



**FEMA**

August 6, 2018

Charles Rabamad  
Governor's Authorized Representative  
California Governor's Office of Emergency Services  
3650 Schriever Ave.  
Mather, California 95655

Reference: Phase 2 Approval, HMGP #4158-272-2R  
City and County of San Francisco  
Early Intake Switchyard Slope Stabilization Project  
Supplement #21

Dear Mr. Rabamad:

We have approved Phase Two funding for the above-referenced Hazard Mitigation Grant Program (HMGP) subapplication from the City and County of San Francisco Early Intake Switchyard Slope Stabilization Project (Subrecipient).

In our Phase One letter, dated June 6, 2016, we approved a total estimated cost of \$594,341 and obligated a 68 percent federal share of \$404,208 for the Subrecipient to provide a preliminary engineering design and environmental study report necessary to continue our determination of HMGP programmatic eligibility, including compliance with the National Environmental Policy Act (NEPA).

Upon receipt of the Phase One information, we completed our reviews, and determined the project is eligible for Phase Two construction funding. As shown in the enclosed Supplement #21 Obligation Report, we deducted the Phase One costs, and approve \$717,928 total eligible cost; the 68 percent federal share reimbursement is \$488,259. These funds are now available in Smartlink. The following chart summarizes the approved funding for this project:

	<u>68% Federal Share</u>	<u>32% Match</u>	<u>Total Cost</u>
Phase One, Supplement #12	\$404,208	\$190,133	\$594,341
Phase Two, Supplement #21	\$488,259	\$229,669	\$717,928
Estimated Total Project Cost	\$892,467	\$419,802	\$1,312,269

This determination is based on:

1. **Scope of Work (SOW)** – The SOW activity is to protect the face of the slope with a shotcrete facing to discourage on-going raveling which may include rounding of an overhanging rim of soil and other vegetation for a few feet at the upslope perimeter of the scarp to seal the wall to the face and ensure proper drainage. Construct a combination of rock scaling and rock netting to minimize the rockfall hazards. Installing a concrete box and headwall near the toe of the east and west concentrated runoffs and re-route the runoff to the existing 24-inch culverts through a circular storm drain.
2. **National Environmental Policy Act (NEPA)** - FEMA authorized a Programmatic Environmental Assessment (EA) and our Environmental Officer issued an EA in compliance with the National Environmental Policy Act. A Record of Environmental Consideration (REC) document is enclosed for additional information and for your records.

3. **Project Activity Completion and Grant Period of Performance (POP)** – According to the subapplication, the project activity will be completed in 24 months after approval or August 6, 2020. However, we are unable to annotate this date since all projects are to be completed by the grant POP termination date which we previously extended to December 13, 2018. A second POP extension, limited to 12 months, requires review by Headquarters. We will recommend a POP to Headquarters with a July 10, 2020, completion date, and inform you of their decision.

Please advise the Subrecipient that FEMA may de-obligate Federal funds for any work not completed within schedule, and for which no time extension is approved. In accordance with 44 CFR 13.23, the Recipient must liquidate all obligations incurred under the award no later than 90 days after the end of the completion date.

4. **Phase One Underrun** - Any underrun from the Phase One funding shall be applied to the Phase Two construction or de-obligated.
5. **Benefit-Cost Analysis (BCA)** - The project SOW is cost effective since it is supported by a BCA with a benefit-cost ratio greater than one.
6. This award of funds is subject to the *2015 HMA Guidance*, the *January 2017 State HMGP Administrative Plan*, and enclosed *Standard HMGP Conditions*. Federal funds may be de-obligated for work that does not comply with these conditions.

If you have any questions or need further assistance, please contact Aaron Lim, Hazard Mitigation Assistance Specialist, at [aaron.lim@fema.dhs.gov](mailto:aaron.lim@fema.dhs.gov) or at (510) 627-7036.

Sincerely,



Juliette Hayes  
Director  
Mitigation Division  
FEMA Region IX

Enclosures (4):

Supplement #21 Obligation Report  
Project Management Report  
Record of Environmental Consideration (REC)  
Standard HMGP Conditions

cc: Robin Shepard, Cal OES

08/06/2018  
13:05

FEDERAL EMERGENCY MANAGEMENT AGENCY  
HAZARD MITIGATION GRANTS PROGRAM  
Obligation Report w/ Signatures

HMGP-OB-02

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4158	2-R	1	272	2	21	CA	Statewide

Sub-Recipient: SAN FRANCISCO PUBLIC UTILITIES COMMIS Project Title : City and County of San Francisco Early Intake Switchyard Slope Stabilization  
Sub-Recipient FIPS Code: 075-UBYA4

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$892,467	\$892,467	\$0	\$0

  

Project Amount	Recipient Admin Est	Sub-Recipient Admin Est	Total Obligation	IFMIS Date	IFMIS Status	FY
\$488,259	\$0	\$0	\$488,259	07/12/2018	Accept	2018

Comments

Date: 07/12/2018 User Id: KMOJICA

Comment: Approved Early Intake Switchyard Slope Stabilization Project

Authorization

Preparer Name: KAREN MOJICA

Preparation Date: 07/12/2018

HMO Authorization Name: AARON LIM

HMO Authorization Date: 07/12/2018



Authorizing Official Signature



Authorizing Official Title



Authorization Date

Authorizing Official Signature

Authorizing Official Title

Authorization Date

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
HAZARD MITIGATION GRANT PROGRAM**

9:17 AM

**Project Management Report**

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Recipient
4158	2-R	1	272	CA	Statewide

Sub-Recipient: SAN FRANCISCO PUBLIC UTILITIES COMI

FIPS Code: 075-UBYA4

Project Title : City and County of San Francisco Early Intake Switchyard Slope Stabilization

**Mitigation Project Description**

Amendment Status : Approved

Approval Status: Approved

Project Title : City and County of San Francisco Early Intake Switchyard Slope Stabilization

Recipient : Statewide

Sub-Recipient : SAN FRANCISCO PUBLIC UTILITIES

Recipient County Name : San Francisco

Sub-Recipient County Name : San Francisco

Recipient County Code : 75

Sub-Recipient County Code : 75

Recipient Place Name : San Francisco

Sub-Recipient Place Name : San Francisco

Recipient Place Code : 0

Sub-Recipient Place Code : 67000

Project Closeout Date : 00/00/0000

**Work Schedule Status**

Amend #	Description	Time Frame	Due Date	Revised Date	Completion Date
0	Design	10 mos	00/00/0000	00/00/0000	00/00/0000
1	Design	10 mos	00/00/0000	00/00/0000	00/00/0000
1	Bid and Award	3 mos	00/00/0000	00/00/0000	00/00/0000
0	Bid and Award	3 mos	00/00/0000	00/00/0000	00/00/0000
0	Mobilization/Office Engineering	4 mos	00/00/0000	00/00/0000	00/00/0000
1	Mobilization/Office Engineering	4 mos	00/00/0000	00/00/0000	00/00/0000
0	On-site construction	3 mos	00/00/0000	00/00/0000	00/00/0000
1	On-site construction	3 mos	00/00/0000	00/00/0000	00/00/0000
1	Demobilization	1 mo	00/00/0000	00/00/0000	00/00/0000
0	Demobilization	1 mo	00/00/0000	00/00/0000	00/00/0000
1	As-built Drawings	1 mo	00/00/0000	00/00/0000	00/00/0000
0	As-built Drawings	1 mo	00/00/0000	00/00/0000	00/00/0000
1	Contract closeout	2 mos	00/00/0000	00/00/0000	00/00/0000
0	Contract closeout	2 mos	00/00/0000	00/00/0000	00/00/0000

**Approved Amounts**

Total Approved Net Eligible	Federal Share Percent	Total Approved Federal Share Amount	Non-Federal Share Percent	Total Approved Non-Fed Share Amount
\$1,312,269	68.009440000	\$892,467	31.99056000	\$419,802

**Allocations**

Allocation Number	IFMIS Status	IFMIS Date	Submission Date	FY	ES Support Req ID	ES Amend Number	Proj Alloc Amount Fed Share	Recipient Admin Amount	Sub-Recipient Admin Amount	Total Alloc Amount
13	A	06/04/2016	06/03/2016	2016	2548515	4	\$404,208	\$0	\$0	\$404,208
22	A	07/11/2018	07/10/2018	2018	2711125	5	\$488,259	\$0	\$0	\$488,259
Total							\$892,467	\$0	\$0	\$892,467

08/06/2018

## FEDERAL EMERGENCY MANAGEMENT AGENCY

HMGP-AP-01

9:17 AM

## HAZARD MITIGATION GRANT PROGRAM

## Project Management Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Recipient
4158	2-R	1	272	CA	Statewide

Sub-Recipient: SAN FRANCISCO PUBLIC UTILITIES COM

FIPS Code: 075-UBYA4

Project Title : City and County of San Francisco Early Intake Switchyard Slope Stabilization

Obligations

Action Nr	IFMIS Status	IFMIS Date	Submission Date	FY	ES Support Req ID	ES Amend Number	Suppl Nr	Project Obligated Amt - Fed Share	Recipient Admin Amount	Sub-Recipient Admin Amount	Total Obligated Amount
1	A	06/06/2016	06/06/2016	2016	2584966	12	12	\$404,208	\$0	\$0	\$404,208
2	A	07/12/2018	07/12/2018	2018	2768046	21	21	\$488,259	\$0	\$0	\$488,259
Total								\$892,467	\$0	\$0	\$892,467



## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project ID: HMGP 4158-272-002

Title: Early Intake Switchyard Slope Stabilization Project

## NEPA DETERMINATION

Non Compliant Flag: No	EA Draft Date: 10/21/2014	EA Final Date: 12/10/2014
EA Public Notice Date: 10/21/2014	EA Fonsi Date: 12/10/2014	Level: EA
EIS Notice of Intent Date:	EIS ROD Date:	

**Comments:** The FEMA 2014 PEA for Recurring Actions in Arizona, California, and Nevada and the corresponding FONSI, signed on December 10, 2014, sufficiently addresses the environmental consequences of the proposed action. As the proposed action would not result in substantial impacts to the environment beyond those described in the PEA, no additional NEPA-specific public noticing or documentation is required, as stated under Section 1.8.2 of the 2014 PEA. - dcohen3 - 06/01/2018 22:59:14 GMT  
 Project would include rock fall protections and drainage improvements adjacent to Intake Switchyard to ensure the long-term protection of this existing power facility. Project objectives are 1) protect the access road and equipment at the Switchyard from rock falls, and 2) prevent flooding of the Switchyard facility. The three Project components include: 1) installing steel wire netting across the face of the road cut, 2) removing isolated hazardous rocks and installing wire mesh netting over hazardous boulder fields on the hillside above the Switchyard, and 3) improving surface drainage measures along the access road. - dcohen3 - 06/01/2018 23:00:05 GMT

## EXTRAORDINARY CIRCUMSTANCES

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

## ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/ Executive Order	Status	Description	Comments
Clean Air Act (CAA)	Completed	Project will not result in permanent air emissions - Review concluded	
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 not affect any water of the U.S. - Review concluded	
Coastal Zone Management Act (CZMA)	Completed	Project is not located in a coastal zone area and does not affect a coastal zone area - Review concluded	
Executive Order 11988 - Floodplains	Completed	No effect on floodplain/flood levels and project outside floodplain - Review concluded	The project location is shown on FIRM 06109C1275C, Effective Date: 4/15/2009, and lies within Zone D. - dcohen3 - 06/01/2018 16:41:41 GMT
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	An aquatic resources delineation was conducted by the subrecipient's consultant (Nomad) to identify wetlands and waters in the Project area. Nomad conducted a routine aquatic resources assessment in March and June 2017, and additional survey data was collected between March and July 2017.

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project ID: HMGP 4158-272-002

Title: Early Intake Switchyard Slope Stabilization Project

Environmental Law/ Executive Order	Status	Description	Comments
			Three stream features were found to be present onsite, including one intermittent stream and two ephemeral streams. One wetland seep was also present in the study area. The Project would avoid all aquatic features. No jurisdictional wetlands or WOUS will be impacted. - dcohen3 - 06/01/2018 20:30:52 GMT
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	No Low income or minority population in, near or affected by the project - Review concluded	Project location is in an unpopulated area surrounded by the Stanislaus National Forest, and protection of operations at the power facility would have a beneficial affect on any low income or minority populations in San Francisco served by the facility. - dcohen3 - 06/01/2018 20:33:47 GMT
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	Based on the lack of suitable habitat for any federally listed species in the Action Area and the lack of Critical Habitat and EFH in the Action Area, the proposed project would have "no effect" on any species or critical habitat protected under the ESA. Therefore, consultation with USFWS and NMFS under Section 7 of the ESA is not required. Any changes to the scope of work must be resubmitted to FEMA for ESA compliance. See attached No Effect Determination. - dcohen3 - 06/01/2018 22:50:27 GMT
	Completed	No effect to species or designated critical habitat (See comments for justification) - Review concluded	
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	The project would occur in areas that could contain migratory birds. SFPUC is responsible for compliance with the MBTA. In the event migratory birds stop in the project areas, construction activities could temporarily discourage these birds from using the areas in the vicinity of the construction sites due to temporary ground and vegetation disturbance, human presence, and increased noise levels. - dcohen3 - 06/01/2018 20:43:26 GMTThe Project incorporates management requirements (e.g., nest buffers) to ensure noise and human activity associated with the Project would not have an adverse effect on any nesting birds. SFPUC Standard Construction Measure Number 7, if construction activity begins during the breeding season (March 1 to August 30), a

## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project ID: HMGP 4158-272-002

Title: Early Intake Switchyard Slope Stabilization Project

Environmental Law/ Executive Order	Status	Description	Comments
			preconstruction survey for nests and nesting birds shall be conducted to ensure active migratory bird nests (containing eggs or chicks), if present, are not destroyed. - dcohen3 - 06/01/2018 22:28:56 GMT
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Standard Section 106 review	CA SHPO, in a letter dated 3/13/18, concurred with FEMA's determination of No Adverse Affect. Concurrence letter is attached. - sortega3 - 04/04/2018 17:07:55 GMT
	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 Historic Properties Affected (FEMA finding/SHPO/THPO concurrence attached)	
	Completed	No Adverse Effect Determination (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 historic properties affected	
	Completed	NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence attached)	
	Completed	No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence attached) - Review concluded	
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	The project location is near the Tuolumne River in an existing developed power facility. All project actions would occur within the developed and modified area not directly adjacent to the river bank. USFS has not raised any concerns about the proposed



## RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project ID: HMGP 4158-272-002

Title: Early Intake Switchyard Slope Stabilization Project

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Environmental Law/  
Executive Order

Status

Description

Comments

actions. - dcohen3 - 06/01/2018 22:45:42 GMT

## CONDITIONS

## Special Conditions required on implementation of Projects:

In March 13, 2018 No Adverse Affect concurrence letter (see attached) SHPO advises, "...under certain circumstances, such as unanticipated discovery or a change in project description, you may have future responsibilities for this undertaking under 36 CFR Part 800".

Source of condition: National Historic Preservation Act (NHPA)

Monitoring Required: No

Source of condition: National Historic Preservation Act (NHPA)

Monitoring Required: No

## 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 Hazard Mitigation Grant Program (HMGP) Conditions**  
**Prepared by FEMA Region IX, Updated February, 2005**

**The following standard requirements apply to grantees and subgrantees accepting funds from the Federal Emergency Management Agency (FEMA) HMGP:**

1. **Applicable Federal, State and Local Laws and Regulations.** The grantee and subgrantee must comply with all applicable Federal, State and Local laws and regulations, regardless of whether they are specifically identified in this list or other project documents.
2. **Standards for Financial Management Systems.** Grantees and subgrantees must maintain financial management systems to account for and track grant funds, in compliance with the Code of Federal Regulations, Title 44 (44 CFR) Section 13.20.
3. **Allowable Costs.** Grant funds may only be used for allowable costs, in compliance with 44 CFR Section 13.22, and in compliance with the approved grant project scope of work and any agreements among the subgrantee, the grantee, and FEMA.
4. **Subgrantee Indirect Costs.** No indirect costs of a subgrantee are separately eligible for HMGP reimbursement, in compliance with 44 CFR Section 206.439(c)(2). Such costs are covered by the Subgrantee Administrative Cost allowance formula provided by 44 CFR Section 206.439(b)(1)(ii).
5. **Matching or Cost Sharing.** Non-federal matching or cost sharing must be in accordance with 44 CFR Section 13.24, the approved grant project scope of work, and any agreements among the subgrantee, the grantee, and FEMA.
6. **Non-Federal Audit.** The grantee and subgrantee are responsible for obtaining audits in accordance with the Single Audit Act of 1984, in compliance with 44 CFR Section 13.26.
7. **NEPA Reviews for Scope of Work Amendments.** To comply with the National Environmental Policy Act (NEPA), additions or amendments to a HMGP subgrantee statement of work (SOW) shall be reviewed by all state and federal agencies participating in the NEPA process. NEPA compliance for all SOW additions or amendments is essential before the revised SOW can be approved by FEMA or implemented by the HMGP subgrantee. Any construction activities associated with a SOW change, prior to FEMA approval, may be ineligible for reimbursement or match.
8. **Cost Overruns.** Subgrantees should be referred to the state HMGP administrative plan for project cost overrun regulations. If project costs exceed the approved federal share, the subgrantee must contact the Governor's Authorized Representative. The GAR will evaluate requests for cost overruns. Written determination of cost overrun eligibility in accordance with 44 CFR 206.438(b) shall be submitted by the GAR to the FEMA Regional Director.
9. **Real Property (Land).** If real property (land) is acquired under an HMGP grant, the use and disposition of the property shall be in compliance with 44 CFR Section 13.31 and Section 206.434(d).
10. **Equipment.** If equipment is acquired under an HMGP grant, the use and disposition of the equipment shall be in compliance with 44 CFR Section 13.32.

11. **Supplies.** If there is a residual inventory of unused supplies exceeding \$5,000 in total fair market value upon completion of the HMGP grant, and if the supplies are not needed for any other federally sponsored programs or projects, the grantee or subgrantee shall compensate the awarding agency for its share (44 CFR Section 13.33).
12. **Copyrights.** In accord with 44 CFR Section 13.34, FEMA reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal Government purposes:
  - (a) The copyright in any work developed under a grant, subgrant, or contract under a grant or subgrant; and
  - (b) Any rights of copyright to which a grantee, subgrantee or a contractor purchases ownership with grant support.
13. **Subawards to debarred and suspended parties.** In accordance with 44 CFR Section 13.35, the grantee and subgrantees must not make any award or permit any award (subgrant or contract) at any tier 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, "Debarment and Suspension."
14. **Procurement.** Procurement procedures shall be in conformance with 44 CFR Section 13.36.
15. **Monitoring and Reporting Program Performance.** The grantee and subgrantees must submit quarterly progress reports, in accord with 44 CFR Section 13.40 and the State HMGP Administrative Plan.
16. **Retention and Access Requirements for Records.** In accordance with 44 CFR Section 13.42, financial and programmatic records related to expenditure of funds on grant-supported projects shall be maintained at least 3 years following the date the grantee submits its final expenditure report on the project.
17. **Enforcement.** If a grantee or subgrantee materially fails to comply with any term of an award, whether stated in a Federal statute or regulation, an assurance, in a State plan or application, a notice of award, or elsewhere, FEMA may take one or more of the actions outlined in 44 CFR Section 13.43, including termination of the grant.
18. **Termination for Convenience.** Grant awards may be terminated for convenience through the procedures outlined in 44 CFR Section 13.44.
19. **Discovery of Historic Properties and Cultural Resources.** In accordance with 36 CFR Part 800, in the event a potential historic property or cultural resource is discovered during construction activities, the subgrantee must cease work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the discovered property/resource. Construction activities in the area of the discovery shall not resume until FEMA concludes consultation with the State Historic Preservation Officer (SHPO) for treatment of the discovery.
20. **Equipment Rates.** Rates claimed for use of applicant-owned equipment that are 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 State to include only those costs attributable to equipment usage less any fixed overhead and/or profit."
21. **Duplication of Funding between PA and HMGP.** It is permissible to use PA and 404 HMGP funds on the same facility/location, but the scopes of work identified under each program must be distinct and the funds accounted for separately. At the time of closeout, FEMA will adjust the funding if necessary to ensure that the subgrantee has been reimbursed for eligible scope from only one funding source.