Historic Preservation (EHP) considerations will be made early in the planning and project scoping processes. The narrative should address that the actions will evaluate EHP requirements in the advance assistance subapplication and will be produced in the subsequent full project subapplication submission. See application document "9.0 Environmental and Historic Preservation Narrative.doc"

PRINT THIS PAGE – ORIGINAL SIGNATURE IS REQUIRED

PROJECT CONDITIONS

Indicate by checking each box below that you will adhere to these listed project conditions.

1. If during implementation of the project, ground-disturbing activities occur and artifacts or human remains are uncovered, all work will cease and FEMA, Cal OES, and the State Historic Preservation Officer (SHPO) will be notified.
2. If deviations from the approved scope of work result in design changes, the need for additional ground disturbance, additional removal of vegetation, or will result in any other unanticipated changes to the physical environment, FEMA will be contacted and a re-evaluation under NEPA and other applicable environmental laws will be conducted.
3. If wetlands or waters of the U.S. are encountered during implementation of the project, not previously identified during project review, all work will cease and FEMA will be notified.
4. Due to the Federally mandated Environmental and Historic Preservation (EHP) review; no construction will occur for this project prior to FEMA and Cal OES approval.
5. The intent of this Advance Assistance subapplication is to develop a subapplication. FEMA expects States that receive Advance Assistance to submit complete project applications up to or over the available HMGP ceiling by the final HMGP project application deadline.

AUTHORIZATION

The undersigned does hereby submit this subapplication for financial assistance in accordance with the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) and the State Hazard Mitigation Administrative Plan and certifies that the subapplicant (e.g., organization, city, or county) will fulfill all requirements of the program as contained in the program guidelines and that all information contained herein is true and correct to the best of our knowledge.

Subapplicant Authorized Agent:

Name: **Daley Dunham**

Title: **Manager II**

Organization: **Port of San Francisco**

Signature: _____

Date: **9/10/2021**

GAVIN NEWSOM
GOVERNOR



NANCY WARD
DIRECTOR

August 26, 2024

Steven Reel
Deputy Program Manager, Engineering & Project Delivery
San Francisco, City and County
Pier 1, the Embarcadero
San Francisco, CA 94111

Subject: **Notification of Subapplication Approval**
Hazard Mitigation Grant Program
FEMA-**4569**-DR-CA, Project #**AP00689**, FIPS #**075-00000**
Supplement #**41**

Dear Mr. Reel:

The California Governor's Office of Emergency Services (Cal OES) received notification that the Federal Emergency Management Agency (FEMA) has approved your organization's subaward application in the amount of **\$2,700,000.00**. A copy of the FEMA award package is enclosed for your records. In order to receive payment as a grant subrecipient, your organization must have the following on file with the Recovery Financial Processing Unit:

- A valid, current (approved within the last 3 years) Governing Body Resolution
- A Project Assurances for Federal Assistance agreement
- A Supplemental Grant Subaward Information sheet
- A current Federal Funding Accountability and Transparency Act (FFATA) Financial Disclosure form. This form must be submitted each fiscal year.
- An active registration with the federal System for Award Management (SAM) website. The registration must remain active for the duration of this grant subaward.

For your convenience, this subapplication approval package includes the required post-obligation documents as well as guides to completing and renewing a SAM registration. Please complete the documents and mail copies to the address listed at the end of this letter, keeping the originals with your records. Alternatively, you may scan and email the completed documents to the Recovery Financial Processing Unit at HMgrantsPayments@CalOES.ca.gov. Electronic copies of the post-obligation documents can also be requested at the same address.



3650 SCHRIEVER AVENUE • MATHER, CA 95655
RECOVERY FINANCIAL PROCESSING UNIT
(916) 845-8110

Mr. Reel
Page 2

Payments will be made on a reimbursement basis using the enclosed Hazard Mitigation Reimbursement Request Form. A ten percent (10%) retention will be withheld from all reimbursement payments and will be released as part of the subaward closeout process.

Reimbursements can be made only for items listed on the approved subaward application. Expenditures for any other work should be separately maintained and are the sole responsibility of the subrecipient. Any funds received in excess of current needs or approved amounts, or those found owed as a result of a final inspection or audit, must be refunded to the State within 30 days of receipt of an invoice from Cal OES.

When mailing documents to the Recovery Financial Processing Unit, please use the following address:

California Governor's Office of Emergency Services
Attention: Recovery Financial Processing Unit
3650 Schriever Avenue
Mather, CA 95655

For further assistance regarding post-obligation documents or the reimbursement request process, please contact the Recovery Financial Processing Unit at (916) 845-8110 or at HMGrantsPayments@caloes.ca.gov. For program-related questions, please contact the Hazard Mitigation Grants Program Unit at (916) 328-7450.

Recovery Financial Processing Unit

Enclosures

c: Subrecipient's Project File

*The Recovery Financial Processing Unit has universal Resolution No. 76-23, passed on 2/28/23, on file. A copy of the resolution is included in this package for your review. With the written permission of an Authorized Agent, the resolution can be applied to this project.

**The Recovery Financial Processing Unit has a current FFATA Financial Disclosure form on file for your organization. There is no need to resubmit the document to Cal OES for this fiscal year.



3650 SCHRIEVER AVENUE • MATHER, CA 95655
RECOVERY FINANCIAL PROCESSING UNIT
(916) 845-8110



MEMORANDUM

October 4, 2024

TO: MEMBERS, PORT COMMISSION
Hon. Kimberly Brandon, President
Hon. Gail Gilman, Vice President
Hon. Willie Adams
Hon. Stephen Engblom
Hon. Steven Lee

FROM: Elaine Forbes
Executive Director 

SUBJECT: Request authorization to accept and expend a \$2,700,000 Advance Assistance grant from the Hazard Mitigation Grant Program, implemented by the Federal Emergency Management Agency for the Piers 94/96 Seismic Improvements Project.

DIRECTOR'S RECOMMENDATION: Approve the Attached Resolution No. 24-42

EXECUTIVE SUMMARY

Pier 94/96 Marine Terminal is a key terminal in the Port's Maritime Eco-Industrial Center and is one of the only remaining cargo and heavy maritime piers within San Francisco. This facility is adjacent to the Bayview Hunters Point neighborhood and is an important source of diverse local jobs. As relevant to this Advance Assistance grant, Pier 94/96 is a critical deep draft maritime facility for disaster response identified in emergency action plans by both the City and region.

In 2021, the Port commissioned an initial study of earthquake vulnerability in the Southern Waterfront and found Pier 94/96 highly vulnerable to earthquake damage including liquefaction of the backlands, slope failures and lateral spreading of the shoreline, and damage and collapse of pile-supported bulkheads and wharves. This type of damage may render the facility unusable for months or years following a large earthquake, impairing response and recovery activities, and leading to additional human suffering and recovery costs.

THIS PRINT COVERS CALENDAR ITEM NO. 11A

The Port applied for and was awarded an Advance Assistance grant by the Federal Emergency Management Agency's ("FEMA") Hazard Mitigation Grant Program ("HMGP") to further assess Pier 94/96's existing conditions and seismic risk and to develop and permit design documents for the needed repairs and upgrades. The estimated cost for this scope of work is \$3,600,000. Port staff seeks Port Commission authorization to accept and expend the \$2,700,000 federal matching grant awarded by FEMA, as detailed in the Notice of Subapplication Approval, and authorize its Executive Director to seek Board of Supervisors' authorization to accept and expend the grant funds.

STRATEGIC OBJECTIVES

The proposed Pier 94/96 Seismic Improvement Project supports the Port's 2021-2025 Strategic Plan through the following goals:

Economic Growth:

Grow business portfolio to create an economically successful and vibrant waterfront.

A strengthened and repaired wharf at Pier 94/96 creates an improved leasable asset that is usable by a range of commercial and industrial tenants.

Resilience:

Reduce seismic and climate change risks to protect the waterfront, City neighborhoods, and infrastructure.

The Project will repair and/or replace the wharf and provide strengthening of upland soils, reducing the risk of liquefaction and lateral spreading in the event of a seismic event. These improvements serve the city and greater region by securing a critical asset for the response and recovery to a disaster event.

Evolution:

Evolve the waterfront to respond to changing public and Port needs.

Pier 94/96's available acreage, deepwater berth, and proximity to the workforce make it a unique Port asset in California. Improving the stability of the wharf and upland area compactivity positions the Port to attract emerging industries, such as the offshore wind industry.

BACKGROUND

With this Advanced Assistance application, the Port proposes to improve the seismic stability of the Pier 94/96 Marine Terminal, a key terminal in the Port's Piers 80 to 96 Maritime Eco-Industrial Center. Pier 94/96 was constructed in the early 1960s and is one of the only remaining cargo and heavy maritime piers within San Francisco. Pier 94/96 is a 76-acre facility with 3 deep draft berths, a 24,000-sf maintenance building, 2 cranes, on-dock rail access, and direct access to the Intermodal Container Transfer Facility. The facility is adjacent to the Bayview Hunters Point neighborhood and is an important source of diverse local jobs. Furthermore, Pier 94/96 is a critical deep draft maritime facility for

disaster response, identified in emergency action plans by both the City and Region. See Exhibit A for a location map.

In 2021 the Port commissioned an initial study of earthquake vulnerability and found this facility highly vulnerable to earthquake damage including liquefaction of the backlands, slope failures and lateral spreading of the shoreline, and damage and collapse of pile-supported bulkheads and wharves. This type of damage may render the facility unusable for months or years following a large earthquake, impairing response and recovery activities, and leading to additional human suffering and recovery costs.

The Port submitted an Advance Assistance application to FEMA's Hazard Mitigation Grant Program to further assess existing conditions and seismic risk and to develop and permit design documents for the needed repairs and upgrades. The cost of this scope of work was estimated at \$3,600,000. The Port applied for and was awarded a \$2,700,000 HMGP grant from FEMA to fund this effort. The grant funds equal 75% of the total design phase cost. The remaining \$900,000 (25%) will be funded by a Port local match as required by the HMGP grant.

PROPOSED IMPROVEMENTS

This project will address the aging seawall and wharf and inadequate soil conditions of Pier 94/96. The conditions pose risks of liquefaction and lateral spreading in a significant seismic event. The wharf will be repaired/replaced to meet appropriate geotechnical standards, and the upland soils will be strengthened to adequately support the weights required by future tenant or emergency response demands. The Port will also use this completed design project to support future FEMA grant requests for construction funding and completion of the permitted design.

The grant will fund the following scope of work:

- Project Management
- Consultant Procurement
- Existing Conditions Assessment and Technical Report
- Earthquake Risk Assessment and Technical Report
- Alternatives Assessment, Selection, and Conceptual Design
- Design (up to 60%) and Environmental Approvals

FEMA GRANT TERMS

FEMA's Hazard Mitigation Grant Program provides funding to state, local, tribal, and territorial governments so they can develop hazard mitigation plans and rebuild in a way that reduces, or mitigates, future disaster losses in their communities. The proposed grant agreement specifies that the grantee will:

- Adhere to the approved scope of work
- Complete the scope of work within the approved timeframe

- Closeout project within 90 days of award period of performance expiration
- Adhere to conditions stated in the Record of Environmental Considerations
- Adhere to the Standard Mitigation Grant Program (HMGP) Conditions amended August 2018

PROJECT FUNDING, CONTRACTING AND SCHEDULE

The design phase of the Pier 94/96 Seismic Improvements project will be funded by the following sources:

SOURCE	AMOUNT
FEMA HMGP Grant Cost Share	\$2,700,000
Port Local Match*	\$900,000
Total*	\$3,600,000

**The Port’s local funding match of \$900,000 will be from Port Harbor funds previously appropriated by the Commission.*

Schedule:

The anticipated project schedule is as follows:

- Grant Award (8/5/24)
- Expected BOS Approval (12/10/24)
- Existing Conditions Assessment Report (9 months after award)
- Earthquake Risk Assessment Report (15 months after award)
- Conceptual Engineering Report (23 months after award)
- 30% Design (27 months after award)
- Completion of FEMA subapplication materials for future FEMA BRIC (Building Resilient Infrastructure and Communities) or HMGP grant (27 to 32 months after award, pending CEQA requirement)
- 60% Design & CEQA (32 months after award)
- Grant Close-out (35 months after award)
- Grant Completion Deadline (36 months after award, 8/4/2027)

DISADVANTAGED BUSINESS ENTERPRISE (DBE) REQUIREMENTS

Per FEMA’s HMGP grant terms, the Port is prohibited from using statutorily or administratively imposed local preferences. In its place, the grant requires to take all necessary affirmative steps to include small/women/minority businesses where possible. Port staff are currently working to establish the DBE subcontracting goal for this. Note that the federal grant funding does not allow for Local Hiring Ordinances as a contract requirement and therefore Local Hiring will not be included in this contract.

GRANT PRE-AWARD PHASE MILESTONES

All pre-award phase milestones have been completed:

- Commitment letter of Port matching funds

RECOMMENDATION

Port staff recommend that the Port Commission approve the attached resolution authorizing staff to accept and expend \$2,700,000 in grant funds from the FEMA Hazard Mitigation Grant Program and, upon the Board of Supervisors' approval, authorize the Executive Director to partially fund the investigation, assessments, and design phases of the Pier 94/96 Seismic Improvements project.

Prepared by: Simon Betsalel, Project Manager

For: Wendy Proctor, Acting Deputy Director
Engineering

Attachment: Exhibit A - Area of Work Identified in Grant Application

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 24-42

WHEREAS, The Federal Emergency Management Agency (“FEMA”) has approved and issued funds the Port grant funding through their Hazard Mitigation Grant Program (“HMGP”) in the amount of \$2,700,000; and

WHEREAS, The Port applied for the grant funds to undertake the Pier 94/96 Seismic Improvements project to design improvements to the project site; and

WHEREAS, on August 5th, 2024, FEMA announced its award of \$2,700,000 for the investigation, assessment, and design phases of the Pier 94/96 Seismic Improvements project; and

WHEREAS, FEMA requires expenditures of grant funds pursuant to certain terms and conditions as further described in the Memorandum to the Port Commission dated October 3rd, 2024; and

WHEREAS, under the City Administrative Code Section 10.170-1, the Port must obtain the Board of Supervisors’ approval to accept and expend grant funds of \$100,000 or more; and

WHEREAS, The Port will provide \$900,000 in matching funds as required by FEMA from its HMGP grant; now, therefore, be it

RESOLVED, That the Port Commission hereby authorizes the Executive Director or her designee to accept and expend \$2,700,000 in grant funds from FEMA to supplement the Port’s budget for the design of seismic improvements on Pier 94/96, and to seek the Board of Supervisors’s authorization to accept and expend the funds; and be it further

RESOLVED, That, upon the Board of Supervisors’ approval, the Port Commission authorizes the Executive Director or her designee to act as a representative of the Port and to negotiate and execute all other agreements and instruments necessary to obtain and expend the grant monies on behalf of Port, in such form approved by the City Attorney.

I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of October 8, 2024.

DocuSigned by:

Jenica Liu

Secretary

2A9BEF9AAF934F9...

EXHIBIT A Area of Work Identified in Grant Application



TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Boris Delepine, Port of San Francisco
DATE: January 7, 2025
SUBJECT: Accept and Expend Resolution for Subject Grant
GRANT TITLE: Federal Emergency Management Agency Hazard Mitigation Grant Program

Attached please find the original* and 1 copy of each of the following:

Proposed grant resolution; original* signed by Department, Mayor, Controller

Grant information form, including disability checklist

Grant budget

Grant application

Grant award letter from funding agency

Ethics Form 126 (if applicable)

Contracts, Leases/Agreements (if applicable)

Other (Explain):

Special Timeline Requirements:

Departmental representative to receive a copy of the adopted resolution:

Name: Boris Delepine Phone: 415-571-6626

Interoffice Mail Address: Pier 1, The Embarcadero, San Francisco, Ca 94111

Certified copy required Yes No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

Updated August 7, 2014

GRANT RESOLUTION

Apply for, Accept and Expend Requirements

Grant Program: FEMA Hazard Mitigation Grant Program

- Check "Yes" if the requirement is satisfied and part of the introduction package.
- Check "No" if the requirement will be satisfied at a later date, prior to the funds being released.
- Check "N/A" if the requirement is not applicable to this introduction.

Requirements to "apply for" a grant:

Yes	No	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department Head signature on legislation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grant Application
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Funding source's grant criteria
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Anticipated funding categories established in the Request for Proposals
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Comments from relevant citizen advisory bodies

Requirements to "accept and expend" grant funds:

Yes	No	N/A	
			Signatures:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department Head
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mayor
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Controller
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Provisions for the reimbursement of indirect costs
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Indirect cost rate
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grant Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Contract(s) or Agreement(s)

Questions:

Yes No
 Does this Grant fund any City employee, contract, or off-budget positions?

Which positions are funded by this Grant?

How will these positions be funded after these Grant funds are expended?



TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Adam Thongsavat, Liaison to the Board of Supervisors
RE: Urgent Accept and Expend Resolutions
DATE: January 8, 2025

Attached for introduction are nine urgent accept and expend resolutions.

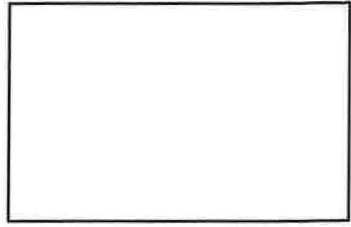
1. Accept and Expend Grant - United States Department of Transportation - \$20,000,000
2. Accept and Expend Grant – United States Department of Education - California Department of Rehabilitation - State Vocational Rehabilitation Services Program – \$791,433
3. Accept and Expend Grant - Retroactive - United States Department of Energy - Building Performance Standard (BPS): Adoption, Enforcement and Equitable Support, and Preparation for Regional Adoption - \$19,994,217
4. Accept and Expend Grant – Retroactive – The California Department of Health Care Services (DHCS) – CalAIM JI PATH Round 2 Funding – San Francisco – \$56,131
5. Accept and Expend Grant – Metropolitan Transportation Commission – Visitacion Avenue Pedestrian and Bicycle Safety Improvement Project – \$750,000
6. Accept and Expend Grant –Federal Emergency Management Agency – California Office of Emergency Services- Engineering with Nature Working Group - \$159,900
7. Accept and Expend Grant –Federal Emergency Management Agency – California Office of Emergency Services – Hazard Mitigation Grant Program – Pier 94/96 Seismic Improvements Project - \$2,700,000
8. Accept and Expend Grant - United States Department of Energy - Clean Cities and Communities Energy and Environmental Justice Initiative – Community Engagement Liaison Cohort 2 - \$284,800
9. Accept and Expend Grant – United States Department of Transportation – Boosting Charging by 30% for San Francisco Residents – \$14,996,876

Mayor Lurie respectfully requests that the nine resolutions be heard at a Committee of the Whole on January 14, 2025, and that the Board of Supervisors call Board File Nos. 241131, 241174, 241217, 241216, 241176, and 241199 from the Budget and Finance Committee to the Committee of the Whole for consideration on that same date. This will allow for the expeditious approval of these resolutions, ensuring the City can secure this grant funding as quickly as possible, given the urgent nature of the accept and expend resolutions.

Should you have any questions, please contact Adam Thongsavat at adam.thongsavat@sfgov.org

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor _____ inquiries..."
- 5. City Attorney Request
- 6. Call File No. _____ from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. _____
- 9. Reactivate File No. _____
- 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Clerk of the Board

Subject:

Hearing - Release of Reserved Funds - Port of San Francisco - Pier 94/96 Seismic Improvement Project - \$2,700,000

Long Title or text listed:

Hearing to consider the release of Board of Supervisors reserved funds, delegated to be released by the Budget and Finance Committee by Resolution No. 007-25 once all grant requirements have been met and the fiscal impact report received, to the Port of San Francisco for the Pier 94/96 Seismic Improvement Project, in the amount of \$2,700,000 from the United States Federal Emergency Management Agency Hazard Mitigation Grant Program through the California Office of Emergency Services.

Signature of Requestor: Agnes Caristo

File No. 250053