

bae urban economics

Project Compliance and Approval Process Benchmarking Study

Prepared for Citizens' General Obligation Bond Oversight Committee (CBOBOC)

September 17, 2013

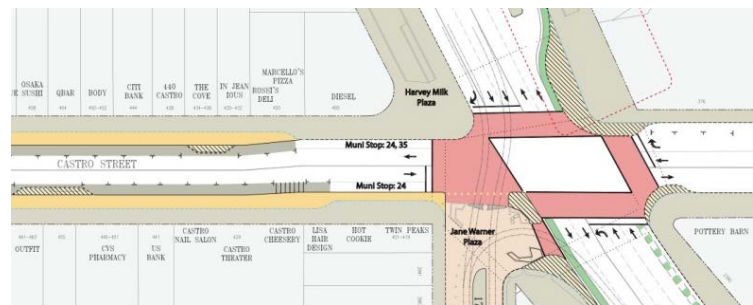


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EXECUTIVE SUMMARY

This Study was commissioned by the San Francisco Controller's Office on behalf of the Citizens' General Obligation Bond Oversight Committee (CBOBOC) to document and analyze the regulatory processes affecting General Obligation (GO) Bond projects. In addition to summarizing and mapping the project compliance and approvals process in San Francisco, this Study also provides an overview of best practices from three comparable US jurisdictions and provides recommendations for improving the project delivery process in San Francisco.

Overview of Compliance and Approvals Process

When the City contemplates using a General Obligation Bond structure to finance public improvements, the package of proposed projects must first be outlined in a Bond Report, which describes the projects and serves as the basis for a preliminary level of environmental review pursuant to the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA). If approved by the voters, the Bond program is assigned to a City agency for implementation, referred to in this Study as the project sponsor. The project sponsor then assigns a team of staff to the project, led by a project manager who becomes responsible for implementing the project. Currently, seven voter-approved GO bonds financing a wide range of public improvements and capital facilities projects in San Francisco, fall under the oversight of CBOBOC.

Phases of Project Delivery

Bond-funded public projects go through a four-phase delivery process, with each phase incorporating some level of review or oversight from local, regional, state, and/or federal agencies. These four phases are summarized below, including "minimum: timeframes which should be assumed for each phase for CCSF public projects, based on stated policy guidelines and/or study interviewees' practical experience.

- I. **Project Planning (minimum of 3 to 6 months).** The purpose, location, core features, and timing of the project are identified at a conceptual level. This phase may include extensive community outreach and coordination with other stakeholders and usually includes preliminary consultations with environmental and design review entities. This phase may be performed by City staff or consultants and takes a minimum of three to six months, depending on the scale of the project.
- II. **Project Design (minimum of 5 to 12 months).** The project concept is translated into site plans and blueprints by architects, engineers, and designers, who may be City staff or outside consultants. This phase proceeds from the Schematic Design to Design Development to Construction Documents stage. At each stage, the design must be reviewed and approved by various environmental and design review entities, which specify

certain modifications and conditions that must be incorporated before the project design can be approved. This phase takes a minimum of between five and 12 months, depending on the scale of the project.

- III. **Bid/Award (minimum of 4 to 6 months).** Once the design is finalized, the project sponsor advertises a contract to perform the work specified in the construction documents. In this phase, building permits must be obtained and the contract and award process itself must be approved before construction can commence on the project. This phase takes a minimum of between four and six months, depending on the scale of the project.
- IV. **Construction/Closeout (minimum of 6 to 12 months).** Construction commences only after the project design and construction documents have been reviewed for compliance with environmental, design, and other regulatory and policy requirements. The work is completed by the selected contractor and subcontractors, who may also need to apply for various electrical, plumbing, and grading permits as construction proceeds. Construction takes a minimum of between six and 12 months, depending on the scale of the project.

Timeframes for Compliance, Review, and Approval

During each phase described above, a project may also undergo several rounds of environmental, design, and other types of review. These steps are summarized below, with “minimum” possible timeframes also shown.

Environmental Review

Environmental review focuses on identifying a project’s impact on the environment and ensuring that the project is in compliance with all applicable local, state and federal laws.

- **CEQA and NEPA (minimum of 1 week to 30 months).** Every project undertaken by a public agency or private developer in California is subject to the California Environmental Quality Act (CEQA), which requires a series of procedures to document the environmental impact. In San Francisco, the Planning Department is the CEQA Lead Agency for projects sponsored by CCSF agencies. The CEQA process can take between one and nine months for outcomes resulting in less than a full Environmental Impact Report (EIR), and a minimum of 24 to 30 months when an EIR is required. In addition to CEQA compliance, the National Environmental Protection Act (NEPA) requires review if a project is significantly funded or administered by a federal agency. The relevant federal agency manages the required NEPA process in collaboration with the project sponsor.
- **Resource Agencies and Regional Bodies (minimum of 1.5 to 9 months).** Some projects are subject to additional State and Federal statutes that lay out protections for specific natural resources, such as air, water, wetlands, or wildlife. These statutes require that designated regional, state, and federal review entities issue permits to verify that a proposed project is in compliance with whatever environmental protections apply. Some of these statutes are

enforced by a series of state and federal agencies commonly referred to as “resource agencies” and others are administered by regional bodies established by state law. These permitting processes vary widely and can take a minimum of between six weeks and nine months to complete.

Design Review

Design Review focuses on the physical design of a project and may be concerned with the aesthetics, accessibility, historical context, functionality, or safety of the proposed project.

- **Civic Design Review Committee (minimum of 2 to 4 months).** All projects involving the construction or major renovation of a structure located on City property are reviewed by this Committee of the San Francisco Arts Commission. The Committee reviews each project at least three times during the course of its monthly public meeting schedule: Schematic (Phase 1), Design Development (Phase 2), and Construction Documents (Phase 3). Projects are presented to the Committee a minimum of two to four times. If modifications are requested by the Committee, the project is then modified and resubmitted for Committee review. This process takes a minimum of two to four months to complete, based on the Committee’s monthly meeting schedule.
- **Department of Building Inspections (DBI) (minimum of 3 to 6 months).** Every construction or major renovation project in San Francisco, except those on Port of San Francisco property, must obtain building and other permits from DBI before demolition or construction begins. Permits can only be issued after construction documents are finalized. DBI permits take a minimum of three to six months for most new free-standing structures (permitting for some small pre-fabricated structures can be approved in two weeks or less).
- **Bay Conservation and Development Commission (BCDC) (minimum of 6 weeks to 4 months).** Projects along the San Francisco waterfront are subject to additional design review. The Bay Conservation and Development Commission (BCDC) reviews projects located within 100 feet of the Bay shoreline; these projects must be reviewed by its Design Review Board (DRB) before the Commission can give approval. For projects on Port of San Francisco property, its Waterfront Design Advisory Committee (WDAC) also reviews project designs. Often conducted jointly, this BCDC and WDAC review process can take between 1.5 and 4 months.

Policy Review

Policy Review includes many different types of review that focus on the consistency of a proposed project with existing policies and monitors how the administration of a project may impact residents or the local economy.

- **Planning Department (early, concurrent with other timeframes).** Every major project in San Francisco undergoes a General Plan Referral from Planning, to evaluate the proposed

project's consistency with General Plan goals. The timeframe for a General Plan Referral is tied to whatever level of CEQA review is required of the project, in most cases.

- **Human Rights Commission and Civil Service Commission (minimum of 3 to 6 months).**
The Human Rights Commission (HRC) reviews all contracts advertised for outside services by CCSF, and can modify or block contracting if not in compliance with CCSF's non-discrimination and other laws. The Civil Service Commission (CSC) ensures that professional consultant services are procured in a manner that is complementary with the City's in-house capacity to perform the same work at agencies such as the Department of Public Works (DPW). The CSC must approve contracts for outside services when the scope of work could be provided by a City agency. The HRC and CSC review, when required, occur within the overall contract approval timeframe, which typically lasts a minimum of three to six months.

Minimum Timeframes for Project Approvals

Based on stated policy guidelines and/or meeting schedules and staff capacity, CCSF bond-funded projects can be delivered in a minimum of between 18 and 36 months, depending on a project's scale and complexity. It should be noted that timeframes for the CEQA and Civic Design Review Committee processes are governed by explicit review period thresholds, although the actual time elapsed between thresholds can still vary based on staff capacity and citizen concerns. Timeframes for regional and state resource agencies, as well as the Human Resource Commission and Civil Service Commission (local review for contracting) can vary based on staff capacity and project-specific issues. The chart below summarizes these steps in the process and the minimum typical range of time for each, based on either regulatory requirements or time to complete review.

Minimum Review Timeframes for San Francisco Capital Projects

Environmental Review

Review Process	Jurisdiction	Min. Time
California Environmental Quality Act (CEQA)	San Francisco (a)	
Categorical Exemption	San Francisco (a)	0 - 3 months
Addendum to prior MND or EIR	San Francisco (a)	3 - 6 months
Mitigated Negative Declaration (MND)	San Francisco (a)	6 - 9 months
Environmental Impact Report (EIR)	San Francisco (a)	24 - 30 months
Resource Agencies (b)	State/Federal	3 - 9 months
California Coastal Commission	Regional	3 - 4 months
Bay Conservation and Development Commission (BCDC)	Regional	1.5 - 4 months
Bay Area Air Quality Management District (BAAQMD)	Regional	1 - 4 months
Regional Water Quality Control Board (Water Board)	Regional	2 - 3 months

Design Review

Review Process	Jurisdiction	Min. Time (a)
SF Department of Building Inspections (DBI)	San Francisco	3 - 6 months
Civic Design Review Committee	San Francisco	2 - 4 months
BCDC Design Review Board (DRB) (c)	Regional	1.5 - 4 months
Waterfront Design Advisory Committee (WDAC) (c)	Port of San Francisco	1.5 - 4 months

Policy Review

Review Process	Jurisdiction	Min. Time (a)
Civil Service Commission	San Francisco	3 - 6 months
Human Rights Commission	San Francisco	3 - 6 months

Notes:

(a) The Planning Department is the Lead Agency for all CEQA review of public projects in San Francisco.

(b) Federal and state resource agencies most frequently involved in San Francisco include the US Army Corps of Engineers, California Department of Fish and Wildlife (DFG), National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), and US Fish & Wildlife Service (USFW).

(c) For projects under both BCDC and Port of San Francisco jurisdiction, DRB and WDAC hold joint meetings for design review.

Source: BAE, 2013.

Map of Compliance and Approvals Process

The Permitting and Approvals Process Map, displayed on the following page, provides a graphic representation of how the various levels of review for projects in San Francisco flow through the project delivery timeline. The timeframes presented for each project delivery phase in the process map reflect the minimum time typically required based on stated policy guidelines and interviewees' experience in practice. The time required for most projects in the three bond programs reviewed here was substantially more than the minimum, as indicated in the project descriptions above. The Glossary of Regulatory, Review, and Compliance Entities included in Appendix A provides summary detail of each review process discussed in this Study, sorted by the entity responsible for that review, while Appendix F offers further detail on the CEQA process.

San Francisco General Obligation Bond Project
Permitting and Approvals Process Map

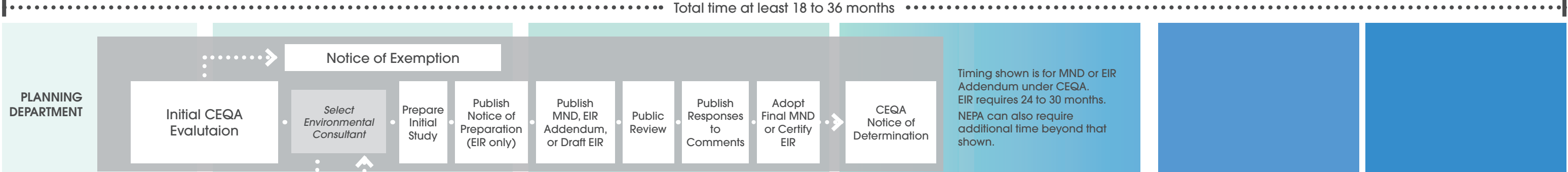
PROJECT
DELIVERY

Project Design

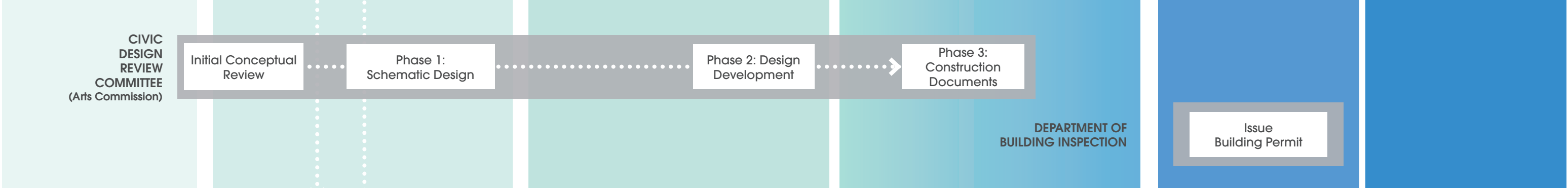
Bidding and Construction



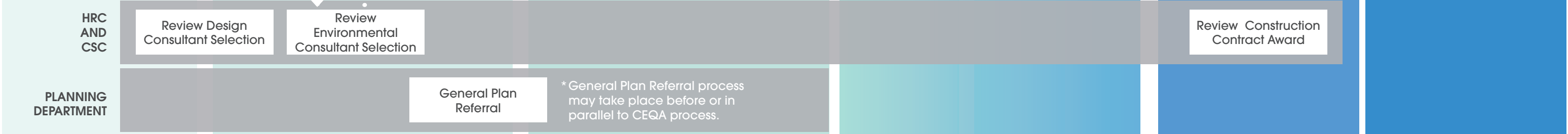
ENVIRONMENTAL
REVIEW



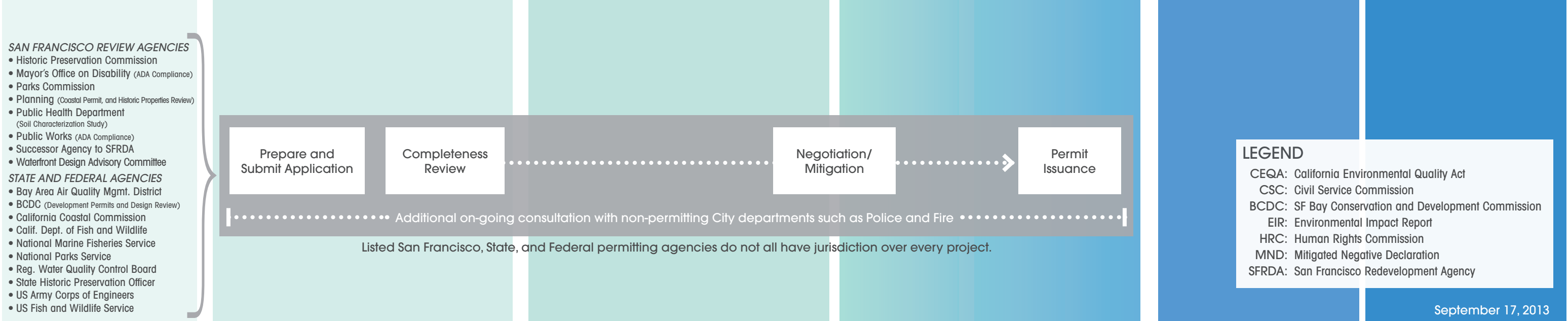
DESIGN
REVIEW



POLICY
COMPLIANCE



ADDITIONAL
PERMITTING



Summary of Actual Project Delivery Timeframes

The CGOBOC receives quarterly reporting on the progress of all bond programs and their associated projects. These quarterly reports were obtained and analyzed by BAE for this study, to calculate an average project delivery timeframe per bond program, as shown in the table below. Based on these calculations, parks have averaged 45 months, streetscape work has averaged 33 months, seismic upgrades/structural renovations have averaged 42 months, and streetscape improvements have averaged 33 months per project. Major building projects have substantially longer time frames for completion.

In addition, this study sampled 10 projects within three of the existing bond programs, and researched their timeframes from bond passage to project completion. As shown below, timeframes for the sampled projects in the three bond programs reviewed in this Study indicate that projects commonly take longer than the minimum. The timeframes for these sampled projects ranged from 22 months for streetscape improvements along the Great Highway, to 60 months for the construction of Brannan Street Wharf. The reasons for project delivery durations are profiled for each project sampled, in the body of this report, to illustrate how projects can vary in complexity and thus, delivery timeframes.

San Francisco Bond Programs, Average Reported Project Delivery Timeframes

Selected GO Bond Programs	Budget (millions)	Planning Phase	Design Phase	Construction Phase	Total Time
2008 Clean and Safe Neighborhood Parks Bond Program (a)	\$185.0	11	17	17	45
Dolores Park Renovation	\$11.7	17	18	21	56
McCoppin Square	\$3.8	6	14	14	34
Beach Chalet Playfields	\$4.0	6	35	n/a	41
Brannan Street Wharf	\$2.9	14	26	20	60
2010 Earthquake Safety and Emergency Response Bond (a)	\$412.3	n/a	n/a	n/a	42
Public Safety Building	\$239.0	6	14	24	44
Fire Station No. 16	\$6.7	6	12	23	41
AWSS Physical Plant	\$15.5	9	13	26	48
2011 Road Repaving and Street Safety Bond Program (a)	\$248.0	10	10	13	33
Great Highway Streetscape Improvements	\$1.7	4	6	12	22
Castro Streetscape Improvements	\$4.0	6	9	15	30
Potrero Streetscape Improvements	\$3.2	9	12	15	36
Other GO Bond Programs					
1999 Laguna Honda Hospital Replacement Program	\$299.0	n/a	n/a	n/a	129
2000 Branch Library Improvement Program	\$105.9	(b)	33	27	60
2008 General Hospital Rebuild Bond Program	\$887.4	(b)	57	39	96

Notes:

(a) Represents the average project delivery time for all projects under the bond program, not only those highlighted in the report (may include anticipated completion dates, as reported)

(b) Source document listed planning and design phases together under design phase

Sources: CGOBOC Quarterly Reports, 2013; BAE, 2013.

Comparison Cities: Timeframes and Best Practices

The Study includes comparison of CCSF with the cities of Denver, San Jose, and Seattle, which were selected for analysis due to the presence of major capital improvement bond programs and similar conditions regarding city size and environmental review / legal frameworks.

Based on available information, bond-funded projects in San Francisco appear to compare favorably with the delivery timeframe for similar projects in other cities. As summarized below, except for parks and open space projects, the time taken for San Francisco capital projects does not vary substantially from the comparison cities.

Average Delivery Schedule in Months, San Francisco and Comparison Cities

Project Type	San Francisco	Denver (a)	San Jose	Seattle
Public facilities (b)	46	n/a	45	57
Parks/Open space (c)	45	n/a	31	35
Roads/Streetscape (d)	33	n/a	31	45

Notes:

(a) Project delivery schedules for the Better Denver Bond Program were publicly available for the construction phase only. More details delivery information was not available at the time of this report.

(b) Includes library, community center, and public safety public facility projects. For San Francisco, includes projects under the 2010 Earthquake Safety and Emergency Response Bond and 2000 Branch Library Improvement Bond.

(c) Includes park, open space, playfields, playgrounds, and park restroom and service building projects. For San Francisco, includes projects under the 2008 Clean and Safe Neighborhood Parks Bond.

(d) Includes corridor and streetscape improvements. For San Francisco, includes the 2011 Roads Repaving and Street Safety Bond.

Sources: City of San Jose 2012 CIP; City of Seattle 2013 CIP; CGOBOC, 2013; BAE, 2013.

However, when looking at the amount of time required for key review and approval processes, the comparison cities do appear to take less time in the environmental and design review stages than CCSF, as shown in the table below.

Key Compliance and Approval Processes, San Francisco and Comparison Cities

	San Francisco	Denver	San Jose	Seattle
<u>Environmental Review (a)</u>				
Review agency	Planning Department	n/a	Planning Division	Department of Planning and Development (DPD)
Minimum time	1 - 30 months	n/a	1 - 24 months	1 - 18 months
<u>Design Review</u>				
Review agency	Civic Design Review Committee	Department of Public Works (DPW) (b)	Department of Public Works (DPW) (b)	Seattle Design Commission
Minimum time	2 - 4 months	n/a	n/a	2 - 3 months
<u>Building Permits (c)</u>				
Review agency	Department of Building Inspections (DBI)	Development Services	Department of Public Works (DPW) (b)	Department of Planning and Development (DPD)
Minimum time	3 - 6 months	2 - 4 months	n/a	2 - 6 months

Notes:

(a) Refers specifically to the CEQA process in California cities and the SEPA process in Washington. Colorado does not have an equivalent state procedural environmental review process and other state and federal resource agency review is not included.

(b) There is no institutionalized third party design review for public projects in Denver or San Jose. This review is conducted in-house by DPW staff. In San Jose, building permits for public projects are also handled by a division of DPW. In these instances no minimum review time data is available because the intra-department reviews proceed iteratively.

(c) Timing refers to large capital projects only. Most private and small public projects can be issued an "over-the-counter" building permit processed in as little as 48 hours.

Source: BAE, 2013.

San Francisco public projects appear to take no longer than similar projects in other cities overall, although the review processes for San Francisco projects do appear to take slightly longer. To examine how review and approvals processes are managed in other cities, interviewees at selected comparison cities were asked to identify a number of "best practices" that have improved the timeliness and efficiency of key compliance and approvals processes as compared to past experience in those cities, including:

- **Centralized Program Management.** In Denver, the Better Denver Bond Program employs a consultant team to manage eight separate bond programs. This team works side by side with City project sponsor agencies and review agencies to anticipate regulatory milestones and identify economies of scale in advancing the review of multiple projects at once.
- **Inter-agency Coordination.** The Better Denver Bond Program in Denver and the CIP Action Team in San Jose improved coordination of compliance, approval, and other project delivery needs across departments. In Denver, this was accomplished by embedding consultant staff within the project sponsor and review agencies who reported to both their host department and the centralized program manager. In San Jose, greater coordination between project sponsor and review agencies was achieved by bringing high-level agency staff together on a regular basis to set project delivery targets and anticipate inter-agency workflows.
- **Dedicated Compliance and Approval Staff.** Project sponsors in San Jose and Seattle have used bond funding and other sources to employ dedicated staff at the sponsor

agency to manage compliance and approval processes for agency projects. The development of such specialist staff at the project sponsor agencies have enhanced institutional memory of various review processes and increased the agency's capacity to manage these processes efficiently.

- **Dedicated Review Staff.** Project sponsor agencies in other cities have used bond funding and other sources to reserve reviewing agencies' staff for these important capital projects. The presence of such staff at the reviewing agency enhances the consistency of interaction between project sponsor and project reviewer and allows for public projects to be prioritized for review.
- **Project Tracking and Transparency.** San Jose Department of Public Works uses an online database to improve project management coordination and interact with the public. Seattle's Civic Design Commission produces publications and online resources that help project sponsors and the public understand their process. Both of these practices provide readily-accessible information about the nature and requirements of review processes, and the progress of particular projects.

Conclusions

Pre-Development Planning for GO Bonds

Although the primary focus of this Study concerns the review processes once bonds are passed by City voters, research for this Study indicates that pre-development planning of GO bond programs (i.e. before a bond measure is placed on the ballot) has important ramifications on project delivery and on compliance and approvals processes themselves. Projects that are specifically described in the bond report will require less planning, design work, and review after the bond has passed than those that are described only in general terms. In particular, bond programs placed on the ballot by the Board of Supervisors must undergo a programmatic-level environmental review under CEQA to assess the environmental impact of the projects proposed under the bond. This means that projects scoped in more detail in the bond report will also have more complete environmental review documentation and allow for swifter subsequent environmental review once the project is in implementation. Projects with vague or non-discreet bond descriptions will require more extensive environmental review during project delivery, as opposed to those projects where extensive environmental review can be completed before the bond election.

Critical Path Points for Project Delivery

Generally speaking, a bond project follows an implementation, or delivery, schedule that begins with conceptual planning and ends with the completion of construction. Once the conceptual planning phase has concluded, the project is developed through the conceptual design, schematic design, and construction documents preparation phases and construction is begun following a bid/award phase. In this project delivery sequence, there several “critical path” points that shape the duration and direction of the project’s delivery, including:

- Completing conceptual planning
- Contracting for design work
- Moving from schematic design to construction documents
- Moving from construction documents to construction

There are many different approvals and permits that must be obtained for a project, but certain processes in particular have the greatest effect on project timing and delivery based on when they occur along the project delivery path. Those processes follow a more variable timeline because of staffing or management, or due to the nature of the process itself (i.e. Civic Design Review can be open ended, and CEQA has multiple opportunities for appeal and comment). Based on interviews with agency staff and review of publicly-available documents regarding the bond projects described below, the review and permitting processes that have the greatest effect on the critical path for project delivery are:

- CEQA Review
- Civic Design Review Committee Review
- Department of Building Inspections Permitting

Civic Engagement and Public Process

Most GO Bond-funded projects will generate public interest and ample time is often needed to manage a robust civic engagement process during project delivery. Parks, schools and libraries, in particular, are frequently the focus of intense public scrutiny and involvement, which can lead to delays and/or longer project delivery time-frames than originally anticipated by project sponsor agencies. There is no fixed timeframe or procedure for public engagement, though the CEQA process does require time for receiving public comments at each stage of the environmental review process (see Appendix F). Generally, public engagement parallels the planning and design phases of a project, with public input solicited at the beginning, middle, and near the end of the design process. In some cases, usually for particularly high-profile projects, extensive community engagement may take place before the design phase begins.

The level and manner of civic engagement and public process undertaken for a project is intimately connected to the duration and outcome of environmental and design review and approvals processes. However, a deep analysis of the civic engagement process surrounding San Francisco bond projects was outside the scope of this Study. Rather, a companion Study on this subject has been commissioned by CGOBOC and has proceeded in parallel with this Study.

Recommended Compliance and Approval Process Improvement Strategies

In CCSF, the network of regulatory and review processes that apply to public projects has emerged out of a series of interrelated policy decisions taken over several decades, each one intended to provide a means of protecting some resource or of inviting greater public engagement in infrastructure planning and implementation. The recommendations below provide clear steps that can be taken to improve the way in which these processes are managed and the delivery timing of bond-funded projects.

Recommendations for Sponsoring Agency

- 1. Dedicate staff to manage the compliance/approvals process for the sponsor agency.** This recommendation means that in addition to the structure of a sponsoring agency's project manager, the same sponsoring agency would also train and dedicate staff focused on compliance/approvals, so that project(s) Staff contingents at the project sponsor agency dedicated to managing the compliance and approval processes required of agency projects allow project managers to focus on other aspects of project delivery.
- 2. Shift a small percentage of bond funds already allocated to administrative costs into permitting management at the project sponsor agency.** Bond revenue is a sustainable and appropriate funding source for supporting dedicated compliance and approval staff at the project sponsor agency to advance projects under a specific bond program.

3. **Fund dedicated review positions at key review agencies, like Planning.** In addition to developing compliance and approval staff at the project sponsor agency, project sponsors can also fund staff at environmental, design, or policy review agencies such as Planning, in order to ensure swifter and more consistent review of projects.
4. **Improve inter-agency collaboration on major projects.** Greater high-level collaboration among project sponsor agencies and review agencies in the City allows all parties to better anticipate compliance and approval work load and plan accordingly.
5. **Develop an interactive, transparent, and consistent project management and tracking system that can be used by multiple project sponsor agencies and the public.** Such systems increase coordination among and between project sponsor and review agencies for project delivery and heighten transparency and accountability for both staff and the general public.

Recommendations for Regulatory and Review Entities

6. **Designate a clear point of contact to each project sponsor agency for each project.** Even when a project sponsor agency does not provide funding for dedicated review staff at the review agency, the review agency can improve and accelerate the review process by assigning a project liaison from among existing staff. This is especially critical for Planning/Environmental Review, Building Inspections, and Civic Design Review.
7. **Provide clear written review guidelines and pre-review guidance.** Greater guidance – either written or through early meetings - about the criteria for an acceptable project under the review agency’s purview can reduce the need for later revisions and resubmissions.

INTRODUCTION

Study Purpose

The City and County of San Francisco (CCSF) periodically issues voter-approved General Obligation (GO) Bonds to support needed infrastructure improvements. These bonds finance a wide range of important public projects, from new neighborhood park playgrounds, to earthquake safety improvements in public buildings, to new streetscape designs. From the time that each bond is issued until the individual bond-funded projects are completed, each project is subject to a variety of overlapping regulatory and review processes. These steps can be complex, and can delay public expenditures, even when general project concepts are highly desired and/or critically needed. In particular, compliance with state and federal environmental regulations, local building and administrative codes, historic preservation requirements, and a host of policies and plans can often create contradictory results and unforeseen delays in project delivery.

This study, commissioned by the Citizens' General Obligation Bond Oversight Committee (CGOBOC), documents the project regulatory review and compliance process for bond-funded capital projects in CCSF, identifies best practices from other similar cities, and recommends process refinements to better align CCSF's project delivery needs with review policy goals in a time-efficient manner. This work is structured to support the CGOBOC in its efforts to achieve greater efficiency and effectiveness for General Obligation bond expenditures.

Bond Programs Overview

As of the end of FY 2012-2013, CCSF had approximately \$1.3 billion in outstanding general obligation bond indebtedness, comprised of seven distinct measures approved by the voters to fund a variety of capital facilities and other public projects. These bond measures include:

1. **1999 Laguna Honda Hospital Replacement Program.** In November 1999, voters authorized \$299 million in general obligation bonds for the purpose of rebuilding the Laguna Hospital and Rehabilitation Center.
2. **2000 Neighborhood Recreation and Park Bond Program.** In March 2000, voters approved \$110 million in general obligation bonds for improvements to neighborhood parks.
3. **2000 Branch Library Improvement Program.** In November 2000, voters approved \$105.9 million in general obligation bonds for improvements to 24 branch libraries throughout the City.
4. **2008 Clean and Safe Neighborhood Parks Bond Program.** In February 2008, voters approved the issuance of \$185 million in proceeds from general obligation bonds for improvements in neighborhood parks.

5. **2008 General Hospital Rebuild Bond Program.** In November 2008, voters approved Proposition A authorizing the issuance of \$887.4 million in general obligation bonds for the purpose of providing a new acute care hospital on the San Francisco General Hospital Campus.
6. **2010 Earthquake Safety and Emergency Response Bond.** In June 2010, voters authorized the issuance of \$412.3 million in general obligation bonds for three projects: (1) a new Public Safety Building (\$243 million); (2) a new account for Neighborhood Fire Stations (\$65.1 million); and (3) an Auxiliary Water Supply System (\$104.2 million).
7. **2011 Road Repaving and Street Safety Bond Program.** In November 2011, voters approved the issuance of \$248 million in general obligation bonds to modernize and improve street design to better accommodate all of the ways that today's citizens utilize street space.

Study Methodology

In order to provide a complete representative sample of CCSF's project compliance and approval processes, BAE selected three specific bond programs from the seven listed above, identified at least three to four representative projects within each selected bond program, and researched the steps and timeframes to project delivery for each of these 10 total projects. These specific projects from each bond program were analyzed fully in terms of compliance and approvals, including all Federal, State, and CCSF regulations and standards used to review designs and plans for each project.

The three bond programs selected for intensive study were:

- 2010 Earthquake Safety and Emergency Response Bond Program
- 2008 Clean and Safe Neighborhood Parks Bond
- 2011 Road Repaving and Street Safety Bond

The narrative in the following chapters describes the projects analyzed within each program. To conduct the analysis, BAE worked with CGOBOC to formulate a standardized questionnaire for CCSF departmental staff, which was administered to more than a dozen project managers. BAE also collected background information and reports to fully document and map the City's Compliance and Approval Process.

To benchmark the study findings for the sample CCSF capital projects, BAE worked with CCSF staff and CGOBOC members to identify three best-practice jurisdictions with similarly-sized populations and budgets. The cities of San Jose, Denver, and Seattle were selected for this benchmarking process, and capital project managers in each of these jurisdictions were interviewed to gather approximate timeframes for projects similar to those documented for CCSF.

Study Organization

The following Study provides a detailed analysis of the individual CCSF projects selected for study. The Study then provides a description of the three best practice examples from other major US cities. Finally, the Study provides findings and recommendations to improve the project compliance and approvals process in CCSF. Appendices included at the end of this document provide a detailed glossary of departments and regulatory agencies related to CCSF capital project compliance and approvals, as well as interview guides used to conduct research for this study, and data describing the comparison jurisdictions.

BOND PROJECT DELIVERY IN SAN FRANCISCO

As described above, three GO bonds under CGOBOC oversight were chosen to focus the research conducted for this Study. These bonds were chosen in consultation with CGOBOC members and City staff because they include a wide scope of projects of varying levels of complexity and size, and are implemented throughout the City by multiple City agencies. This section of the Study provides a brief overview of each bond program and the specific projects that were selected for research.¹

When the City and County of San Francisco contemplates using a General Obligation Bond to finance public improvements, the package of proposed projects must first be outlined in a Bond Report. The Bond Report describes the proposed projects at levels of detail that vary from program concepts to site-specific construction projects. For any bond measure placed on the ballot by a vote of the Board of Supervisors (the case for most GO Bonds), the Planning Department must review the proposed package, conduct an environmental review, and issue an environmental determination in keeping with the requirements of the California Environmental Quality Act (CEQA) before the measure can advance. If approved by voters, the bond program is assigned to a City agency, such as the Department of Public Works (DPW), for implementation. The responsible City agency, referred to in this Study as the “project sponsor,” then assigns a team of staff to the project, led by a project manager responsible for implementing the project (e.g., project delivery).

Overview of Selected Bond Programs and Sample Projects

Clean and Safe Neighborhood Parks Bond Program / 2008

In February 2008, San Francisco voters approved the issuance of \$186 million in General Obligation bonds to fund specific, voter-approved parks and open space recreation projects. The bond program was comprised of three components:

- **Neighborhood Parks:** \$34 million for park and open space improvements at 13 sites around the City to be completed in two phases, with Phase 1 commencing in 2008, and Phase 2 commencing in 2009
- **Citywide Programs:** \$120 million for a suite of repairs and renovations to park restrooms, forested areas, trails, and playfields throughout the City
- **Waterfront Parks:** \$32 million for new open spaces and site improvements at 10 sites on Port property. This component is administered by the Port of San Francisco.

The Neighborhood Parks and Citywide Programs projects are being implemented by the

¹ Bond program and project descriptions are based on the most recent quarterly status report provided to CGOBOC for each of the three bonds and on information gathered from interviewees familiar with the bond projects.

Recreation & Parks Department (Rec & Parks), while the Port of San Francisco is responsible for implementing the improvements included in the Waterfront Parks package.

Specific projects selected for further study included two Neighborhood Park projects, one Citywide Programs project, and one Waterfront Park project; these three projects are described below.

Mission Dolores Park Renovation

(Project Delivery Timeframe: 56 months from commencement to anticipated opening)

The project, slated for Phase 2 of the Neighborhoods Parks program, includes the replacement and/or renovation of clubhouse (currently used as a restroom facility), picnic area, tennis courts, pathways, irrigation, drainage, lighting, and landscaping. The Park renovation will also include new facilities, such as dog parks, and involve modifications to certain elements of the adjacent public right-of-way. The official start of planning for the Dolores Park Renovation was delayed by seven months from October 2009 to May 2010 due to negotiations between Rec & Parks, DPW, and the Civil Service Commission over the retention of an outside firm to perform planning and design work. Following further delays due to the environmental and design review processes described in the following chapter, and the renovation project is now projected to be complete in October 2014, nearly 18 months after its originally planned completion date of March 2013.

The Dolores Park Helen Diller Playground was originally slated for Phase 2 of the Neighborhood Parks program (along with the other renovation items for Mission Dolores), but was moved up to Phase 1 when private funds from the Helen Diller Foundation were made available. Planning for the Playground began in January 2008, and the project was completed in March 2012.

McCoppin Square

(Project Delivery Timeframe: 34 months from commencement to opening)

The project scope included renovation and restoration work on the children's play area, athletic fields, tennis court, irrigation, lighting, and other systems. The project also included construction of a new restroom building to replace an existing facility, and installation of a new garage-sized storage building. This Phase 1 Neighborhood Parks project began planning three months behind schedule, in January 2009, and was completed in October 2011, three months after the originally planned completion date.

Beach Chalet Playfields

(Project Delivery Timeframe: 41 months from commencement to present; no anticipated opening date)

The Citywide Park Playfields and Reconstruction Program dedicated bond funding to two playfield renovation projects that were planned beginning in 2006 as part of the Playfields

Initiative. The Initiative, a public-private partnership between Rec & Parks and the City Fields Foundation, identified 24 San Francisco playfields for upgrades and renovations. Since 2006, six sites have received field upgrades. The existing playfields at the Beach Chalet were included in the 2008 Bond for upgrades to include the installation of synthetic turf, new field lights, on-field spectator seating, and restoration of an existing restroom facility. Planning for the project began in March 2010, with an expected completion date of spring 2012. However, due to appeals and litigation initiated by concerned citizens, the project has not yet been able to conclude the design phase, and there is no expected opening date at this time.

Brannan Street Wharf

(Project Delivery Timeframe: 60 months from commencement to opening)

The Brannan Street Wharf project will create a new 57,000 square foot public open space on Pier 36, which had been condemned and was inaccessible to public or private use. The site was initially designated for open space improvements in 2000 under the Waterfront Special Area Plan, with designs for the park approved as part of the 2004 EIR for a privately-developed cruise ship terminal at nearby Piers 30-32. However, the cruise ship terminal was not developed, so the Brannan Street Wharf did not proceed at that time. Subsequently, Brannan Street Wharf was included in the Waterfront Parks package of the 2008 bond. Planning began in July 2008, with an expected completion date of August, 2012. However, during the schematic design phase, new engineering work determined that Pier 36 would have to be removed and replaced in order for the project to move forward. Federal grant funds were secured for the Army Corps of Engineers to perform this work. The Corps concluded work on the new pier in spring 2013, and the park opened in July 2013, roughly 10 months behind schedule.

Earthquake Safety and Emergency Response (ESER) Bond Program / 2010

The Earthquake Safety and Emergency Response (ESER) Bond Program was approved by San Francisco voters in June 2010 to provide \$405 million in funding for public safety improvements. The Program has three components as follows:

- **Public Safety Building:** \$239 million for a new headquarters for the San Francisco Police Department (SFPD) located in Mission Bay and the adaptive reuse of an adjacent existing fire station to serve as a multi-purpose facility for the San Francisco Fire Department (SFFD).
- **Neighborhood Fire Stations and Support Facilities:** \$72 million for seismic retrofits, renovations, and other improvements to 10 existing fire stations, on-site replacement of three other existing stations, and the construction of a new Equipment Logistics Center
- **Auxiliary Water Supply System (AWSS):** \$102 million for improvements to the AWSS, which provides citywide high-pressure water for use by SFFD; improvements include renovations and replacements of cisterns, pipes, tunnels, pump stations, and tanks.

The Public Safety Building and Neighborhood Fire Station components are being implemented by the Department of Public Works (DPW). The San Francisco Public Utilities Commission (SFPUC) is responsible for implementing the improvements to the AWSS (this responsibility was transferred from the SFFD to the SFPUC in 2010).

Public Safety Building

(Project Delivery Timeframe: 44 months from commencement to anticipated opening)

The Public Safety Building (PSB) will be a new venue for the SFPD Headquarters, providing a command and control center for the police force. The project will also include the relocated Southern District Police Station and house a new Mission Bay Fire Station. Historic Fire Station No. 30 will also be rehabilitated to serve as a multi-purpose SFFD facility and community facility. Planning for the PSB began in October 2010. The project has experienced a two-month delay due to design modifications sought after the award of the structural steel contract, as well as delayed relocation of underground utilities by AT&T and PG&E. However, the project is expected to make up the time delay during construction, and is on track for completion by June of 2014.

Fire Station No. 16

(Project Delivery Timeframe: 41 months from commencement to anticipated opening)

Fire Station No. 16 is one of two Neighborhood Fire Station projects to include full demolition and replacement of an existing fire station. A new two-story structure will be built to match the footprint and envelope of the existing station, which has been deemed seismically inadequate. Planning for Station No. 16 began in March 2012, and the project is currently in the design development phase, on track for completion by August 2015.

Auxiliary Water Supply System (AWSS) Core Facilities Projects

(Project Delivery Timeframe: 48 months from commencement to anticipated opening)

Five “core facilities” improvement projects are included in the Physical Plant component of the AWSS program in the 2010 bond. These improvements are intended to repair and upgrade critical infrastructure in the AWSS, including the Jones Street Tank, Ashbury Street Tank, and Twin Peaks Reservoir. Planning for these three water storage facilities began in the summer of 2011, with a single construction contract issued for work at all three sites in early summer 2013. The Jones Street Tank and Twin Peak Reservoir are on schedule for completion by June 2015, while the Ashbury Street Tank is on schedule for completion by October 2015.

Road Repaving and Street Safety Bond Program / 2011

San Francisco voters approved the Road Repaving and Street Safety Bond in November 2011 to fund \$248 million in a variety of maintenance, improvements, and streetscape upgrades in the public right-of-way throughout the City. This bond program is comprised of five components:

- **Street Repaving and Reconstruction:** \$149 million for roadbed maintenance and resurfacing needs as determined by the City's Pavement Management System
- **Street Structure Rehabilitation and Seismic Improvement:** \$7 million for as-needed repairs and maintenance of street structure such as stairways, retaining walls, viaducts, and tunnels
- **Sidewalk Accessibility Improvements:** \$22 million for the ongoing placement and improvement of curb ramps for handicap accessibility, and for routine and complaints-based sidewalk repairs
- **Streetscape, Pedestrian, and Bicycle Safety Improvements:** \$50 million for a suite of streetscape improvements such as sidewalk extensions, landscaping, lighting, and bicycle infrastructure at specific sites throughout the City
- **Transit Signal Infrastructure Improvements:** \$20 million for ongoing repairs and replacement of infrastructure at signalized intersections, including controllers, vehicle signals, poles, conduits, and wiring

The bulk of the bond program is being implemented by DPW, with the exception of the Transit Signal Infrastructure Improvements, which is being implemented by the San Francisco Municipal Transportation Authority (SFMTA). The Street Repaving, Street Structures, Sidewalk Accessibility, and Transit Signal components were not selected for detailed study for this Study because they involve primarily routine repairs and maintenance to existing infrastructure, and as such, rarely require outside approvals or robust public processes.

Three projects under the Streetscape, Pedestrian, and Bicycle Safety Improvements component were identified for further study because the projects are site-specific, highly visible to the community, and require coordination with other components of this bond program and other departments.

Great Highway Streetscape from Balboa to Fulton

(Project Delivery Timeframe: 22 months from commencement to anticipated opening)

Streetscape improvements along a two-block stretch of the Great Highway were included in the 2011 bond. These improvements primarily consist of work to convert the existing striped median to a raised, landscaped median. This project has been implemented in coordination with the streets repaving cycle to avoid duplicative street closures or other site work. Planning for the project began in March of 2012, although extensive conceptual planning for the site was completed in prior to project commencement as a part of the Ocean Beach Master Plan that was published in May 2012. Construction began in early 2013 and is on track for completion by the end of 2013.

Castro Streetscape and Pedestrian Safety Improvements from Market to 19th

(Project Delivery Timeframe: 30 months from commencement to anticipated opening)

This project encompasses improvements along a two-block stretch of Castro Street, including sidewalk widening, intersection improvements, street tree planting, new lighting, street furniture, and the reconstruction of parking strips. The project will be coordinated with roadway repaving projects on 17th and 18th Street. Planning for this project began in July 2012 and is still underway. Construction contracts are expected to go out in early 2014.

Potrero Streetscape Improvements from 21st to 25th

(Project Delivery Timeframe: 36 months from commencement to anticipated opening)

This project will upgrade the striped median along a four-block stretch of Potrero Ave to a raised and landscaped median, and will include new street lighting and widened sidewalks along the eastern side of the street in front of General Hospital. The streetscape improvements will be coordinated with the ongoing streets' repaving program as well as with underground sewer and water main work being executed by SFPUC. SFMTA has also indicated that the corridor is slated for replacement of overhead bus wires, so DPW crews will leave space for this work to begin after the sidewalk widening has been completed. Project planning began in June 2012 and is ongoing. The project is scheduled for completion by summer 2015, in advance of the reopening of renovated portions of General Hospital in December of 2015.

Project Delivery Timeframes

Minimum Project Delivery

According to stated policy guidelines and interviewees' experience in practice, public projects in San Francisco can be delivered through construction completion, in a minimum of between 18 and 36 months, depending on a project's scale and complexity. Timeframes for the CEQA and Civic Design Review Committee processes are partially governed by statutory public review windows and public meeting requirements, though the actual time needed to complete the process varies based on staff capacity and outside planning and design considerations. The resource agency, regional body, and HRC and CSC processes are more fluid, with the review timeframes primarily dependent on staff capacity and discretion.

Table 1: Breakdown of Minimum Timeframes for Compliance & Approval Processes

Environmental Review		
Review Process	Jurisdiction	Min. Time
California Environmental Quality Act (CEQA)	San Francisco (a)	
Categorical Exemption	San Francisco (a)	0 - 3 months
Addendum to prior MND or EIR	San Francisco (a)	3 - 6 months
Mitigated Negative Declaration (MND)	San Francisco (a)	6 - 9 months
Environmental Impact Report (EIR)	San Francisco (a)	24 - 30 months
Resource Agencies (b)	State/Federal	3 - 9 months
California Coastal Commission	Regional	3 - 4 months
Bay Conservation and Development Commission (BCDC)	Regional	1.5 - 4 months
Bay Area Air Quality Management District (BAAQMD)	Regional	1 - 4 months
Regional Water Quality Control Board (Water Board)	Regional	2 - 3 months
Design Review		
Review Process	Jurisdiction	Min. Time (a)
SF Department of Building Inspections (DBI)	San Francisco	3 - 6 months
Civic Design Review Committee	San Francisco	2 - 4 months
BCDC Design Review Board (DRB) (c)	Regional	1.5 - 4 months
Waterfront Design Advisory Committee (WDAC) (c)	Port of San Francisco	1.5 - 4 months
Policy Review		
Review Process	Jurisdiction	Min. Time (a)
Civil Service Commission	San Francisco	3 - 6 months
Human Rights Commission	San Francisco	3 - 6 months

Notes:

(a) The Planning Department is the Lead Agency for all CEQA review of public projects in San Francisco.

(b) Federal and state resource agencies most frequently involved in San Francisco include the US Army Corps of Engineers, California Department of Fish and Wildlife (DFG), National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), and US Fish & Wildlife Service (USFW).

(c) For projects under both BCDC and Port of San Francisco jurisdiction, DRB and WDAC hold joint meetings for design review.

Source: BAE, 2013.

Actual Project Delivery Timeframes

The CGOBOC receives quarterly reporting on the progress of all bond programs and their associated projects. These quarterly reports were obtained and analyzed by BAE for this study, to calculate an average project delivery timeframe per bond program, as shown in the table below. Based on these calculations, parks have averaged 45 months, streetscape work has averaged 33 months, seismic upgrades/structural renovations have averaged 42 months, and streetscape improvements have averaged 33 months per project. Major building projects have substantially longer time frames for completion.

In addition, this study sampled 10 projects within three of the existing bond programs, and researched their timeframes from bond passage to project completion. As shown below, timeframes for the sampled projects in the three bond programs reviewed in this Study indicate that projects commonly take longer than the minimum. The timeframes for these sampled projects ranged from 22 months for streetscape improvements along the Great Highway, to 60 months for the construction of Brannan Street Wharf. The reasons for project delivery durations are profiled for each project sampled, in the body of this report, to illustrate how projects can vary in complexity and thus, delivery timeframes.

Table 2: Actual Reported Average and Sample Projects' Delivery Timeframes

Selected GO Bond Programs	Budget (millions)	Planning Phase	Design Phase	Construction Phase	Total Time
2008 Clean and Safe Neighborhood Parks Bond Program (a)	\$185.0	11	17	17	45
Dolores Park Renovation	\$11.7	17	18	21	56
McCoppin Square	\$3.8	6	14	14	34
Beach Chalet Playfields	\$4.0	6	35	n/a	41
Brannan Street Wharf	\$2.9	14	26	20	60
2010 Earthquake Safety and Emergency Response Bond (a)	\$412.3	n/a	n/a	n/a	42
Public Safety Building	\$239.0	6	14	24	44
Fire Station No. 16	\$6.7	6	12	23	41
AWSS Physical Plant	\$15.5	9	13	26	48
2011 Road Repaving and Street Safety Bond Program (a)	\$248.0	10	10	13	33
Great Highway Streetscape Improvements	\$1.7	4	6	12	22
Castro Streetscape Improvements	\$4.0	6	9	15	30
Potrero Streetscape Improvements	\$3.2	9	12	15	36
Other GO Bond Programs					
1999 Laguna Honda Hospital Replacement Program	\$299.0	n/a	n/a	n/a	129
2000 Branch Library Improvement Program	\$105.9	(b)	33	27	60
2008 General Hospital Rebuild Bond Program	\$887.4	(b)	57	39	96

Notes:

(a) Represents the average project delivery time for all projects under the bond program, not only those highlighted in the report (may include anticipated completion dates, as reported)

(b) Source document listed planning and design phases together under design phase

Sources: CGOBOC Quarterly Reports, 2013; BAE, 2013.

DESCRIPTION OF COMPLIANCE AND APPROVALS PROCESS IN SAN FRANCISCO

This chapter presents the key compliance and approvals processes that most frequently apply to public works projects in San Francisco. Though myriad other venues for inter-agency coordination, informal consensus, and community engagement may affect the design and delivery of a public project, this Study focuses on the major institutional review and approvals processes where discretion is exercised by some public entity. For further detail, see the glossary of regulatory and review entities included in Appendix A of this Study. All review timeframes reported in this chapter reflect the minimum time the process can take in San Francisco from start to finish under current conditions, including the preparation work by the project sponsor. These timeframes are based on both stated policy guidelines and interviewees' experience in practice. According to information provided by interviewees and additional research by BAE, the minimum timeframes experienced in actual practice are not ultimately determined by whatever mandatory minimum timeframes may apply under applicable written guidelines or statutes. In other words, the time required to successfully conclude a review or approval process from start to finish appears to be determined by a combination of factors described in this Report, not by specific statutory timeframe requirements.² These minimum timeframes are reported as a range, because the timeframe will vary depending on the scale and complexity of the project. As indicated in the compliance and approvals process profiles below, most projects take substantially longer than the minimum to complete the process for reasons that are summarized in the conclusions of this Study.

Steps in the Compliance and Approval Process

Environmental Review / CEQA and NEPA

Environmental review focuses on a project's impact on the environment in two ways. First, this section will address the procedural requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). These requirements are intended to ensure that the potential environmental impacts and the level of significance of those impacts are identified before a project can advance. For CEQA, the San Francisco Planning Department is the Lead Agency responsible for administering the environmental review process for any project proposed by a City agency. NEPA review is only required when a project is significantly funded or administered by a federal agency, in which case that agency will manage the required NEPA process.

² For more information on the compliance and approval process timeframes discussed in this Report, see Appendix A: Glossary of CCSF Regulatory, Review, and Compliance Entities.

California Environmental Quality Act (CEQA)

Any project undertaken by a public agency, or any private project requiring some discretionary action or funds from a public agency, in the State of California is subject to the procedural requirements of the California Environmental Quality Act (CEQA). It is important to note that CEQA includes no provisions for barring a project deemed to pose significant environmental impacts, but is a procedural requirement designed to ensure that public decision-makers are informed of the possible environmental impacts and possible mitigations of any proposed project.

In San Francisco, the Planning Department (Planning) has been designated as the Lead Agency for any project undertaken by a City agency, including DPW, SFPUC, SFMTA, or Rec & Parks. This means that other City agencies must submit all necessary applications, studies, and other documents to Planning and that Planning decides the type of CEQA review that is required for a given project. CEQA review is not complete until Planning, or the Planning Commission or Board of Supervisors in certain cases, signs off on the final environmental review document.

The CEQA, or “environmental review,” process in San Francisco begins with a determination by Planning as to the level of environmental review that will be required based on the specifics of the proposed project. For private project sponsors, this process is initiated by submitting a Preliminary Project Application (PPA), which triggers Planning staff in the Environmental Review Division to prepare a PPA letter. This letter either indicates that the project will be eligible to receive an exemption from the environmental review process or outlines the review path that will apply to the project. For public projects, this initial determination process has historically proceeded more informally, though an effort is currently underway to adapt the PPA approach to public agency project sponsors as well. For private or public projects that are not deemed eligible for an exemption an Environmental Evaluation (EE) application is filed to initiate the formal review process. Below is a description of the types of CEQA determinations that a given environmental review process may result in, and examples of how the San Francisco bond projects studied for this Study navigated this process. For more information on the specific steps involved in the CEQA process in San Francisco, see Appendix F.

Exemption from Environmental Review

(Typical minimum time: 1 week to 3 months)

Two primary forms of exemption can be determined for a public project. First, a Categorical Exemption may be issued for projects that involve generally small-scale installations or alterations of existing structures and minor changes in use (e.g. from roadway to sidewalk, or from storage facility to restroom). These types of projects are specifically outlined in a Categorical Exemptions list adopted by the Planning Commission.

The second standard form of exemption is known as a Community Plan Exemption (CPE). This

exemption may be issued when a project conforms with the permitted uses and design guidelines already in place under a previously approved community plan (i.e. a Special Area Plan or Specific Plan). Because such community plans must themselves successfully complete environmental review in order to be adopted, a conforming project is deemed to be exempt from further specific environmental review.

A Categorical Exemption (commonly referred to as a “Cat Ex”) was the most common type of CEQA determination obtained for the projects studied for this Study. Interviewees indicated that it can take as little as one week, or as long as up to three months, to obtain an exemption, depending on the scale of the proposed project. The following sample projects received a Categorical Exemption.

McCoppin Square. A Categorical Exemption was issued in roughly four months because the project involved no significant programmatic changes, and the only new structures were a pre-fabricated replacement of an existing restroom building and a pre-fabricated small storage building that were both on a list of pre-manufactured structures approved for use in San Francisco by the Office of the State Architect.

Fire Station No. 16. A Categorical Exemption was issued for this project in three months because the new 2-story building was a precise match to the building envelope of the existing fire station it replaced, and because no change of use was involved. Almost all of the other projects under the Neighborhood Fire Stations component of the ESER Bond also received an exemption because they involved maintenance, repairs, or selective renovations of existing buildings. In contrast, staff indicated that Fire Station No. 5 is not likely to receive an exemption because SFFD requested significant design alterations to the replacement building to accommodate a second fire truck. A Project Review Application was submitted to Planning in December 2012, and the project is expected to pursue a Mitigated Negative Declaration or Environmental Impact Report determination. Both of these CEQA documents are described in the following sections.

Great Highway from Balboa to Fulton. This project received a Categorical Exemption in two months because the proposed streetscape improvements were upgrades of existing right-of-way elements and because the use was consistent with the vision outlined in the Ocean Beach Master Plan. All of the repaving work in the 2011 Road Repaving and Street Safety Bond fell under blanket Categorical Exemption, because all proposed work was in conformity with the City’s Pavement Management System. This meant that the repaving element of the Great Highway project did not require any further CEQA review, either.

Mitigated Negative Declaration (MND)

(Typical minimum time: 6 to 9 months)

Projects that are not exempt must undergo an Initial Study (IS) to determine the likely level of

environmental impact stemming from the proposed project. Significant environmental impacts may include impacts to natural resources as well as to historic or other cultural resources. If the IS determines that the project will have a significant environmental impact, but that the impacts could be reduced to a “less-than-significant” level through specific mitigation measures, Planning staff will issue a Mitigated Negative Declaration (MND), commonly referred to as a “Mitigated Neg Dec.” According to information provided by San Francisco agency interviewees, an MND can take an average minimum of six to nine months to obtain. This timeframe includes preparation time by the project proponent, Planning staff review, statutory public comment periods, and final preparation and approval by the Environmental Review Officer at Planning. A preliminary MND is first prepared and can be appealed to the Planning Commission during a review period of 20 days (or 30 days in some cases). If no appeal is filed all substantive public comments received during the review period are considered and incorporated into the final MND, which is signed by the Environmental Review Officer at Planning. Once finalized, an MND can be appealed to the Board of Supervisors within 20 days of signing.

Two of the projects studied in detail for this Study secured an original MND as described below. Interviewees indicated that this is a common environmental review determination for public projects that do not receive an exemption. A third project is likely to proceed under an addendum to a previously approved MND.

Dolores Park Renovation. This project received a Preliminary MND in May 2013, 18 months after Rec & Parks initiated the environmental review process with Planning, when the Planning Commission rejected an appeal filed by a citizen appellant. This time lag was caused by two separate delays, one related to inter-agency environmental review process between Rec & Park and Planning, and the second due to the citizen’s appeal. Following an informal assessment by Planning staff in Spring 2011, Rec & Parks was informed that the project would likely be eligible for a Categorical Exemption. Rec & Parks submitted an Environmental Evaluation (EE) application for the design in November 2011 that reflected input gathered through an extensive community engagement process. In March 2012, Planning responded that the proposed project would entail a significant impact to historic resources, specifically the Clubhouse structure located in the park. Though the structure was not a listed historic landmark, it was flagged for preservation as a structure that could potentially be deemed as contributory to any future historic designation for Dolores Park. The Rec & Parks design team then worked with Planning staff over the course of 12 months to reach a design concept that could receive an MND, rather than a full Environmental Impact Report (EIR). In April 2013, at the end of the statutory 20 day comment period, an appeal was filed by a concerned citizen that was ultimately rejected by the Planning Commission. The Final MND can still be appealed to the Board of Supervisors, though no appeal had yet been filed at the time of this Study. Until the final environmental review determination is reached, the project cannot complete the design phase.

Auxiliary Water Supply System (AWSS). The Jones Street and Ashbury Street Tanks and the Twin Peaks Reservoir upgrade projects under the AWSS component of the ESER Bond received an MND in advance of the June 2010 election in which the ESER Bond was approved. As stated above, any bond measure advanced by the Board of Supervisors must complete the environmental review process required by CEQA prior to the Bond program's placement on the ballot. In many cases, this review is performed at a highly conceptual level; specific projects under the proposed bond program must be individually evaluated for environmental impacts following the passage of the bond measure. In the case of the proposed infrastructure upgrades to these three AWSS water storage facilities, the proposed schematic design was detailed enough to receive a project-specific MND. Once the designs for the three facilities were finalized following the project planning and design process that began in summer 2011, these facilities were required to propose an addendum to the MND that had been approved before the bond measure election. An MND addendum is a standard tool available to projects that have completed environmental review, but for which substantial time has passed or specific design changes have been made between that approval and design finalization. An addendum allows the project to proceed without reinitiating a full environmental review, and can take a minimum of three months.

Potrero Streetscape from 21st to 25th. This project is still in the planning phase, so the environmental review process has not yet been formally initiated. However, DPW staff familiar with the project indicated that the project team intends to pursue an addendum to an MND for the Mission District Streetscape Plan that was approved in October 2010. The Plan resulted from an extensive community engagement process and received an MND approving the land uses and built environment guidelines envisioned for the area covered. The project team has determined that the proposed Potrero streetscape improvements appear to be in keeping the vision of the Plan, but are not specifically outlined. An addendum to the MND would allow the project to build on the environmental review already conducted for the Plan and proceed in less time than would have been required for an original CEQA determination.

Environmental Impact Report (EIR)

(Typical minimum time: 24 to 30 months)

Projects that are not exempt and pose potential impacts too significant to be mitigated under an MND must complete a full Environmental Impact Report (EIR). An EIR is an extensive document that includes findings on anything from soil quality to traffic impacts to archeological and historic resource preservation. The EIR is prepared by Planning staff in consultation with the project sponsor and one or more consultants selected by the project sponsor but managed by Planning staff. Once a draft EIR is published, there is a 30 day window in which any concerned party may submit written comments regarding the findings of the draft document. Following the comment period, the Planning Commission must hold a public hearing on the Draft EIR. Following the hearing, a final EIR is prepared that must

respond to any comments received or any requests proposed by the Commission. This final EIR must be certified by the Commission at a regular public meeting to conclude the EIR process. A certified EIR may be appealed to the Board of Supervisors within 20 days of certification.

Interviewees at San Francisco agencies indicated that a full EIR can take a minimum of 24 to 30 months, including the preparation work by the project sponsor.

One bond project that was studied completed a full EIR, currently the subject of pending litigation, while two others obtained an addendum to a previously approved EIR.

Beach Chalet Playfields. The Beach Chalet Playfields project obtained a certified EIR in July 2012 when the Board of Supervisors rejected a final appeal. This step was achieved 2.5 years after Rec & Parks submitted its initial Environmental Evaluation (EE) in January 2010. However, the same citizens group that had launched the appeal out of concern for the environmental impacts of the synthetic turf and field lights proposed in the project, filed suit in July 2012, alleging that EIR was insufficient. Such litigation is a common approach used by concerned interests that have exhausted all other formal options for comment and appeal. As of this Study's publication, the litigation was ongoing with a final ruling anticipated in late September of 2013. That hearing will come three years and four months after Planning issued a Categorical Exemption in April 2010, which was appealed to the Planning Commission by a group of concerned citizens shortly thereafter. Though Categorical Exemptions had been issued for the six prior field upgrade projects completed through the City Playfield Initiative, the appeal led the project team to drop its exemption application. Following consultation with the Planning Commission, Planning staff, and the project's private partners, the decision was made to pursue a full EIR for the project in order to give a full hearing to the concerns of the appellants. The EIR process commenced in January 2010 and concluded when the Board of Supervisors dismissed the appeal of the EIR in July 2012.

Brannan Street Wharf. This project took three months to obtain a Supplemental EIR in 2008. This determination allowed the project to proceed based on minor changes to the EIR that had been approved in 2004 for the proposed cruise ship terminal at Piers 30-32. Because an open space project was proposed at the site in the 2004 EIR, the current plan was able to proceed without initiating a new environmental review process. However, due to the designation of the Embarcadero Historic District by the San Francisco Historic Preservation Commission after the 2004 EIR was completed, the current project was required to undergo the Supplemental EIR process to review and address historic preservation issues.

Public Safety Building. The PSB project also proceeded under an addendum to a previously approved EIR; the Addendum took three months to prepare and certify. In this case, the project fell under the plan area included in the EIR that was approved for the Mission Bay

Redevelopment Area Plan in 1998. Because the project was consistent with the land use and design guidelines of the Redevelopment Plan, but would include substantial construction of a new structure, the San Francisco Redevelopment Agency (SFRDA) Commission was able to approve an addendum in May 2011. Instead of initiating an original environmental review process, the PSB project team was able to obtain the addendum in three months. Following the dissolution of California's Redevelopment Agencies in February 2012, oversight authority for already approved Redevelopment Area Plans was transferred to the Commission on Community Investment and Infrastructure (CCII), the oversight body of the designated Successor Agency. While CCII does not have the authority to certify CEQA determinations that was formerly exercised by the SFRDA, it does exercise oversight over projects under the former SFRDA Plan to compliance with the permitted uses and guidelines of that Plan.

National Environmental Policy Act (NEPA)

(Typical minimum time: 24 to 30 months)

The National Environmental Policy Act (NEPA) establishes a procedural environmental review process that is the federal counterpart to the CEQA process described above. Projects that are undertaken by or funded by a federal agency may be subject to NEPA review. Like CEQA, the NEPA process requires that certain determinations be made regarding the environmental impacts of a project. The most common documents to accompany such determinations are the Categorical Exclusion, Environmental Assessment (EA), and Environmental Impact Statement (EIS).

In San Francisco, the most common type of federal involvement in local public works projects is when federal funding is used to augment local funding for a highway, road, or other transportation infrastructure project. Federal funding is often allocated to local or regional transportation projects in California by Caltrans. However, City agency interviewees indicated that NEPA review for local projects is not common; only one project studied for this Study required NEPA review.

Brannan Street Wharf. During the schematic design phase for this project, new engineering work determined that Pier 36 would have to be removed and replaced in order for the project to move forward. Federal grant funding was secured for the Army Corps of Engineers to perform this work and the Corps concluded work on the new pier in spring 2013. The use of federal funds for this work triggered the need for NEPA review. The Army Corps managed this review process, working with Port staff to prepare all necessary materials to obtain an approved Environmental Assessment (EA) for the project. Because of the significant amount of information and review already assembled for the 2004 EIR and the 2008 Supplemental EIR, the project was able to complete the process in less than three months; the EA was adopted in March 2012. In this case, where the NEPA process followed a determination under CEQA, the time required for an EA was minimal, though interviewees indicated that the preparation of a full EIS, when required, can take between 18 months and three years if no previous CEQA work has been completed.

Environmental Review / Resource Agencies and Regional Bodies

Separate from the procedural environmental review processes required under CEQA and NEPA, there is a second set of State and Federal statutes that lay out protections for specific natural resources, such as the Clean Water Act or Endangered Species Act. These statutes require that designated regional, state, and federal review entities issue permits to verify that a proposed project is in compliance with applicable environmental protections. Some of these statutes are enforced by a series of federal and state agencies commonly referred to as resource agencies (see below), while others are administered by regional bodies established by State law.

Federal and State Resource Agencies

The federal and state resource agencies most commonly involved in public works projects in San Francisco include the US Army Corps of Engineers (Army Corps), US Fish & Wildlife Service (USFW), National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), and California Department of Fish & Wildlife (DFG)³. Review or compliance actions by these agencies are typically triggered when a proposed project will disturb an environmentally sensitive area, such as a wetland, shoreline, or creek that is home to state or federally-protected species. Because the Army Corps is the agency with the widest regulatory purview, issuing a series of permits that allow work in ecologically sensitive areas, the other resource agencies typically become involved in a proposed project through the formal consultation process that the Army Corps must conduct before issuing a permit.

While resource agencies did not play a large part in the review and permitting of the projects studied for this Study, interviewees did indicate that resource agency permitting is regularly needed, especially for large scale water infrastructure work undertaken by the SFPUC and for projects at the Port or along other parts of the waterfront. Depending on the complexity of the project and the reviewing agencies involved, these processes can typically take between three and nine months to complete. For more detail on the specific review processes, refer to the glossary of regulatory and review entities provided as Appendix A of this Study.

California Coastal Commission

(Typical minimum time: 3 to 4 months)

The California Coastal Commission (CCC) is one of several State agencies in California that reviews proposed development for its potential impacts on specific natural resources in a designated zone. The CCC ensures environmentally sustainable and prudent use of the California coast by both public and private project sponsors. The CCC process involves issuance of Coastal Development Permits for any major development proposed within the Coastal Zone (defined as 1,000 feet inland from high tide). In many California cities, permit issuance is delegated to a local entity if the city has adopted a Local Coastal Program (LCP) approved by the Commission. In San Francisco, an approved LCP is in place and Coastal Permits are issued by the Planning Department if a proposed project complies with the development standards included in the LCP. Interviewees indicated that this process typically takes a minimum of three to four months to complete.

³ The name of this agency was recently changed to California Department of Fish and Wildlife from the California Department of Fish and Game (DFG). The agency is still commonly referred to as “California Fish and Game” or “Fish and Game” to avoid confusion with United State Fish and Wildlife Service, the department’s federal counterpart. The entity is still abbreviated DFG.

Two projects studied for this Study fell under CCC jurisdiction: the Great Highway Streetscape from Balboa to Fulton project (which obtained a routine Coastal Development Permit from Planning under the LCP), and the Beach Chalet Playfields project, which had a more complicated process as described below.

Beach Chalet Playfields. The Beach Chalet Playfields project, which falls within the Coastal Zone, obtained a Coastal Development Permit from Planning in March 2012. This process took nine months, including the internal work to prepare the application at DPW. However, the same group of concerned citizens that appealed the EIR for this project (see above) also appealed the issuance of the Coastal Permit. Because this permit was issued by Planning under the LCP, the appeal was heard by the San Francisco Board of Appeals, a five-member body appointed by the Mayor and Board of Supervisors that hears appeals to a wide range of City determinations. The Board voted to uphold the Permit in August 2012 and dismissed a request for rehearing by the appellants in September. The appellants then appealed the decision of the Board of Appeals to the Coastal Commission itself, which is the final level of appeal available when a Coastal Permit is issued by a local agency under an LCP. In May 2013, the Coastal Commission voted to uphold the Permit. Interviewees indicated that Coastal Permits issued under the LCP are rarely appealed, and that this project was an exceptional case.

Bay Conservation and Development Commission (BCDC)

(Typical minimum time: 6 weeks to 4 months)

BCDC is a state-mandated regional agency that must approve any development and certain other activities that occur within 100 feet of the shoreline of San Francisco Bay or within certain marshlands and tributary waterways. In San Francisco, this means that any major project along the waterfront or involving pier development falls under BCDC jurisdiction. BCDC issues Major, Administrative, and Regionwide Permits to ensure that proposed development does not contribute to an increase in Bay fill, decrease public access to the Bay, or otherwise damage the Bay ecosystem. Interviewees indicate that these permits can typically take between six weeks and four months, depending on the type of permit deemed appropriate by BCDC staff. Of the projects analyzed in this Study, Brannan Street Wharf was the only project to fall under BCDC jurisdiction; it received a Major Permit in November 2011.

Bay Area Air Quality Management District (BAAQMD)

(Typical minimum time: 1 to 4 months)

BAAQMD is a state-mandated regional agency responsible for enforcing air quality standards in the nine-county Bay Area. BAAQMD issues permits that allow the operation of any equipment that emits pollutants or construction of projects that will involve grading, earth moving or other activities with the potential to affect local or regional air quality. In order to issue an Authority to Construct or Permit to Operate permit, BAAQMD may require an air quality health risk assessment or other analysis. Some types of public projects are exempt from the permitting

process if they meet the standards of various screening tools. It can typically take one to four months to prepare an application and obtain a permit, depending on the level of study that is required. For most of the public works projects reviewed in this Study, no emitting equipment is involved except in construction, and the projects are either exempt from review or routinely receive an Authority to Construct permit. Some projects, such as the renovations of Pump Stations No.1 and No.2 in the AWSS improvements project, do require a Permit to Operate.

Water Board – Regional Water Quality Control Board

(Typical minimum time: 2 to 3 months)

The Regional Water Board is a state-mandated regional agency responsible for administering the water quality protection provisions of the National Pollution Discharge Elimination System (NPDES). Most major projects with the potential to discharge into a natural waterway must obtain a Section 401 Water Quality Certification or one of several types of Waste Discharge Requirement Permits from the Water Board in order to proceed with construction. Most public works projects of the type reviewed in this Study do require approval from the Water Board in order to commence construction. Interviewees indicated that it can take two to three months to obtain the appropriate permit.

Design Review

This type of review focuses on the physical design of a project and may be concerned with the aesthetics, accessibility, historical context, or functionality of the proposed project. Entities engaged in this level of review range widely in scope and content and may issue administrative permits or simply ensure compliance with an existing ordinance or statute through consultation.

Civic Design Review Committee

(Typical minimum time: 2 to 4 months)

This Committee is a division of the San Francisco Arts Commission responsible for approving the design of any public or private structure proposed for placement on City property, or any private structure that extends over or upon any City property, and the yards, courts, setbacks or usable open spaces of that structure. Practically, any construction involving a foundation will fall under the Committee's definition of a structure. The Committee is also responsible for approving the selection of street furniture and lighting. Projects on Port of San Francisco property are not subject to Committee oversight because this property is State land held in trust, and is subject to the design review requirements of the Bay Conservation and Development Commission and Waterfront Design Advisory Committee (see below).

Project sponsors must complete a three-phase design review process requiring a minimum of two to four presentations to the Committee, which is comprised of five Arts Commissioners and meets in public once monthly. In order for a project to proceed, it must be approved by a vote of the Committee in the Schematic (Phase 1), Design Development (Phase 2), and

Construction Documents (Phase 3) phases of the project. At the Committee's discretion, some projects may be invited to seek a combined Phase 1 and Phase 2 approval, allowing for a single Schematic and Design Development presentation followed by a Construction Documents presentation at a later meeting. For larger projects, an initial "conceptual" presentation (sometimes referred to as "Phase 0") is also required, though this presentation is strictly for informational purposes and Committee approval is not required for a project to advance to the Schematic (Phase 1) presentation. This conceptual presentation ("Phase 0") is also available to smaller projects upon request if the project sponsor wishes to receive specific guidance from Committee members before initiating the formal review process.

According to the Committee's guidelines and standard practice, a given project must appear before the Committee a minimum of 2 to 4 times, depending on the size of the project and the Committee's discretion. Because the Committee holds one public meeting per month, a minimum of two to four months is required to obtain Schematic (Phase 1), Design Development (Phase 2), and Construction Documents (Phase 3) approvals and to complete the "Phase 0" conceptual presentation, if applicable. If a project fails to gain Committee approval in any Phase, the project design must be modified and the sponsor must return to the Committee at a later meeting to seek approval. This iterative process can take up to six months to complete, depending on the level of modification required to gain approval.

It must be noted that the Civic Design Review process has the potential to slow the project design schedule only in cases where modifications are required from the Committee. For projects that gain approval at the first presentation for each Phase, the real timeframe is determined by the progress of the project design itself and the Civic Design Review Committee schedule fits within that timeframe. Even in cases where design modifications are required by the Committee, the amount of additional time required to make these modifications is determined by the project team and is often influenced by other review and compliance requirements, meaning that the revisions called for by the Committee may not always be the cause of an overall delay in completing project design.

Most projects of the type studied for this Study are required to come before the Committee. The Great Highway Streetscape and Beach Chalet Playfields projects were not subject to Civic Design review because they did not include the construction of any "structure," and the McCoppin Square project did not come before the Committee because the structures were on a list of pre-manufactured structures approved for use in San Francisco by the State Architect. The project team for the Potrero Streetscape project has not yet determined whether that project will require Committee approval.

Mission Dolores Park Renovation. The Dolores Park project team presented about three months of schematic design work to the Committee at its Phase 1 presentation in November 2011 and was not approved. The Committee cited concerns over the pitch of the roof on the

new restroom building and over the landscape pallet. The Commissioners also encouraged the project team to design a replacement for the old clubhouse building that was more contemporary than the historically-inspired initial design. Interviewees indicated that this guidance required substantial reworking of the project design and was difficult to accommodate given conflicting direction from Planning Historic Preservation staff concerning the historic nature of the clubhouse building. In January 2012, the project team came back to the Committee for a second Phase 1 presentation and was approved based on a redesigned clubhouse building. The project team presented for its Phase 2 approval in March 2012 and was not approved because of landscaping changes and alterations to a maintenance building that were made based on community feedback. The project team presented again in April 2012 and was approved based on minor modifications in keeping with the Commissioners' guidance, five months after the first Phase 1 presentation. The project will be eligible for Phase 3 approval once construction documents are ready for review, pending the completion of the environmental review process and finalization of the project design.

Fire Station No. 16. The project team held an initial conceptual meeting with two Commissioners prior to initiating the formal approvals process in September 2012. These meetings were requested by the project team to receive guidance before proceeding with design development. The project team came before the Committee in September 2012 to present the conceptual design it had developed based on the earlier meetings. At the Phase 1 Schematic Design presentation in October 2012, the project was not approved, because the Commissioners felt the building was not contemporary enough. Following a full redesign of the project, the building design was approved at a second Phase 1 presentation in January 2013, three months after the conceptual design presentation. The project is currently in the design development phase and will present to the Committee for Phase 2 approval in the coming months. Interviewees indicated that, in general, the neighborhood fire station projects under the ESER bond have passed easily through the Committee because most of them do not involve full replacement of a building or construction of a new structure.

Public Safety Building. The design of the Public Safety Building was informed by extensive community input that was received through the planning process for the Mission Bay redevelopment and was approved by the former San Francisco Redevelopment Commission. The project team presented the conceptual design to the Civic Design Review Committee in November 2010 and gained Phase 1 approval for the schematic design in February 2011. The project obtained Phase 2 approval in June 2011 and Phase 3 approval once construction documents were prepared in May 2012. Interviewees familiar with this project indicated that the project team's emphasis on the extensive public input and design review that occurred under the Mission Bay planning process addressed many of the concerns of the Civic Design Review Committee and allowed for the project to advance swiftly. While seven months passed between the first conceptual presentation for this project and Phase 2 approval, interviewees indicated that this schedule was determined by the pace of design work and that the project

delivery schedule was not held back by the Civic Design Review Committee approval process.

BCDC Design Review Board and Waterfront Design Advisory Committee

(Typical minimum time: 6 weeks to 4 months)

In addition to the environmental review functions of the Bay Conservation and Development Commission (BCDC) outlined above, BCDC also requires that projects within its jurisdiction come before the agency's Design Review Board (DRB). While DRB does not formally approve or deny a project, the full Commission must receive its recommendation for approval or denial before deciding on a permit application. Project sponsors typically present to one or more DRB meetings, which are held once monthly, to ensure that the proposed project meets the guidelines for design and public access set forth by the Board. In addition, when a proposed project is also on Port property (as is the case for the majority of BCDC's jurisdiction in San Francisco), the Port's Waterfront Design Advisory Committee (WDAC) must also provide recommendations to the Port Commission on whether to endorse a project. The DRB and WDAC commonly hold joint meetings to reduce the burden on project sponsors. Both the DRB and joint review processes are designed to occur in parallel with BCDC permit application review, which typically takes between six weeks and four months, though the design review process often concludes well before a permit application is scheduled for a final hearing. Brannan Street Wharf was the only project studied for this Study that was subject to the joint DRB and WDAC design review.

Department of Building Inspections (DBI)

(Typical minimum time: 3 to 6 months)

Once a project design is finalized, the complete design must be reviewed by DBI to ensure that the proposed construction will comply with all relevant provisions of City's Building, Housing, Plumbing, Electrical, and Mechanical Codes. Project sponsors cannot apply for DBI permits until the design is finalized, including all design and environmental review, and construction cannot commence until building and other DBI permits have been issued. All public and private construction projects must obtain building permits from DBI, except for projects at the Port, which enforces its own building code on state property.

Interviewees indicated that it typically takes between three and six months to obtain the necessary permits from DBI for most structures. However, some small structures can be approved in one or two weeks, and interviewees indicated that this timeframe can vary widely based on DBI staff capacity and discretion.

Policy Review

This type of review focuses on the consistency of a proposed project with a wide range of existing policies and monitors how the administration of a project may impact residents or the local economy. This type of review is designed to ensure equitable, transparent, and inclusive administration of public projects that is consistent with adopted public policy.

Human Rights Commission and Civil Service Commission

(Typical minimum time: 3 to 6 months)

The Human Rights Commission (HRC) is composed of 11 Commissioners appointed by the Mayor of San Francisco. Among many functions, the HRC reviews the bidding process and contracts for work being bid out by City agencies. In order for a contract for services to be awarded, HRC staff must review it to ensure that the contract provisions and the bid process used to advertise and award the contract are in compliance with San Francisco non-discrimination and other laws.

The Civil Service Commission (CSC), a separate body composed of four mayoral appointees, oversees employee relations and employment standards at City agencies. Among other functions, the CSC is charged with carrying out the Merit System provisions of the City Charter, including the approval of contracts for outside services by a City department. For example, when Rec & Parks staff determined that the Dolores Park project would benefit from contracting with a design and community engagement firm, instead of submitting a work order for design services with DPW, Civil Service Commission was required to verify the need for contracting outside of DPW. In this case, it took roughly six months to obtain CSC approval, though it should be noted this process proceeded in parallel with the community engagement and conceptual planning work undertaken by the Rec & Park project team.

Contracting for design, construction, or other services that are integral to bond project delivery is typically managed by the contracting division of the project sponsor agency. The length of time required to complete contracting varies primarily based on agency organization and procedures. However, the oversight functions of the HRC and Civil Service Commission, when applicable, are two elements in the contracting process that fall outside the control of the sponsor agency.

According to interviewees, the contracting process typically takes between three and six months, including necessary oversight.

Planning Department

For most private and public projects, the Citywide Policy Planning Division must issue a General Plan Referral for the proposed project to advance. The Referral review is meant to ensure that the proposed project is consistent with the Objectives and Policies of the City's General Plan. In the course of Referral review, Planning staff will also determine what level of environmental review under CEQA, if any, will be required of the proposed project. If no separate environmental review application has previously been filed, this step of the General Plan Referral process often triggers the environmental review process and the two proceed in parallel. For most GO bond projects, the CEQA process is initiated first, and the Environmental Review Division of the Planning Department directs the project sponsor to submit a General

Plan Referral application once environmental review is under way.

Recreation & Parks Commission

The Parks Commission gives final approval for any major project undertaken by Rec & Parks by vote at a public hearing. The Commission's review seeks to ensure that the proposed project is developed in keeping with Department policies and goals and has included the appropriate level of community engagement. The Parks Commission cannot issue final approval until all environmental review determinations for a project have been finalized.

Map of Compliance and Approvals Process

The Permitting and Approvals Process Map, displayed on the following page, provides a graphic representation of how the various levels of review for projects in San Francisco flow through the project delivery timeline. The timeframes presented for each project delivery phase in the process map reflect the minimum time typically required based on stated policy guidelines and interviewees' experience in practice. The time required for most projects in the three bond programs reviewed here was substantially more than the minimum, as indicated in the project descriptions above. The Glossary of Regulatory, Review, and Compliance Entities included in Appendix A provides summary detail of each review process discussed in this Study, sorted by the entity responsible for that review, while Appendix F offers further detail on the CEQA process.

San Francisco General Obligation Bond Project
Permitting and Approvals Process Map

PROJECT
DELIVERY

ENVIRONMENTAL
REVIEW

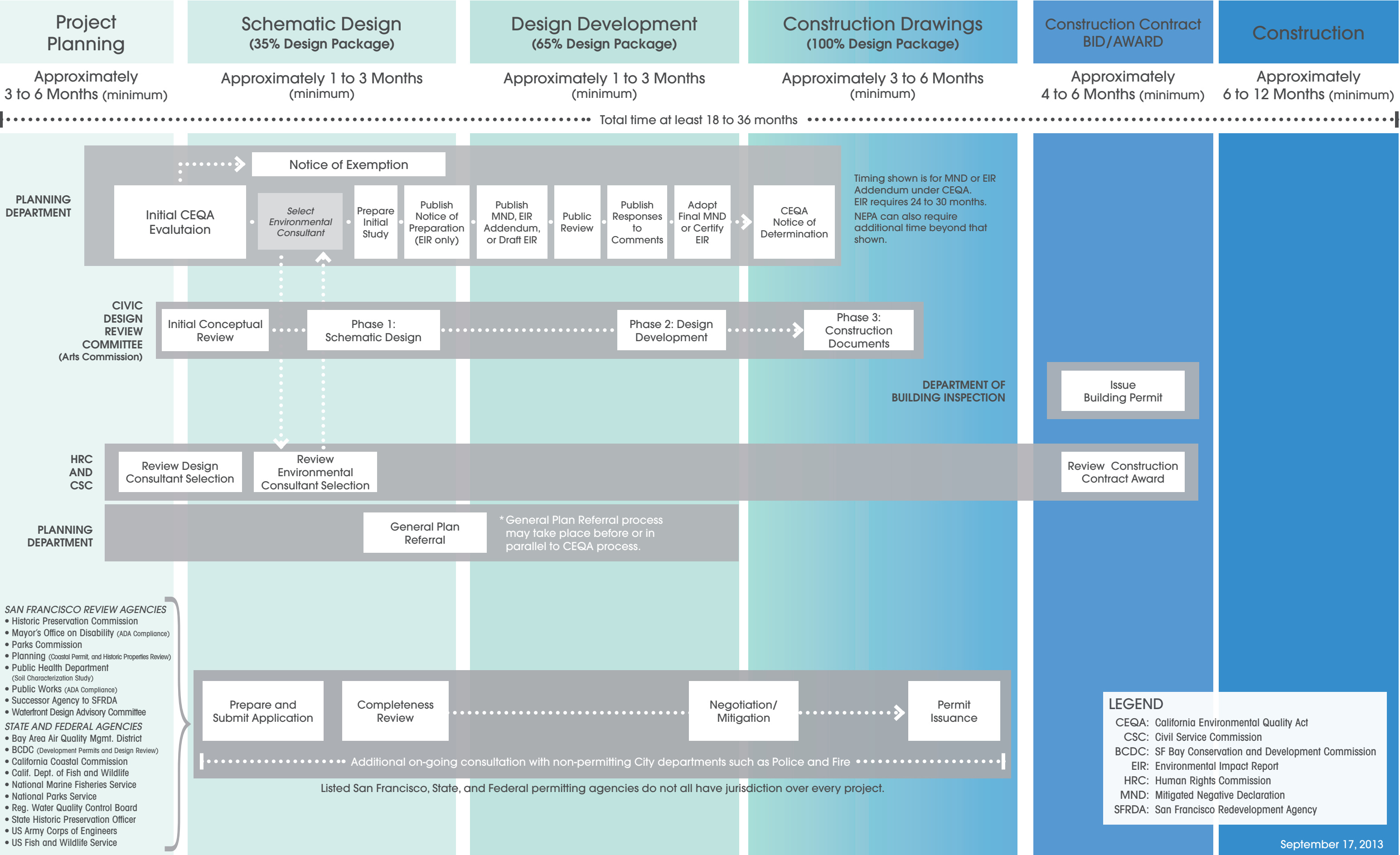
DESIGN
REVIEW

POLICY
COMPLIANCE

ADDITIONAL
PERMITTING

Project Design

Bidding and Construction



Summary

Every project is distinct, and the review and approvals processes that each must pass through vary according to the project's location, scale, complexity, and management. As noted previously in this report, the minimum timeframes to complete the key review processes often vary from actual experience.

Certain compliance and approval processes have a greater effect on project timing and delivery than others based on when they occur along the project delivery path. Those processes follow a more variable timeline because of staffing or organizational capacity at the project sponsor or reviewing agency, or due to the nature of the process itself. For example, the Civic Design Review process is open-ended and the CEQA process includes multiple opportunities for public comment and appeal that can slow the environmental review process. Based on BAE's analysis of the projects described above, the review and permitting processes that have the greatest effect on project delivery timing are:

- **CEQA Review.** The CEQA process can cause unanticipated project delays due to both the extensive public input and appeal options and staff discretion. For example, community pressure led the Beach Chalet Playfields project sponsor to seek a full EIR, which was subsequently appealed to the Planning Commission and Board of Supervisors, delaying the project for roughly two years. Following the adoption of the EIR, the community group initiated litigation which was ongoing at the time of this writing. The Dolores Park renovation project is an example of a project delay stemming from staff concerns. Specifically, Historic Preservation staff at Planning sought extensive alterations to the project design before a Mitigated Negative Declaration could be issued, extending the environmental review process by roughly twelve months.
- **Civic Design Review Committee.** Though the Committee's review process often fits within the overall project design timeframe, the process can require unexpected design revisions and delays that negatively impact the sponsor's ability to proceed with project delivery. This is often due to the open-ended nature of the Committee's design standards, which are completely at the discretion of the Commissioners, and to the lack of staff support for project sponsors in preparing for and responding to the Committee's review process. Both Fire Station No. 16 and the Dolores Park renovation failed to gain approval at one or more review presentations and had to extend project design by a total of three months each before being able to proceed to construction documents. In the case of Dolores Park, the project sponsor had difficulty accommodating conflicting directions from the Committee and the Historic Preservation staff at Planning.

- **Department of Building Inspections.** DBI is responsible for verifying compliance with the building, plumbing, electrical, and other City codes. Though this task does not include a wide range of discretion, interviewees at DPW and Rec & Parks indicated that staff capacity at DBI makes the timeframe for the permit review process highly variable. In particular, DBI does not assign a point staff person or case manager to permit applications, making it difficult for project sponsors to advance a project through the multiple permit approvals that are required.

COMPARISON CITIES AND BEST PRACTICES

This chapter profiles best practices in the planning and implementation of general obligation bond-funded public works projects in three comparable large US cities. The purpose of these case studies is to identify best practices for improving the efficiency and effectiveness of the types of compliance and approval processes that affect bond and public projects in San Francisco, as documented in the preceding section. Note that the research conducted for this section does not indicate that bond and public project delivery in other cities is more timely or efficient than in San Francisco in all cases. Rather, this section highlights best practices that have improved relevant compliance and approvals processes in other cities compared to past experience in those cities, according to interviewees. The intent is to identify practices that may be considered for implementation in San Francisco in order to improve the efficiency and timeliness of bond and public projects delivery compared to current conditions.

Methodology

In order to identify three comparable jurisdictions, BAE considered factors such as population density, governmental structure (e.g., city, county, or city and county), complexity, geography, economy, size and type of capital projects, and other variables. Appendix E provides an overview of 10 potential comparable jurisdictions analyzed by BAE with quantitative and qualitative data provided in comparison to San Francisco. In consultation with City staff and CGOBOC representatives, BAE used this list to select Denver, CO, San Jose, CA, and Seattle, WA as the three best practice case study jurisdictions with the most potential for offering useful lessons for San Francisco. Representatives from each of these cities were contacted and interviewed for this Study. BAE also collected background data, reports and analyses and reviewed media sources and public performance reports to verify staff accounts.

Denver, Colorado

In 2007 Denver voters approved eight concurrent bond measures providing \$550 million to fund 350 projects including new roads, libraries, parks, city offices, and other facilities related to health and human services, public safety and culture. These bonds and the projects they fund comprise the Better Denver Bond Program, one of the largest and most far reaching public works programs in a major US city.⁴ As of the end of the second quarter of 2012, 279 of these projects were complete, 17 were in construction, and 16 were in planning or design. According to project management staff, this represents the completion of approximately \$400 million in public works projects completed in less than three years.

⁴ More information available at: www.denvergov.org/Default.aspx?alias=www.denvergov.org/betterdenver

Oversight of the Better Denver Bond Program is the responsibility of a Bond “Czar” appointed by the Mayor. In addition, the City hired a private program management firm to ensure smooth delivery of the projects and coordinate all of the City’s agencies and resources. Acting as an extension of City staff, this private firm is responsible for providing day-to-day customer service to end users, and for aligning the efforts of hundreds of designers, contractors, and third parties to City goals and standards. The stated objective of this private management model is to “maximize the expertise of City staff with the support of a private sector firm in order to reduce costs, and improve schedule performance, quality, and safety standards.”

Program Management

The private contractor project management firm reports operationally to the Public Works Department which has ultimate responsibility for all capital improvement projects in the City. The role of the Mayor’s Office and the appointed Czar has changed over time, but the Mayor’s office still provides oversight and guidance on major policy issues. There is no specific citizens’ committee providing oversight for the bond program, but the project manager prepares quarterly status reports; all reporting is made publicly available with opportunities for citizen comment and engagement.

Key Compliance and Approvals Processes

- **Environmental Review.** In Colorado, there is no state procedural environmental law analogous to CEQA, but projects do have to comply with the environmental standards and protections enforced by state and federal resource agencies, just as they do in San Francisco. Because such resource agency compliance processes were not identified as a key driver of project delivery timeframes by interviewees in San Francisco, these processes were not a focus of research in the comparison cities. Unlike in San Jose and Seattle, where environmental review laws analogous to CEQA are in place, no such comparison for Denver could be made.
- **Design Review.** Design review in Denver does not include an entity similar to the Civic Design Review Committee (CDRC) in San Francisco. Rather, public projects are reviewed for compliance with the urban design guidelines that correspond to different zoning districts by staff at the City’s Development Services Department. This review occurs in an iterative fashion with the project sponsor design team throughout the design phase of the project and is not driven by any statutory timeframe. In Denver, there is no distinction in the design review process for public and private projects. Building permits in Denver are also issued by the Development Services Department for both public and private projects. For most public projects of the types included in the Better Denver Bond program, a minimum of between two and four months was needed to issue a final building permit.

Best Practices

Despite some initial concerns about the privatization of the program management duties for the Better Denver Bond Program, this appears to be a generally effective model for leveraging scarce resources and coordinating project delivery activities across diverse City agencies. According to interviews conducted for this Study, the Denver approach to program management offers the following benefits:

- **Centralized Program Management.** With most existing agencies pressed for time and staff resources, the early and consistent involvement of an overall program manager was key to developing the systems and tools to ensure efficient planning and implementation of a large, diverse and complex portfolio of public works projects.
- **Flexibility in Staffing.** The program management consultant was able to quickly ramp up and ramp down its staff level to support City staff depending on the project delivery workload at any given time. This allowed City agencies to maintain a stable workforce while accommodating temporary spikes in project delivery activity.
- **Inter-agency Coordination.** The program management consultant was tasked with coordinating among the various City agencies involved in project delivery to track and anticipate upcoming permitting, approvals, and review hurdles and plan accordingly. The consultant team was able to give advanced notice to relevant review entities and affected City staff, while the City project management teams remained focused on the current phase project delivery.

San Jose, California

Overview

In 2000 and 2002, San Jose voters passed three bond measures to support public safety, parks, and library services in the City. The 2000 Branch Library Bond authorized \$121 million for the construction of six new and 14 extended branch libraries, while the 2000 Safe Neighborhoods Parks and Recreation Bond allocated \$228 million to acquire property for and construct improvements to over 90 parks and recreation facilities throughout the City. The 2002 911 Fire, Police, Paramedic, and Public Safety Act, or Public Safety Bond allocated \$159 million for the construction and renovation of fire and police stations, and training and communications facility for emergency response services. All 20 Library Bond projects were completed by the summer of 2012, and only two projects are yet to begin construction in both the Parks and Public Safety Bond programs.

Program Management

The Parks Bond projects were managed by the Parks, Recreation and Neighborhood Services department (PRNS), while the City's Department of Public Works (DPW) managed projects

under the Public Safety and Library Bonds. As per the provisions of each bond measure, a citizen oversight committee was established for each of the bond programs. For the Parks and Library Bonds, the existing Parks and Library Commissions were designated to serve as the oversight committee, while a new Public Safety Bond Citizen Oversight Committee was appointed to oversee that bond program. Each Committee was responsible for conducting an annual public hearing and preparing an annual report informing the Council and the public of the appropriateness of bond expenditures, the progress of the various projects, and the results of an annual audit. In addition, a Capital Improvement Plan (CIP) Action Team composed of senior staff from many City departments was established in 2001 to coordinate the implementation of the projects under all three bond programs, and other projects included in the City's 10 year Capital Improvement Plan (CIP).

Key Compliance and Approvals Processes

- **Environmental Review.** Projects in San Jose are subject to the same CEQA process as those in San Francisco. As in San Francisco, the Planning Division is responsible for administering the environmental review processes required by CEQA for all City projects. According to interviewees, a typical public project takes a minimum of one week for a Categorical Exemption, six months for a Mitigated Negative Declaration (MND), and 24 months for a full Environmental Impact Report (EIR). Projects are also subject to the environmental standards and protections enforced by state and federal resource agencies, as in San Francisco.
- **Design Review.** In San Jose, design review and building permit issuance for public projects is conducted by DPW's Development Services division. Because these review processes are conducted in-house in an iterative fashion, the time required for this review cannot be easily distinguished from the overall timeframe for project design. Design review and building permit issuance for public projects and private projects are conducted by separate staff teams.

Best Practices

Interviewees at DPW and PRNS highlighted a number of practices that improved the efficiency of project delivery for the Library, Parks, and Public Safety Bonds compared to past public works projects in San Jose. These best practices included:

- **Dedicated Environmental Review Staff.** DPW and PRNS used bond funds to pay for dedicated staff in the Planning Division to process environmental review applications for bond projects. This funding was allocated out of the amount already assigned to administrative and soft costs in the bond programs. The funding provided for roughly 50 percent of a Full Time Equivalent (FTE) staff person at Planning for about five years to handle review for projects under all three bond programs. Project management

staff indicated that this arrangement allowed for a smoother and quicker environmental review process for bond projects.

- **Inter-agency Coordination.** In 2001, San Jose established a CIP Action Team that brought together senior staff on a regular basis to allow City departments to coordinate and anticipate certain review processes and project delivery schedules. DPW and PRNS staff indicated that the coordinated management approach not only facilitated more efficient project delivery for the three bond programs, but also led to a more collaborative culture among City departments on a variety of capital projects since the Team was disbanded in 2009. The role of a proactive Deputy City Manager in assembling and chairing the group and the dedication of three full time staff members to the group using funds from the three bonds were cited as critical features in the CIP Action Team's success.
- **Project Tracking and Transparency.** San Jose has developed an online Capital Project Management System (CPMS)⁵ that has greatly improved the efficiency of public works project delivery according to DPW staff. CPMS is a project management, tracking, reporting, and outreach software system that was developed by the City based on an Oracle database. The program is used internally by DPW project managers, contracting, and other staff to coordinate project review and delivery tasks formerly undertaken in isolation. The system also provides a public communications function by allowing the public to browse the CPMS online and view a project's location, description, status, budget, contracting information, and DPW project manager.

Seattle, Washington

Overview

Seattle uses GO Bonds more sparingly than other cities reviewed in this Study, with roughly 30 percent of the CIP budget accounted for by bonds and a current outstanding GO bond amount of just \$200 million. Over the past decade major upgrades and construction of water and wastewater infrastructure, public schools, and transportation infrastructure have all been financed using revenue from GO bonds.

Program Management

Regardless of funding source, public works projects in Seattle follow a similar process as those in San Francisco. The Department of Planning and Development (DPD) serves most of the same functions as the Planning Department and Department of Public Works (DPW) in San Francisco. Bond or other public projects may be sponsored by other City agencies, such as

⁵ The San Jose CPMS can be accessed at <https://cpms.sanjoseca.gov/>

Seattle Public Utilities (SPU), or by DPD.

Key Compliance and Approvals Processes

- **Environmental Review.** Projects in Washington are subject to the requirements of the State Environmental Policy Act (SEPA), a procedural environmental law analogous to CEQA. For all City projects, DPD administers the SEPA process, which can take a minimum of between one and 18 months, depending on the type of SEPA review required and the scale of the project. DPD also issues Shoreline Permits, which are analogous to the Coastal Development Permits issued in San Francisco by the Planning Department. Shoreline Permits typically take a minimum of six months to obtain for public projects. Projects are also subject to the environmental standards and protections enforced by state and federal resource agencies, as in San Francisco.
- **Design Review.** Public projects in Seattle must be reviewed and approved by the Seattle Design Commission, an appointed body of design professionals that conducts design workshops and makes recommendations to the City Council regarding the design quality of public projects in the City. The Commission reviews public projects proposed for City property in a manner similar to the Civic Design Review Committee in San Francisco. Unlike in San Francisco, the Seattle Design Commission is staffed by DPD personnel. In Seattle, projects are reviewed at a minimum of two or three public Commission meetings, which are held twice monthly, meaning that the minimum Civic Design Review timeframe for Seattle is two to three months. Building permit review is conducted in Seattle by DPD staff for public and private projects. For public projects, it can take a minimum of two to six months to obtain necessary building permits.

Best Practices

Several key aspects of Seattle's project compliance and approval processes were considered by interviewees as "best practices," including:

- **Dedicated Planning and Environmental Review Staff.** DPD staff highlighted the increasing use of Memorandums of Agreement (MOAs) between project sponsor agencies and DPD. For example, the MOA between Seattle Public Utilities (SPU) and DPD for recent water and wastewater system improvements allowed for SPU to finance a full time staff person at DPD using bond revenues. This staff person was able to act as the DPD liaison for the project and coordinate all necessary SEPA review, MUPs, and Shoreline Permits. This arrangement not only increased the efficiency of project delivery for the SPU bond program, but also allowed DPD to reallocate resources and bring on more environmental review and permitting staff for other projects in the City.

- **Dedicated Design Review Staff.** The relationship between the Seattle Design Commission and DPD has improved the efficiency of design review for major public projects. The Commission is composed of 12 appointed design professionals, similar to the Civic Design Review Committee in San Francisco. However, the Seattle Design Commission is fully staffed by DPD with five staff members and essentially functions as an extension of the Department. The role of DPD staff in supporting the Commission facilitates the sponsor agency's interaction with the design review process and increases the Commission's ability to track projects and produce guidance materials. The robust staffing at the Commission also allows for more frequent Commission meetings than in San Francisco, allowing for a faster review process.
- **Project Tracking and Transparency.** The Seattle Design Commission regularly produces several guidance and progress tracking documents that make the role of the Commission clearer to project sponsor agencies and more accountable to the public, including:
 - ***Annual Report.*** The one-page Annual Report maps all projects the Commission has reviewed in each year, organized by type, and summarizes the total workload hours put in by Commissioners and Staff.
 - ***Project Review Handbook.*** The 15-page handbook explains the Commission's mission and review process and provides applicants with a checklist of items to provide at review meetings and items to discuss with Commission staff prior to meetings.
 - ***Visual Resume.*** The online Visual Resume allows users to browse images of past projects on the Commission's website and specifies how the Design Commission influenced and refined the ultimate design of the project.⁶

⁶ The Seattle Design Commission's Visual Resume can be accessed at;
http://www.seattle.gov/dpd/Planning/Design_Commission/What_We_Do/Accomplishments/Visual_Resume/default.asp

Summary of Timeframes and Best Practices

As discussed in the preceding chapter, the approval processes that have the greatest effect on the critical path for project delivery in San Francisco are the CEQA, Civic Design Review, and Building Permit processes. These review processes were the focus of interviews with staff at the comparison cities, though other types of approval and reviews also exist in those cities. Table 3 summarizes the results of this research. On the whole, the key San Francisco compliance and approval processes identified in this Study require timeframes that are comparable to analogous processes in the three comparison cities studied. One exception is CEQA, where an EIR process, or its equivalent, typically takes longer to complete in San Francisco than in San Jose or Seattle. The minimum time typically needed for design review and building permit issuance in San Francisco is comparable to the time required in the other cities, though can take marginally longer on average.

Table 3: Key Compliance and Approval Processes, Comparison Cities and San Francisco

	San Francisco	Denver	San Jose	Seattle
<u>Environmental Review (a)</u>				
Review agency	Planning Department	n/a	Planning Division	Department of Planning and Development (DPD)
Minimum time	1 - 30 months	n/a	1 - 24 months	1 - 18 months
<u>Design Review</u>				
Review agency	Civic Design Review Committee	Department of Public Works (DPW) (b)	Department of Public Works (DPW) (b)	Seattle Design Commission
Minimum time	2 - 4 months	n/a	n/a	2 - 3 months
<u>Building Permits (c)</u>				
Review agency	Department of Building Inspections (DBI)	Development Services	Department of Public Works (DPW) (b)	Department of Planning and Development (DPD)
Minimum time	3 - 6 months	2 - 4 months	n/a	2 - 6 months

Notes:

(a) Refers specifically to the CEQA process in California cities and the SEPA process in Washington. Colorado does not have an equivalent state procedural environmental review process and other state and federal resource agency review is not included.

(b) There is no institutionalized third party design review for public projects in Denver or San Jose. This review is conducted in-house by DPW staff. In San Jose, building permits for public projects are also handled by a division of DPW. In these instances no minimum review time data is available because the intra-department reviews proceed iteratively.

(c) Timing refers to large capital projects only. Most private and small public projects can be issued an "over-the-counter" building permit processed in as little as 48 hours.

Source: BAE, 2013.

Based on interviews with staff at other cities and a review of publicly available documents, BAE was also able to generate a rough comparison of project delivery timeframes for broad categories of capital and public works projects in San Francisco, San Jose, and Seattle. As shown in Table 4, the average schedule for project delivery of selected capital projects in San Francisco compares favorably with the delivery timeframe for selected projects in other cities for most types of projects. With the exception of parks and open space projects, the time taken for San Francisco capital projects such as fire stations, libraries, streetscape improvements, or other public facilities is not substantially longer than in San Jose or Seattle.

Table 4: Comparison Cities Capital Projects, Average Delivery Schedule in Months

Project Type	San Francisco	Denver (a)	San Jose	Seattle
Public facilities (b)	46	n/a	45	57
Parks/Open space (c)	45	n/a	31	35
Roads/Streetscape (d)	33	n/a	31	45

Notes:

(a) Project delivery schedules for the Better Denver Bond Program were publicly available for the construction phase only. More details delivery information was not available at the time of this report.

(b) Includes library, community center, and public safety public facility projects. For San Francisco, includes projects under the 2010 Earthquake Safety and Emergency Response Bond and 2000 Branch Library Improvement Bond.

(c) Includes park, open space, playfields, playgrounds, and park restroom and service building projects. For San Francisco, includes projects under the 2008 Clean and Safe Neighborhood Parks Bond.

(d) Includes corridor and streetscape improvements. For San Francisco, includes the 2011 Roads Repaving and Street Safety Bond.

Sources: City of San Jose 2012 CIP; City of Seattle 2013 CIP; CGOBOC, 2013; BAE, 2013.

It must be noted that this data does not represent an exhaustive survey of public works projects in the comparison cities, but only a selected sub-set of projects from the limited amount of public data available at the other cities and in San Francisco. The information provided in Table 4 can only provide a rough comparison and does not allow for a conclusive finding regarding the timeliness of public project delivery in San Francisco vis-à-vis other cities. Based on the available information, San Francisco does not appear to experience substantially longer or shorter project delivery timeframes across the board, though the data does suggest a longer-than-average delivery time for parks projects.

Nonetheless, interviewees at the comparison cities did highlight a number of best practices that have improved key compliance and approvals processes compared to past experience in those cities, including:

- **Centralized Program Management.** In Denver, the Better Denver Bond Program employs a consultant team to manage eight separate bond programs.
- **Inter-agency Coordination.** The Better Denver Bond Program in Denver and the CIP Action Team in San Jose improved coordination of compliance, approval, and other project delivery needs across departments.
- **Compliance and Approval Staff.** Project sponsors in San Jose and Seattle have used bond funding and other sources to employ dedicated staff at the sponsor agency to manage compliance and approval processes for agency projects.

- **Dedicated Review Staff.** Project sponsor agencies in other cities have used bond funding and other sources to reserve review agency staff for the agency's projects.
- **Project Tracking and Transparency.** San Jose DPW uses an online database to improve project management coordination and interact with the public. Seattle's Civic Design Commission produces publications and online resources that help project sponsors and the public understand their process.

CONCLUSIONS AND RECOMMENDATIONS

Based on the above analyses of specific GO Bond-funded projects in San Francisco and best practices from comparable jurisdictions, the following findings and recommendation are provided with the intent of improving the timeliness and efficiency of the project delivery process in San Francisco.

Conclusions

Pre-development Planning for GO Bonds

Although the main scope of work for this Study concerns the review processes once bonds are passed by City voters, research for this Study indicates that pre-development planning of GO bond programs (i.e. before a bond measure is placed on the ballot) has important ramifications on project delivery and on compliance and approvals processes themselves.

Projects that are specifically described in the bond report will require less planning, design work, and review after the bond has passed than those that are described only in general terms. In particular, bond programs placed on the ballot by the Board of Supervisors must undergo a programmatic-level environmental review under CEQA to assess the environmental impact of the projects proposed under the bond. This means that projects scoped in more detail in the bond report will also have more complete environmental review documentation and allow for swifter subsequent environmental review once the project is in implementation. Projects with vague or non-discreet bond descriptions will require more extensive environmental review during project delivery, as opposed to those projects where extensive environmental review can be completed before the bond election.

For example, the project team for the ESER bond needed roughly one year to work with the San Francisco Fire Department (SFFD) and other stakeholders to identify a list of specific fire stations replacement and renovation projects, even though a general outline of the Neighborhood Fire Stations program was described in the bond report. Due to the nature of the renovations, most fire stations were able to gain a Categorical Exemption under the CEQA process, though Fire Station No. 5 will likely require a full Environmental Impact Report (EIR) due to further design changes following the project's selection. The Public Safety Building, conversely, was a discreet project from its inception and could be more fully scoped prior to bond passage. This allowed the project to proceed with an addendum to an existing EIR and to gain approval quickly from the Civic Design Review Committee.

Critical Path Points for Project Compliance and Approvals

Generally speaking, a bond project follows a delivery schedule that begins with conceptual planning and proceeds through to conceptual design, schematic design, construction documents, and bid/award to construction. In this project delivery sequence, there are a few

“critical path” points that shape the duration and direction of the project delivery. These are:

- Completing conceptual planning and contracting for design work (requires HRC and CSC contract approval)
- Moving from schematic design to construction documents (requires conclusion of all necessary environmental and design review)
- Moving from construction documents to construction (requires HRC and CSC review and building permits from DBI)

There are many different approvals and permits that must be obtained for a project, but certain processes in particular have the greatest effect on project timing and delivery based on when they occur along the project delivery path. Those processes follow a more variable timeline because of staffing or management, or due to the nature of their process itself (i.e. Civic Design Review is open ended and CEQA has multiple opportunities for appeal and comment). Based on BAE's analysis of the projects described above, the review and permitting processes that have the greatest effect on the critical path for project delivery are:

- **CEQA Review.** The CEQA process can cause unanticipated project delays due to both the extensive public input and appeal options and staff discretion. For example, community pressure led the Beach Chalet Playfields project sponsor to seek a full EIR, which was subsequently appealed to the Planning Commission and Board of Supervisors, delaying the project for roughly two years. Following the adoption of the EIR, the community group initiated litigation which was ongoing at the time of this writing. The Dolores Park renovation project is an example of a project delay stemming from staff concerns. Specifically, Historic Preservation staff at Planning sought extensive alterations to the project design before a Mitigated Negative Declaration could be issued, extending the environmental review process by roughly twelve months.
- **Civic Design Review Committee.** Though the Committee's review process often fits within the overall project design timeframe, the process can require unexpected design revisions and delays that negatively impact the sponsor's ability to proceed with project delivery. This is often due to the open-ended nature of the Committee's design standards, which are completely at the discretion of the Commissioners, and to the lack of staff support for project sponsors in preparing for and responding to the Committee's review process. Both Fire Station No. 16 and the Dolores Park renovation failed to gain approval at one or more review presentations and had to extend project design by a total of three months each before being able to proceed to construction documents. In the case of Dolores Park, the project sponsor had difficulty accommodating conflicting directions from the Committee and the Historic Preservation staff at Planning.

- **Department of Building Inspections.** DBI is responsible for verifying compliance with the building, plumbing, electrical, and other City codes. Though this task does not include a wide range of discretion, interviewees at DPW and Rec & Parks indicated that staff capacity at DBI makes the timeframe for the permit review process highly variable. In particular, DBI does not assign a point staff person or case manager to permit applications, making it difficult for project sponsors to advance a project through the multiple permit approvals that are required.

Civic Engagement and Public Process

Most GO Bond-funded projects will generate public interest and ample time is often needed to manage a robust civic engagement process during project delivery. Parks, schools and libraries, in particular, are often the focus of intense public scrutiny and involvement, often leading to delays and/or longer project delivery time-frames than originally anticipated by project sponsor agencies. There is no fixed timeframe or procedure for public engagement, though the CEQA process does require time for receiving public comments at each stage of the environmental review process (see Appendix F). Generally, public engagement parallels the planning and design phases of a project, with public input solicited at the beginning, middle, and near the end of the design process. In some cases, usually for particularly high-profile projects, extensive community engagement may take place before the design phase begins.

Comparative Project Delivery Timeframes

Based on interviews with staff at other cities and a review of publicly available documents, BAE was able to generate a rough comparison of project delivery timeframes for broad categories of capital and public works projects in San Francisco, San Jose, and Seattle. As shown in Table 4 in the preceding chapter, the average schedule for project delivery of selected capital projects in San Francisco compares favorably with the delivery timeframe for selected projects in other cities for most types of projects. With the exception of parks and open space projects, the time taken for San Francisco capital projects such as fire stations, libraries, streetscape improvements, or other public facilities is not substantially longer than in San Jose or Seattle.

It must be noted that this data does not represent an exhaustive survey of public works projects in the comparison cities, but only a selected sub-set of projects from the limited amount of public data available at the other cities and in San Francisco. The information can only provide a rough comparison and does not allow for a conclusive finding regarding the timeliness of public project delivery in San Francisco vis-à-vis other cities. Based on the available information, San Francisco does not appear to experience substantially longer or shorter project delivery timeframes across the board, though the data does suggest a longer-than-average delivery time for parks projects.

Comparative Review Process Timeframes

Capital projects, bond-funded or otherwise, at the three comparison cities reviewed in this Study must pass through similar compliance and approval processes as those in San Francisco. Table 3 in the preceding chapter summarizes the key review processes, including the review entity and typical minimum timeframe for each process. While recognizing that the time required for each process varies greatly depending on the scale and complexity of the project, these comparative timeframes suggest that the selected review processes in San Francisco do tend toward a wider range of time than equivalent processes in other cities, particularly in the case of CEQA review.

Best Practices in Project Compliance and Approvals

This Study identified a number of best practices from comparison cities that have improved key compliance and approvals processes as compared to past experience in those cities. These or similar practices are already in place at certain agencies in San Francisco, as well.

- **Dedicated compliance and approvals staff at the sponsor agency can facilitate a more coherent and efficient review process.** Project sponsor agencies in San Jose and at SFPUC and the Port of San Francisco maintain an in-house staff contingent dedicated to coordinating the environmental and policy review required of bond and other capital projects. At SFPUC, the Bureau of Environmental Management (BEM), has a staff of roughly 20 full-time Environmental Project Managers who are assigned to each capital project in the planning phase to identify and manage the environmental review and permitting processes that will be required of the project. At the Port of San Francisco, a staff of roughly six performs similar functions for Port projects requiring any level of environmental review. At DPW, one full-time Regulatory Affairs Manager performs a similar task at that agency, with the support of two junior staff funded by revenues from the 2010 ESER and 2011 RRSS bonds, but this level of staffing is insufficient to meet the project load at DPW.
- **Dedicated staff at the review agency can increase the timeliness and responsiveness of the review process.** Review agencies in San Francisco, Seattle, and San Jose host environmental and policy review staff funded by project sponsor agencies to work specifically on those agencies' capital projects. At SFPUC, roughly three FTEs of staff time is funded in the Planning Department's Environmental Review Division to process CEQA review of SFPUC projects. At the Seattle Department of Planning and Development (DPD), one full-time reviewer was funded by Seattle Public Utilities (SPU) to perform environmental and policy review for a series of SPU bond projects. In San Jose, DPW funded review staff at the Planning Department to process DPW projects under three concurrent bond programs. Dedicated liaison staff is often funded by revenue allocations from voter-approved bonds and sometimes out of the host agency's general revenue.

- **Inter-agency coordination at a high level can improve the efficiency of project delivery.** The San Jose Capital Improvement Plan (CIP) Action Team met regularly from 2001 to 2009, allowing top agency staff to coordinate and anticipate the permitting and review requirements and staffing needs at the City that would affect the delivery of projects funded under three major concurrent bond programs. The CIP Action Team was comprised of department heads and division directors from various City agencies and chaired by an Assistant City Manager. In Denver, a similar level of coordination was achieved by retaining a private contractor to serve a program manager for projects under eight concurrent bond programs, known collectively as the Better Denver Bond Program. Seattle's Civic Design Commission is staffed by Department of Planning and Development (DPD) staff, yielding more seamless coordination between the Commission's design review process and the environmental and policy review processes managed by DPD.
- **Project tracking and information sharing can improve internal coordination on project delivery while also increasing transparency for project sponsors and the public.** San Jose has developed an online database tool called the Capital Project Management System (CPMS) that is used by DPW staff to coordinate project review and delivery tasks and by the public to track project status and other information. In Seattle, Civic Design Commission staff prepares annual reports and a Visual Resume of past projects to better inform project sponsors and the public about the nature of the design review process.

Recommendations

The network of compliance and review processes that apply to public projects in San Francisco has emerged out of a series of interrelated policy decisions taken over several decades, each one intended to provide a means of protecting some resource or of inviting greater public involvement in the process. Each of these processes has its own set of pros and cons, justifications and complaints. The recommendations below are intended to indicate clear steps that can be taken to improve the way in which these processes are managed to ensure the efficient expenditure of public bond monies and the timely delivery of bond-funded projects.

Recommendations for Project Sponsors

1. **Develop dedicated staff to specialize in managing compliance, approvals, and review process requirements at the project sponsor agency.** Staff contingents at the project sponsor agency dedicated to managing the compliance and approval processes required of agency projects allow project managers to focus on other aspects of project delivery.

2. **Shift a small percentage of bond funds already allocated to administrative costs into permitting management at the project sponsor agency.** Bond revenue is a sustainable and appropriate funding source for supporting dedicated compliance and approval staff at the project sponsor agency to advance projects under a specific bond program.
3. **Fund dedicated review positions at key review agencies, like Planning.** In addition to developing compliance and approval staff at the project sponsor agency, project sponsors can also fund staff at environmental, design, or policy review agencies, particularly Planning, in order to ensure swifter and more consistent review of the agency's projects by the review entity.
4. **Improve inter-agency collaboration on major projects.** Greater high-level collaboration among project sponsor agencies and review agencies in the City allows all parties to better anticipate compliance and approval work load and plan accordingly.
5. **Develop an interactive, transparent, and consistent project management and tracking system that can be used by multiple project sponsor agencies in the City.** Such systems increase coordination among and between project sponsor and review agencies for project delivery and heighten transparency and accountability for both staff and the general public.

Recommendations for Regulatory and Review Entities

6. **Designate a clear point of contact to each project sponsor agency for each project.** Even when a project sponsor agency does not provide funding for dedicated review staff at the review agency, the review agency can improve and accelerate the review process by assigning a project liaison from among existing staff. This is especially critical for Planning/Environmental Review, Building Inspections, and Civic Design Review.
7. **Provide clear written review guidelines and pre-review guidance.** Greater guidance – either written or through early meetings – about the criteria for an acceptable project under the review agency's purview can reduce the need for later revisions and resubmissions.

APPENDIX A: GLOSSARY OF CCSF REGULATORY, REVIEW, AND COMPLIANCE ENTITIES

This glossary identifies and describes the various public agencies that exercise regulatory, review and compliance functions in the delivery of publically funded projects in the City and County of San Francisco. These local, state, regional, and federal entities range from review bodies established by statute that make discretionary rulings, to public agencies that issue administrative permits to offices and inter-agency bodies that provide non-binding oversight. The entities are sorted into local, state and regional, and federal categories and alphabetized by key word, or by first letter in the case of entities that are commonly abbreviated.

Each entry includes a brief description of the entity's jurisdiction, composition, primary functions, appeals processes, and review timeframe as they relate to public works project approvals, though in general the review process would affect a private project in a comparable fashion. These minimum timeframes represent the shortest amount of time currently needed for completion in San Francisco based on stated policy guidelines and interviewees' experience in practice. Timeframes for the CEQA and Civic Design Review Committee processes are governed by explicit review thresholds, though the actual time elapsed between thresholds can still vary based on staff capacity and outside planning and design considerations. The resource agency, regional body, and HRC and CSC processes are more fluid, with the review timeframes primarily dependent on staff capacity and discretion. These minimums vary based on a project's scale and complexity, and projects may take substantially longer to complete. It should be noted that many of these entities perform a wide variety of functions that do not directly pertain to that review or approval of a proposed project, and that those functions are not included here. Each entity is also coded by the layer(s) of review it performs. For the purposes of this glossary, the following layers of review are defined.

Environmental Review (CEQA and NEPA, Resource Agencies, and Regional Bodies)

This level of review focuses on a project's impact on the environment in two ways. First, the procedural requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) ensure that the potential environmental impacts and the level of significance of those impacts are identified before a project can advance. For CEQA, the San Francisco Planning Department is the Lead Agency responsible for administering the environmental review process for any project proposed by a City agency. NEPA review is only required when a project is significantly funded or administered by a federal agency, in which case that agency will manage the required NEPA process.

Second, a variety of state and federal statutes that lay out protections for specific natural resources, such as the Clean Water Act or Endangered Species Act, require that designated regional, state, and federal review entities issue permits to verify that a proposed project is in

compliance with the environmental protections required by relevant statutes. Some state and federal agencies involved in this level of review are commonly referred to as “resource agencies,” including:

- Army Corps - United State Army Corps of Engineers (USACE)
- Department of Fish and Game – California Department of Fish & Wildlife (DFG) *
- NMFS – National Marine Fisheries Service (see Army Corps)
- NOAA – National Oceanic and Atmospheric Administration (see Army Corps)
- US Fish & Wildlife– United States Fish & Wildlife Service (USFW)

The other regional and local bodies that administer resource-specific environmental review in this glossary include:

- BAAQMD – Bay Area Air Quality Management District
- BCDC – San Francisco Bay Conservation and Development Commission
- Coastal Commission – California Coastal Commission (CCC)
- Health Department – San Francisco Department of Public Health
- Water Board - Regional Water Quality Control Board

Design Review

This type of review focuses on the physical design of a project and may be concerned with the aesthetics, accessibility, historical context, or functionality of the proposed project. Entities engaged in this level of review range widely in scope and content and may issue administrative permits or simply ensure compliance with an existing ordinance or statute through consultation. This glossary includes the following entities engaged in this level of review:

- BCDC – San Francisco Bay Conservation and Development Commission
- Building Permit Group – Port of San Francisco Building Permit Group
- Civic Design Review Committee – San Francisco Civic Design Review Committee
- DBI - San Francisco Department of Building Inspections
- Historic Preservation Commission - San Francisco Historic Preservation Commission
- Mayor’s Office of Disability – San Francisco Mayor’s Office of Disability (MOD)
- OHP – Office of Historic Preservation
- Parks Service – National Park Service (NPS)
- San Francisco Planning Department
- Successor Agency - Commission on Community Investment and Infrastructure (CCII)
- WDAC – Port of San Francisco Waterfront Design Advisory Committee

Policy Review

This type of review focuses on the consistency of a proposed project with a wide range of existing policies and monitors how the administration of a project may impact residents or the

local economy. This type of review is designed to ensure equitable, transparent, and inclusive administration of public projects that is consistent with adopted public policy. This glossary includes the following entities engaged in this level of review:

- Civil Service Commission – San Francisco Civil Service Commission
- HRC – San Francisco Human Rights Commission
- Parks Commission – San Francisco Recreation & Parks Commission
- Planning – San Francisco Planning Department

City & County of San Francisco (CCSF) Entities

Building Permit Group – Port of San Francisco Building Permit Group

Level(s) of Review

Design

Jurisdiction

Any structure built on Port property must receive a building permit from the Chief Harbor Engineer of the Port of San Francisco in order to proceed with construction.

Composition

The Group is composed of Port of San Francisco staff and headed by the Chief Harbor Engineer.

Function

This entity within the Port of San Francisco supports the Chief Harbor Engineer in issuing building permits in accordance with the Port of San Francisco Building, Mechanical, Electrical and Plumbing Codes for any project on Port property.

Appeals

Permits issued by the Chief Harbor Engineer may be appealed to the Port Building Code Review Board (PBCRB), a five-member body composed City staff members appointed by the Port's Executive Director.

Review Timeframe

N/A

Civic Design Review Committee – San Francisco Civic Design Review Committee

Level(s) of Review

Design

Jurisdiction

Any public or private structure proposed for placement on City property, or any private structure that extends over or upon any City property, and the yards, courts, setbacks or usable open spaces of that structure are subject to the review and approval of the Civic Design Review Committee (CDRC).

Composition

The CDRC is composed of five Commissioners of the San Francisco Arts Commission (SFAC). All fifteen Commissioners of the SFAC are appointed by the Mayor and five of these Commissioners are selected to serve as members of the Civic Design Review Committee. The committee members must include two architects, one landscape architect, and two other design professionals.

Function

Any project subject to the CDRC's jurisdiction must complete a three-phase design review process. In order for a project to proceed, it must be approved by a vote of the Committee in the Schematic (Phase 1), Design Development (Phase 2), and Construction Documents (Phase 3) phases of the project. This process requires that the project sponsor present to the Committee at a public meeting a minimum of three or four times, depending on the dollar value of the project. Committee meetings are held once monthly and are open to the public.

Appeals

There is no formal appeals process available to projects that are not approved in any of the three approval phases. If the Committee declines to approve a project at any phase, the project sponsor must present at a subsequent public meeting to seek approval for a modified project. If a project is approved at any phase by the Committee, that approval is not formalized until adopted by the full Arts Commission, which routinely adopts the decision of the Committee on the consent calendar of its regular public meetings.

Review Timeframe

A minimum of two to four months in total is required to obtain Civic Design Review approval. Project sponsors must complete a multi-step design review process requiring a minimum of two to four presentations to the Committee, depending on the size of the project and the Committee's discretion. Because the Committee holds one public meeting per month, a minimum of two to four months is required to obtain Schematic (Phase 1), Design

Development (Phase 2), and Construction Documents (Phase 3) approvals and to complete the “Phase 0” conceptual presentation, if applicable. The requirement that presentations be made at public meetings that are held only once monthly is the only written requirement guiding the timeframe for this review process.

Civil Service Commission – San Francisco Civil Service Commission

Level(s) of Review

Policy

Jurisdiction

Employee relations and employment standards at any San Francisco department, the SFMTA, and classified employees of the San Francisco Unified School District and Community College District are subject to the oversight and policies of the Civil Service Commission (CSC).

Composition

The Civil Service Commission is composed of four Commissioners, each appointed by the Mayor.

Function

The Civil Service Commission is charged with carrying out the Merit System provisions of the City Charter, including the approval of a contract for outside services that could also be performed by a City agency.

Appeals

There is no formal appeals process available for City departments whose contracts for outside work are not approved by the CSC, though project proponents typically negotiate with the Commission and other relevant parties to reach a resolution.

Review Timeline

The overall process for contracting out in San Francisco typically takes 3 to 6 months. The review of the Civil Service Commission is a component of this process in certain cases. There are no written minimum timeframe requirements for this review process.

DBI - San Francisco Department of Building Inspections

Level(s) of Review

Design

Jurisdiction

Any structure built in San Francisco on public or private land must receive building, electrical, plumbing, and other permits from the Department of Building Inspection (DBI) in order to

proceed with construction.

Composition

DBI is staffed by over 200 City employees under the direction and managed of the seven-member Building Inspection Commission, which appoints the Director of DBI and sets DBI policy.

Function

DBI issues building, electrical, plumbing, and other permits for any proposed structure or significant renovation work undertaken in San Francisco. These permits are issued to ensure compliance with City's Building, Housing, Plumbing, Electrical, and Mechanical Codes.

Appeals

Any permit issued by DBI may be appealed to the Building Inspection Commission, a seven-member body appointed by the Mayor and Board of Supervisors.

Review Timeframe

For pre-fabricated and pre-approved structures, DBI approval can typically be obtained in one week. For any other structure, issuance of all necessary building permits can take between 3 and 6 months. Permits must be obtained before construction can commence and can only be sought once design is finalized. There are several written minimum timeframe requirements for specific steps in the DBI permitting process, such as how long review staff has to establish a plan review meeting with an applicant. The overarching written standard is that building permits must be issued within 360 days of application. This period is substantially longer than the timeframes that are experienced in actual practice.

Health Department – San Francisco Department of Public Health (DPH)

Level(s) of Review

Environmental

Jurisdiction

Any construction at a location where more than 50 cubic yards of Bay fill will be disturbed requires review by the Department of Health pursuant to Article 22A of the City's Health Code.

NOTE: At the time of this Study, legislation was under consideration at the Board of Supervisors that would expand the provisions of Article 22A to include construction projects on sites throughout the City where an underground storage tank (UST) is present.

Composition

The San Francisco Department of Public Health is a City department governed by the San

Francisco Health Commission. The Hazardous Waste Program staff are responsible for administering requirements pursuant to Article 22A.

Function

Hazardous Waste Program staff review the soil sampling and analysis report that is required of certain construction projects in areas of Bay fill. Based on the findings of the analysis report, the Director of Public Health must either approve the project with no mitigations or require the preparation of a Site Mitigation Plan.

Appeals

There is no formal appeals process for projects that do not meet the soil quality standards of Article 22A. Acceptance or rejection of a project is based on the technical findings of the required soil sampling and analysis report.

Review Timeframe

It can typically take 6 to 9 months to complete an approved soil sampling and analysis report and Site Mitigation Plan, if one is required. This approval must be obtained before construction can commence. DPH must inform an applicant within 30 days if a soil report is deemed unacceptable. There are no other written minimum timeframe requirements for this review process.

Historic Preservation Commission - San Francisco Historic Preservation Commission

Level(s) of Review

Design

Jurisdiction

Any project affecting an officially recognized landmark building or historic district is subject to review by the Historic Preservation Commission. The Commission may also review and comment on projects affecting historic resources that are subject to environmental review under the California Environmental Quality Act (CEQA), or projects subject to review under Section 106 of the National Historic Preservation Act.

Composition

The Historic Preservation Commission is composed of seven members with professional backgrounds in planning, architecture, historical conservation, and related fields. This Commission replaced the former Landmark Preservation Advisory Board.

Function

The Historic Preservation Commission may, at its discretion, review and comment on the findings regarding significant impacts to historic resources and proposed mitigations in a CEQA

document. Citizens can request a hearing for this purpose for any project subject to CEQA review. The Commission is empowered to make recommendations to the Board of Supervisors and Planning Commission regarding the adequacy of a given CEQA determination. The Commission also approves Certificates of Appropriateness for alterations to landmark buildings or sites within a historic district.

Appeals

Certificates of Appropriateness are final unless appealed to the Board of Appeals, or to the Board of Supervisors when applicable. There are no written minimum timeframe requirements for this review process.

Review Timeframe

N/A

HRC – San Francisco Human Rights Commission

Level(s) of Review

Policy

Jurisdiction

Any contract for services by a City agency is subject to the oversight and policies of the Human Rights Commission (HRC).

Composition

The Human Rights Commission is composed of eleven Commissioners, each appointed by the Mayor.

Function

The Human Rights Commission reviews the bidding process and contracts for work being bid out by City agencies. In order for a contract for services to be awarded, Commission staff must review the contract to ensure that the contract provisions and bid process used to advertise and award the contract are in compliance with San Francisco non-discrimination and other laws.

Appeals

There is no formal appeals process available for City departments whose contracts for outside work are not approved by the Human Rights Commission.

Review Timeframe

The overall process for contracting out in San Francisco typically takes 3 to 6 months. The review of the Human Rights Commission is a component of this process in most cases. There

are no written minimum timeframe requirements for this review process.

Mayor's Office on Disability – San Francisco Mayor's Office of Disability (MOD)

Level(s) of Review

Design

Jurisdiction

Most programs, services, benefits, activities and facilities operated or funded in whole or in part by the City of San Francisco are subject to review by MOD.

Composition

The duties of the office are administered by a small group of City staff, managed by a Director appointed by the Mayor.

Function

For any building permit application for new construction, alteration and additions to buildings and facilities that are publicly funded, in whole or in part, by or on behalf of the City and County of San Francisco, MOD must approve the application for compliance with the Americans with Disabilities Act (ADA) before submittal for permit application intake to the San Francisco Department for Building Inspection (DBI). For projects managed by the Department of Public Works (DPW), or the Port of San Francisco, an ADA Coordinator at DPW or the Port performs this function instead of MOD.

Appeals

Accessibility requirements determined by an ADA Coordinator (at MOD or any other department) may be appealed to the Access Appeals Commission, a five-member body appointed by the Building Inspections Commission.

Review Timeframe

The ADA compliance process managed by MOD takes place iteratively as the project design process proceeds. There are no written minimum timeframe requirements for this review process.

Parks Commission – San Francisco Recreation & Parks Commission

Level(s) of Review

Policy

Jurisdiction

All projects undertaken by the Department of Recreation & Parks are subject to the oversight of the Parks Commission.

Composition

The Parks Commission is composed of seven members appointed by the Mayor.

Function

The Parks Commission gives final approval for any major project undertaken by the Department of Recreation & Parks by vote at a public hearing. The Commission's review seeks to ensure that the proposed project is developed in keeping with Department policies and goals and has included the appropriate level of community engagement.

Appeals

There is no formal appeals process available for projects not approved by the Parks Commission.

Review Timeframe

Parks Commission approval cannot be granted until all environmental review determinations for a project and the project design have been finalized. This approval requires a single hearing and vote before the full Commission at a regular meeting.

Planning – San Francisco Planning Department

Level(s) of Review

Environmental, Policy

Jurisdiction

Any public or private project in San Francisco must comply with the requirements of the California Environmental Quality Act (CEQA) and the provisions of the San Francisco General Plan, Zoning Code, and other Area and Community Plans. This compliance is enforced and administered by the Planning Department through a variety of functions.

Composition

The Planning Department is a City department overseen by the San Francisco Planning

Commission. The Citywide Policy Planning, Current Planning, and Environmental Planning divisions are primarily responsible for administering the various types of review that must be completed for any private or public projects to proceed in the City.

Function

Environmental Review

The Planning Department is the Lead Agency for CEQA review for any project proposed by a City agency in San Francisco. This means that the Environmental Planning Division works with the project sponsor to administer the review process required by CEQA and is responsible for issuing Categorical Exemptions, Community Plan Exemptions, Negative Declarations, Mitigated Negative Declarations and other determinations documenting the level of significant environmental impact associated with a proposed project. When no other determination can be issued, Environmental Review staff must prepare an Environmental Impact Report (EIR) with the aid of outside consultants and the Preservation Team staff in the Current Planning Division. An EIR is prepared by Planning staff, but must be certified by the Planning Commission (see Appeals below). No public or private project in California can advance without completing the CEQA process and obtaining a final determination of environmental impact. However, a project that has completed the CEQA process and been determined to pose a significant impact may still advance at the discretion of the Board of Supervisors.

The Planning Department, through the Current Planning Division, is also responsible for issuing Coastal Development Permits for any proposed project within the jurisdiction of the California Coastal Commission (CCC) pursuant to the Local Coastal Program (LCP) approved by the CCC for San Francisco. These permits are issued to ensure that the project is in compliance with the land use and development policies adopted in the LCP.

Policy Review (General Plan Referral)

For most private and public projects, the Citywide Policy Planning Division must issue a General Plan Referral for the proposed project to advance. The Referral review is meant to ensure that the proposed project is consistent with the Objectives and Policies of the City's General Plan. As per Proposition M, passed by voters in 1986, as a part of the Referral process the City must determine that proposed projects and demolitions are consistent with the following eight priority policies set forth in Section 101.1 of the Planning Code:

- That existing neighborhood-serving retail uses be preserved and enhanced
- That existing housing and neighborhood character be conserved and protected
- That the City's supply of affordable housing be preserved and enhanced
- That commuter traffic not impede Muni service or overburden streets or neighborhood parking
- That a diverse economic base be preserved and maintained by protecting industrial

and service sectors from displacement

- That the City achieve the greatest possible level of emergency preparedness
- That landmarks and historic buildings be preserved
- That parks and open space, and associated views be protected

In the course of Referral review, Planning staff will also determine what level of environmental review under CEQA, if any, will be required of the proposed project. If no separate environmental review application has previously been filed, this element of the General Plan Referral process often triggers the environmental review process and the two proceed in parallel. For most general obligation bond funded projects, the Citywide Planning Division of the Planning Department receives a referral from the Environmental Review Division to determine General Plan consistency for a proposed project.

Appeals

Environmental Review

All CEQA determinations issued or prepared by Planning staff can be appealed. In the case of a determination of exemption, the appeal is heard by the Board of Supervisors. Appeals to a Preliminary Negative Declaration (PND) or Preliminary Mitigated Negative Declaration (PMND) are heard by the San Francisco Planning Commission, a seven-member body appointed by the Mayor and the Board of Supervisors.

Appeals of a Final Negative Declaration (FND), Final Mitigated Negative Declaration (FMND), or a Final Environmental Impact Report (FEIR) are heard by the Board of Supervisors. No further formal appeal process is available once the Board of Supervisors has taken action, though litigation is common in cases of high-profile or controversial CEQA documents, particularly in the case of a full EIR.

Coastal Development Permits issued by Planning pursuant to the adopted Local Coast Plan (LCP) can be appealed to the San Francisco Board of Appeals, a five-member body appointed by the Mayor and Board of Supervisors that hears appeals to a wide range of City determinations. Following action by the Board of Appeals, a Coastal Development Permit may be appealed once more to the California Coastal Commission (CCC). The decision of the CCC is final.

Policy Review (General Plan Referral)

The finding of conformity or non-conformity made by the Planning Department or Planning Commission, depending on the case, can only be overturned by a two-thirds vote of the Board of Supervisors.

Review Timeframe

Environmental Review:

- A CEQA exemption can take 1 week to 3 months to obtain.
- A Mitigated Negative Declaration (MND) can take between 6 and 9 months to obtain.
- A full Environmental Impact Report (EIR) can take between 24 and 30 months to prepare and certify.
- An addendum to an existing EIR can take as little as 3 months to obtain.

Each CEQA determination is obtained through a multi-stage review process. Typically, this process involves a draft determination, which must be followed by a mandatory public review period of 20 to 30 days before a final determination can be issued. Once the final determination is issued (e.g. a final Mitigated Negative Declaration), a second public comment and appeals period is required, usually of 20 to 30 days. After each public comment or appeal period, all substantive public comments must be incorporated into the final determination and all appeals must be heard, if accepted, by the designated appeals body, either the Planning Commission or Board of Supervisors as indicated above. For a detailed explanation of the mandatory public comment periods and appeals process, see Appendix F: San Francisco Planning Department Environmental Review Process Summary.

Coastal Development Permits issued by the San Francisco Planning Department typically take 3 to 4 months and must be issued before the project design can be finalized.

Policy Review (General Plan Referral)

In general, this review can be accomplished within a fairly short time-frame within the overall time-frame of Planning's environmental review process.

Successor Agency - Commission on Community Investment and Infrastructure (CCII)

Level(s) of Review

Design, Policy

Jurisdiction

All Major Approved Development Projects (i.e. Mission Bay, Hunters Point/Candlestick Point, and Transbay) formerly overseen by the San Francisco Redevelopment Agency (SFRA) fall within the jurisdiction of CCII, the governing body of the legally established Successor Agency to the SFRA.

Composition

CCII is composed of five San Francisco residents appointed by the Mayor. Two of the members must represent the Supervisorial districts with the largest portions of the Major Approved

Development Project areas.

Function

CCII exercises land use, development, and design approval authority for projects proposed within the Major Approved Development Project areas. CCII staff works with project sponsors throughout the project design process to ensure that proposed projects conform to the uses and design previously approved for the former Redevelopment Areas.

Appeals

The Successor Agency was established on February 1, 2012 following the dissolution of all 400 California Redevelopment Agencies. The appeals process for discretionary actions of CCII is not clear at this time, though the Successor Agency is bound by the land use, development, and design controls included in the adopted plans of the former Redevelopment Areas and is ultimately accountable to the Board of Supervisors.

Review Timeframe

N/A

WDAC – Port of San Francisco Waterfront Design Advisory Committee

Level(s) of Review

Design

Jurisdiction

Any project proposed on Port of San Francisco property is subject to review by the WDAC.

Composition

The WDAC is composed of five City staff from City agencies with design purview, including the Port and the Planning Department. The WDAC is chaired by a Port staff member.

Function

The WDAC meets on an as-needed basis to review and approve the design elements of proposed projects at the Port of San Francisco. The WDAC performs its review and approval function in partnership with the Design Review Board of the San Francisco Bay Conservation and Development Commission (BCDC) as a standard practice when a project also falls within BCDC's waterfront jurisdiction.

Appeals

There is no formal appeals process for projects that fail to gain initial approval from the WDAC or the joint WDAC/BCDC committee. Project sponsors are invited to submit a revised design until approval can be granted.

Review Timeframe

The WDAC review process typically lasts 6 weeks to 4 months, but this timeframe is dependent upon the progress of the project design itself. There are no written minimum timeframe requirements for this review process.

State of California and Regional Entities

BAAQMD – Bay Area Air Quality Management District

Level(s) of Review

Environmental

Jurisdiction

Any project involving construction or installation of equipment that emits known air pollutants in the nine-county Bay Area is subject to BAAQMD review and permitting requirements.

Composition

BAAQMD is a state-mandated regional agency governed by a 22-member Board of Directors composed of appointees from each of the nine counties in the Bay Area district. The number of appointees from each county is proportional to that county's population.

Function

BAAQMD issues permits that allow the operation of any equipment that emits known air pollutants or construction of projects that will involve grading, earth moving or other activities with the potential to affect local or regional air quality. In order to issue an Authority to Construct or Permit to Operate permit, BAAQMD may require an air quality health risk assessment or other analysis. Some types of public projects are exempt from the permitting process if they meet the standards of various screening tools.

Appeals

There is no formal appeals process for projects that do not receive a permit to construct or a permit to operate from BAAQMD.

Review Timeframe

It can typically take 1 to 4 months to prepare an application and obtain a permit, depending on the level of study that is required. This approval must be obtained before construction can

commence. BAAQMD must inform the applicant of whether or not the application is considered complete with 15 days of receiving the application. There is no written minimum timeframe requirement for issuing a final decision on a permit application.

BCDC – San Francisco Bay Conservation and Development Commission

Level(s) of Review

Environmental, Design

Jurisdiction

Any development within 100 feet of the shoreline of San Francisco Bay or within certain marshlands and tributary waterways is subject to environmental and design review by BCDC.

Composition

BCDC is a state-mandated regional agency governed by a 27-member commission appointed by the Governor, State Assembly, State Senate, and several state, regional, and federal agencies.

Function

Environmental Review

BCDC issues Major, Administrative, and Regionwide Permits for proposed development in and around San Francisco Bay to ensure that proposed development does not contribute to an increase in Bay fill, decrease in public access to the Bay, or otherwise damage the Bay environment.

Design Review

Most major projects seeking an application from BCDC must also be reviewed by the Commission's Design Review Board (DRB). DRB works with the project sponsor to ensure that the project design meets certain design standards and allows for adequate public access to the Bay. DRB makes recommendations to the full Commission regarding an application's design and public access performance, though the Commission has ultimate discretion over whether or not to approve the permit. When a project also falls within the jurisdiction of the Port of San Francisco, the Port's Waterfront Design Advisory Committee (WDAC) conducts its own design review in conjunction with DRB.

Appeals

There is no formal appeals process for projects that fail to gain initial approval from the DRB or the joint DRB/WDAC committee. Project sponsors are invited to submit a revised design until approval can be granted.

Review Timeframe

Environmental Review

It can take 6 weeks to 4 months to obtain a development permit, depending on the type of permit deemed appropriate by staff. The Commission is required to grant or deny a permit within 90 days of application, unless the applicant agrees to extend this period.

Design Review

The Design Review process is designed to run in parallel with the permit application timeframe above and DRB sessions are held prior to an application's consideration by the full Commission. There are no written minimum timeframe requirements for this review process.

Coastal Commission – California Coastal Commission (CCC)

Level(s) of Review

Environmental

Jurisdiction

Any project falling within the Coastal Zone (1,000 feet inland from the ocean high tide) is subject to CCC permitting requirements.

Composition

CCC is a state agency governed by a 15-member Commission composed of local elected officials and California residents appointed by the Governor, State Senate, and State Assembly.

Function

CCC ensures environmentally sustainable and prudent use by both public and private parties of the California coast by issuing Coastal Development Permits for any major development proposed within the Coastal Zone. In many California cities, permit issuance is delegated to a local entity if the city has adopted a Local Coastal Program (LCP) approved by the Commission. In San Francisco, an approved LCP is in place and Coastal Development Permits are issued by the Planning Department if a proposed project complies with the development standards included in the LCP.

Appeals

Coastal Development Permits issued by Planning pursuant to the adopted Local Coastal Program (LCP) can be appealed to the San Francisco Board of Appeals, a five-member body appointed by the Mayor and Board of Supervisors that hears appeals to a wide range of City determinations. Following action by the Board of Appeals, a Coastal Development Permit may be appealed once more to the California Coastal Commission (CCC). If appealed to the

Commission, the appeal must be heard within 49 days of filing. The decision of the CCC is final.

Review Timeframe

Coastal permits issued by the San Francisco Planning Department typically take 3 to 4 months and must be issued before the project design can be finalized. There are no written minimum timeframe requirements governing the Planning Department's consistency finding with the LCP. However, if Planning's decision is appealed to the CCC, the Commission must hear the appeal within 49 days.

Department of Fish & Game – California Department of Fish & Wildlife (DFG) *

Level(s) of Review

Environmental

Jurisdiction

Any project impacting a riparian zone (i.e. the bed, bank, or channel of a stream, lake, or river) or a state-listed endangered species in California is subject to DFG permitting requirements.

Composition

DFG is a state agency managed by a director who is appointed by the Governor.

Function

DFG regulates construction effects within a riparian zone through the issuance of a Section 1602 Streambed or Lake Alteration Agreement. In addition, DFG regulates effects to state-listed species through the issuance of an Incidental Take Permit (ITP) via the Section 2080.1 Consistency Determination with the USFWS biological opinion (BO), or 2081 ITP permit process (see below).

Appeals

There is no formal appeals process for projects that do not receive a permit to construct or a permit to operate from DFG.

Review Timeframe

N/A

*The name of this agency was recently changed to California Department of Fish and Wildlife from the California Department of Fish and Game (DFG). The agency is still commonly referred to as "California Fish and Game" or "Fish and Game" to avoid confusion with United State Fish and Wildlife Service, the department's federal counterpart. The entity is still abbreviated DFG.

OHP – Office of Historic Preservation

Level(s) of Review

Environmental, Design

Jurisdiction

Any project funded in whole or in part by a federal agency that could potentially affect a federally designated historic landmark or other historic resource must work with OHP to complete the necessary level of historic preservation review.

Composition

OHP is a state agency managed by the State Historic Preservation Officer (SHPO), who is appointed by the Governor.

Function

OHP is the designated local authority to coordinate with federal project sponsors for consistency with the historic resource protections of the National Historic Preservation Act. OHP administers this coordination through the issuance of a Section 106 permit, which may require that a Memorandum of Agreement be prepared to ensure the preservation of protected resources.

Appeals

There is no formal appeals process for a Section 106 permit requirement issued by OHP.

Review Timeframe

N/A

Water Board - Regional Water Quality Control Board

Level(s) of Review

Environmental

Jurisdiction

Most construction projects involving a discharge into a water body in the State of California are subject to the permitting requirements of the Regional Water Board. San Francisco falls under the jurisdiction of the Regional Water Quality Control Board for District 2, and area that includes the full nine-county Bay Area.

Composition

The Regional Water Board is a state-mandated regional agency composed of seven technical experts appointed by the Governor, and their supporting staff. There are nine Regional Water

Boards in the State and there is also a State Water Quality Control Board composed of five technical experts that sets statewide policy for the Regional Water Boards.

Function

The Water Board is responsible for administering the water quality protection provisions of the National Pollution Discharge Elimination System (NPDES). Most major projects with the potential to discharge into a natural waterway must obtain a Section 401 Water Quality Certification or one of several types of Waste Discharge Requirement Permits from the Water Board in order to proceed with construction.

Appeals

Construction permits issued or denied by a Regional Water Board can be appealed to the State Water Board.

Review Timeframe

Water Board permits typically take 2 to 3 months to obtain.

Federal Entities

Army Corps - United State Army Corps of Engineers (USACE)

Level(s) of Review

Environmental

Jurisdiction

Activity in, under or over navigable waters, or dredge or fill in US waterways or wetlands is regulated by the Army Corps.

Composition

The Army Corps is a division of the United States Army composed of both civilian and military personnel and managed by the Army chain of command.

Function

The Army Corps administers some provisions of the Clean Water Act and Rivers and Harbors Act through the issuance of permits to allow activity in certain ecologically sensitive areas, including Section 404, Section 10, and Section 7 permits. For whichever permit is appropriate, the Army Corps conducts a consultation process with other federal and local resource agencies charged with administering protections for endangered species, air, water, and other natural resources. The US Fish and Wildlife Service (USFW), National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries (NMFS), and California Department of Fish and Wildlife (DFG) are among the most common consultation agencies that play a role in the

Army Corps' permitting process. Work in San Francisco most commonly requires a Section 10 permit for Work in Navigable Waters for projects adjacent to the waterfront.

Appeals

There is no formal appeals process for a permit issued by the Army Corps.

Review Timeframe

The permit issuance typically takes 3 to 9 months, depending on the type of permit sought and the cooperation of the consultation agencies. Each type of permit has certain written timeframe guidelines governing the permit process, but the ultimate time of issuance is at the discretion of Army Corps reviewers.

Parks Service – National Park Service (NPS)

Level(s) of Review

Environmental, Design

Jurisdiction

Any City project adjacent to or affecting access to a National Parks property must obtain approval from the Parks Service.

Composition

The Parks Service is a bureau of the US Department of the Interior managed by a Director appointed by the President.

Function

The Parks Service manages a large portfolio of protected lands and historic resources in the United States, including the Golden Gate National Recreation Area (GGNRA) in San Francisco. For any project adjacent to or affecting access to a Parks Service property, such as GGNRA, the project sponsor must obtain a "5X" permit from the Parks Service, which certifies that the project will not adversely affect public access to any historic resource under Section 106 of the National Historic Preservation Act.

Appeals

There is no formal appeals process for a "5X" permit issued by the Parks Service, though this issuance is conducted in consultation with the State Historic Preservation Officer (SHPO).

Review Timeframe

A "5X" permit from the Parks Service takes a minimum of 3 months to obtain, though this timeframe is primarily dependent on the progress of the project design itself.

US Fish & Wildlife– United States Fish & Wildlife Service (USFW)

Level(s) of Review

Environmental

Jurisdiction

Any project with the potential to affect a federally-listed endangered species is subject to USFW permitting requirements.

Composition

USFW is a bureau within the US Department of the Interior managed by a Director appointed by the Secretary of the Interior.

Function

USFW enforces the provisions of various federal laws designed to protect sensitive wildlife by issuing Incidental Taking Permits for projects where an adverse effect on a federally protected species is likely and by issuing Biological Opinions to other permitting agencies, such as the Army Corps of Engineers.

Appeals

There is no formal appeals process for a permit issued by USFW.

Review Timeframe

N/A

APPENDIX B: INTERVIEW GUIDE FOR CCSF BOND PROJECT SPONSOR AGENCIES

BAE Urban Economics, a consulting firm located in the San Francisco Bay Area, has been retained by the City and County of San Francisco Controller's Office on behalf of the San Francisco Citizens' General Obligation Bond Oversight Committee (CGOBOC). At CGOBOC's request, BAE is researching the design review, permitting, and approval processes involved in implementing public infrastructure capital projects funded by citizen-approved general obligation bonds.

We understand that your department is responsible for the implementation of the _____ project under the _____ Bond. We are interested in understanding the specific design review, approval, and permitting processes that affected the realization of this program. We appreciate your time in responding to the following questions:

*****Please note that your responses will be reported confidentially. Your name and position will not be cited in any report. *****

A. Project Timeline

Project Identification Process

1. Starting with the approval of the bond in 2011 can you walk us through the steps that were needed to identify a concrete list of projects to be developed under the bond?
 - a. Roughly, what was the breakdown between projects specifically called out in the bond language vs. those that had to be identified subsequent to bond passage?
 - b. How was this process staffed? Were any staff from outside departments, private contractors, or community representatives involved in this process?
 - c. Roughly how long did this process take from start to finish? Did the project selection process fall into the anticipated timeline outlined for the bond program?

Implementation

2. Once a list of projects for development under the bond was/is identified, what steps were/will be taken to achieve all necessary city, state, or federal permits or approvals that were/are anticipated to be required in order for the project(s) under this bond to move forward? *(Our goal is to make a flow chart of the process, so discuss in terms of*

interactions, review cycles, and also timing).

Project Status

3. What is the current status of the project(s) in terms of development phase, schedule, and budget?
4. Are there any unique or exceptional circumstances which affected the timing of this/these project(s)?

B. Project Planning and Design

5. Let's focus on conceptual planning and design review. Who takes these projects from the conceptual stage to design drawings and construction documents?
6. How are these projects prioritized within the workflow of the staff per above question?
7. Are there sufficient resources (staff) to design these projects?
8. Do staff meet with other departments responsible for reviewing the designs prior to submittal?
9. How do these projects interact with the Civic Design Review Committee?

C. Environmental Review

10. Let's focus on environmental review. How and at what point were these projects assessed initially? Who does the initial environmental checklist to determine the subsequent environmental review process?
11. Were there any environmental review steps which caused delays?

D. Public Engagement and Other Stakeholders

Another contractor is researching the public engagement process in more depth than BAE. However, we are interested in public engagement in terms of how it affects the review, approval, and compliance process for these projects.

12. Please describe the stakeholder groups involved in these projects and their review processes.

13. Are there other review steps in either the physical or public engagement process which slowed down the project?

E. Other City, State, or Federal Departments/Agencies

14. What other city departments and/or agencies reviewed or co-coordinated these projects during the planning, design, contracting, or construction phases?

F. Contracting

15. Please describe the process used to contract for construction (or the planning or design, if applicable) of these projects. Is there a pool of contractors, or is each project individually bid out? How are bid documents prepared and by whom? How much time is allowed for bidders to respond? What happens after the successful bidder is chosen? How are project costs monitored?

16. How does HRC interact with the bid process?

17. How is the project's construction approved and finalized?

G. Methods to Reduce Project Delays

18. Are there methods currently in place in your department to reduce project delays resulting from project permitting and approval?

19. Do you have any recommendations for how the City of San Francisco could obtain a better, or shorter or less expensive outcome in terms of delivering these bond-funded projects?

APPENDIX C: INTERVIEW GUIDE FOR CCSF REVIEW AGENCIES

BAE Urban Economics, a consulting firm located in the San Francisco Bay Area, has been retained by the City and County of San Francisco Controller's Office on behalf of the San Francisco Citizens' General Obligation Bond Oversight Committee (CGOBOC). At CGOBOC's request, BAE is researching the design review, permitting, and approval processes involved in implementing capital improvement and public works projects funded by citizen-approved general obligation bonds.

We understand that the _____ interacts with a variety of other City departments to manage various review, permitting, and approval processes for many public works projects. We are interested in understanding the specifics of the design and environmental review, permitting, and approval processes managed by your department as they affect the delivery of such projects. We have provided a list of specific projects funded by three recent general obligation bonds in San Francisco (attached) to focus our conversation as we go over the following interview questions. We appreciate your time in discussing these questions with us.

*****Please note that your responses will be reported confidentially. Your name and position will not be cited in any report. *****

1. Please outline the types of public projects that fall under your discretionary purview.
2. What are the specific steps involved in your review process(es) and what is the rough timeframe in which each step is typically accomplished?
3. To what extent do you coordinate with other review and regulatory entities (local, state, or federal) in managing your review process?
4. How do your interactions with private sector applicants differ from those with public sector applicants, such as DPW, SFPUC, Rec & Parks, or the Port?
5. Describe how staffing is procured and managed within your department to managed your review process(es). How often do you procure contractor support?
6. Thinking broadly, are there any steps that could be taken – by your department, applicant agencies, or by the City as a whole – that could improve the efficiency and value of your review, approval, and permitting process(es) to public works projects?

APPENDIX D: INTERVIEW GUIDE FOR COMPARISON JURISDICTIONS

BAE Urban Economics, a consulting firm located in the San Francisco Bay Area, has been retained by the City and County of San Francisco Controller's Office on behalf of the San Francisco Citizens' General Obligation Bond Oversight Committee (CGOBOC). At CGOBOC's request, BAE is researching the design review, permitting, and approval processes involved in implementing public infrastructure capital projects funded by citizen-approved general obligation bonds. BAE has also been asked to review potential best practices in general obligation bond oversight and capital projects review and approvals processes in other cities.

We understand that the City of _____ periodically issues general obligation bonds for the construction of specific public infrastructure. We are interested in understanding what the design review, approval, and permitting processes are in _____ as they affect the realization of capital projects. To do so, we would like to direct the following questions to the appropriate person in your organization:

PART I – General Governance and Oversight (*for representative from Controller's Office or other comparable agency contact*)

A. Governance

1. Which City agency, if any, is primarily responsible for the disbursement, monitoring, or management of general obligation bond funds for specific capital improvement programs?
2. What is the institutional oversight for general obligation bond funds in your city? Is there a citizen or community oversight committee? A staff working group? An appointed commission?

B. Capital Projects

3. Are there any specific capital projects funded under the _____ Bond or any other general obligation bond approved in the last ten years that your agency would recommend to serve as a case study for the design review, permitting, and approval process in your city?
4. Are there any staff persons at agencies responsible for implementing capital projects funded by the _____ Bond or any other general obligation bond passed in the past ten years that you would recommend we contact for this study?

PART II – Detailed Bond Program Questionnaire (for representative(s) from specific implementing agencies)

The following is an example of the interview guide that will be provided to staff at the agency/ies responsible for implementing any identified capital improvement bond programs. These responses will be reported confidentially. No names or positions will be cited in any report:

A. Project Timeline

Project Identification Process

5. Starting with the approval of the bond in – YEAR – can you walk us through the steps that were needed to identify a concrete list of projects to be developed under the bond program?
 - a. Roughly, what was the breakdown between projects specifically called out in the bond language vs. those that had to be identified subsequent to bond passage?
 - b. How was this process staffed? Were any staff from outside departments, private contractors, or community representatives involved in this process?
 - c. Roughly how long did this process take from start to finish? Did the project selection process fall into the anticipated timeline outlined for the bond program?

Project Implementation

6. Once a list of projects for development under the bond was/is identified, what steps were/will be taken to achieve all necessary city, state, or federal permits or approvals that were/are anticipated to be required in order for the project(s) under this bond to move forward? *(Our goal is to make a flow chart of the process, so discuss in terms of interactions, review cycles, and also timing).*

Project Status

7. What is the current status of the project(s) in terms of development phase, schedule, and budget?
8. Are there any unique or exceptional circumstances which affected the timing of this/these project(s)?

B. Project Planning and Design

1. Let's focus on conceptual planning and design review. Who takes these projects from the conceptual stage to design drawings and construction documents?
2. How are these projects prioritized within the workflow of the staff per above question?
3. Are there sufficient resources (staff) to design these projects?
4. Do staff meet with other departments responsible for reviewing the designs prior to submittal?

C. Environmental Review

5. Let's focus on environmental review. How and at what point were/are these projects assessed for environmental impact initially, if at all? Who does the initial environmental checklist to determine the environmental review process?
6. Were there any environmental review steps which caused delays?

D. Public Engagement and Other Stakeholders

Another contractor is researching the public engagement process in more depth than BAE. However, we are interested in public engagement in terms of how it affects the review, approval, and permitting process for these projects.

7. Please describe the stakeholder groups involved in these projects and their review processes.
8. Are there other review steps in either the physical or public engagement process which slowed down the project?

E. Other City, State, or Federal Departments/Agencies

9. What other city departments and/or agencies reviewed or co-coordinated these projects during the planning, design, contracting, or construction phases?

F. Contracting

10. Please describe the process used to contract for construction (or the planning or design, if applicable) of these projects. Is there a pool of contractors, or is each project

individually bid out? How are bid documents prepared and by whom? How much time is allowed for bidders to respond? What happens after the successful bidder is chosen? How are project costs monitored?

11. How is the project's construction approved and finalized?

G. Methods to Reduce Project Delays

12. Are there methods currently in place in your department to reduce project delays resulting from project permitting and approval?

13. Do you have any recommendations for how the City of _____ could obtain a better, or shorter or less expensive outcome in terms of delivering these bond-funded projects?

APPENDIX E: SUMMARY DATA FOR COMPARISON CITIES

Summary Data for Comparison Jurisdictions

City	Population (a)	Jobs (b)	Size Sq. Mi.	Pop./ Sq. Mi.	Jobs/ Sq. Mi.	Total City Budget 12/13 (b)	Budget/ Per Capita (c)	Outstanding GO Bonds (d)	GO Bonds/ Per Capita	Credit Rating (e)	Government Structure	Citizen Oversight	Notes
San Francisco	805,235	617,748	47	17,169	13,172	\$7,354,311,247	\$9,133	\$1,293,281,219	\$1,606	AA	City/County	Yes	GO Bonds approved by voters to fund a variety of capital facilities and other public projects.
Other Bay Area Jurisdictions													
Fremont	214,089	79,748	88	2,444	910	\$133,500,000	\$624	\$46,980,000	\$219	NA	City	NA	GO Bonds approved by voters to fund a variety of capital facilities projects.
San Jose	945,942	378,095	180	5,261	2,103	\$3,302,662,089	\$3,491	\$441,000,000	\$3,491	AAA	City	Yes	GO Bonds approved by voters to fund a variety of capital facilities projects.
Other California Jurisdictions													
San Diego	1,322,553	811,364	372	3,552	2,179	\$1,128,388,274	\$853	\$2,314,480	\$1.8	AA-	City	NA	GO Bonds approved by voters to fund a variety of capital facilities projects.
Los Angeles	3,792,621	1,883,616	469	8,087	4,016	\$7,200,000,000	\$1,898	\$3,300,000,000	\$870	AA-	City	Yes	GO Bonds approved by voters to fund a variety of capital facilities projects.
Jurisdictions Outside California													
New York	8,336,000	4,272,925	303	27,544	14,119	\$65,910,000,000	\$7,907	\$41,560,000,000	\$4,986	AA	City	No	Primarily used for capital projects; not necessarily voter approved. State law allows certain agencies to issue bonds for capital programs up to a defined statutory limit.
Boston	626,000	563,832	48	12,926	11,642	\$2,395,000,000	\$3,826	\$502,000,000	\$802	AA+	City/State Capital	NA	Commonwealth of Massachusetts law allows the city to issue bonds for capital projects without voter approval.
Seattle	620,778	500,052	143	4,356	3,509	\$4,200,000,000	\$6,766	\$200,000,000	\$322	AA+	City	Yes	City issues Limited Tax Refunding and Improvement Bonds (LTGO) or Unlimited Tax General Obligation Bond (UTGO) which may be used for a variety of purposes from capital projects to municipal debt restructuring.
Denver	619,968	457,494	155	4,002	2,953	\$1,460,000,000	\$2,355	\$895,649,000	\$1,445	AAA	City/County	Yes	City/County issues voter-approved General Obligation bonds for a variety of purposes including capital facilities, health and human services and public safety.
Austin	820,000	582,063	297	2,761	1,960	\$3,100,000,000	\$3,780	\$800,000,000	\$976	N/A	City/State Capital	NA	City issues voter-approved General Obligation Bonds for affordable housing, capital facilities, and a range of other purposes.
Portland	583,776	427,261	145	4,026	2,947	\$3,748,537,497	\$6,421	\$815,963,362	\$1,398	N/A	City	Yes	Oregon local governments can issue GO bonds for capital projects if authorized by a ballot election.

Notes:
(a) US Census, 2010.
(b) Total jobs in each jurisdiction per US Census ACS, 2011.
(c) Includes general fund and all enterprise and other special funds.
(d) San Francisco per capita budget is relatively high in part due to the combined City/County structure.
(e) Total outstanding bond debt as of end of FY 2011/2012.
(f) Fitch, 2010, and updated as available.
Source: BAE, 2013.

APPENDIX F: SUMMARY OF CCSF ENVIRONMENTAL REVIEW PROCESS



SAN FRANCISCO
PLANNING
DEPARTMENT

GENERAL PLANNING INFORMATION

Environmental Review Process Summary

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

Date:
March 17, 2011

Subject:
**Environmental Review under the California
Environmental Quality Act**

Cal. Pub. Res. Code Section 21000 et seq.; CCR Title 14,
Section 15000 et seq.; and San Francisco Admin. Code
Chapter 31

Introduction

The California Environmental Quality Act (CEQA) was enacted in 1970 in response to the growing awareness that environmental impacts must be carefully considered in order to avoid unanticipated environmental problems resulting from development or planning efforts. The environmental review process provides decision-makers and the general public with an objective analysis of the immediate and long-range specific and cumulative impacts of a proposed project on its surrounding physical environment. In California, environmental review is two-fold in purpose: to disclose the impacts of a project and to ensure public participation.

Environmental review under CEQA is administered for all departments and agencies of the City and County of San Francisco by the Environmental Planning division of the Planning Department (the Department). Projects subject to CEQA are those actions that have the potential for resulting in a physical change of some magnitude on the environment and that require a discretionary decision by the City, such as public works construction and related activities, developments requiring permits (which in San Francisco are discretionary and thus not exempt from CEQA), use permits, activities supported by assistance from public agencies, enactment and amendment of zoning ordinances, and adoption or amendment of the General Plan or elements thereof. No action to issue permits, allocate funds, or otherwise implement a discretionary project may be taken until environmental review is complete.

Projects requiring analysis in environmental impact reports (EIRs) are generally complex major public or private development proposals, or those projects that could potentially have a significant impact on the physical environment.

Exemption from Environmental Review

The environmental review process begins with a determination by the Department as to whether or not a discretionary action by the City falls within a class of projects that are exempt from environmental evaluation pursuant to CEQA Statutes and Guidelines. Projects that are exempt generally include small-scale new construction or demolition, some changes of use, some additions, and other generally small-scale projects. These projects are enumerated in the *Categorical Exemptions from the California Environmental Quality Act*, adopted by the San Francisco Planning Commission (the Commission) on August 17, 2000.

Some small projects may be issued environmental exemptions over the counter at the Planning Information Center (PIC), 1660 Mission Street, First Floor, or may be referred to Environmental Planning staff. In the latter case, the project sponsor (private applicant or government agency) submits an *Environmental Evaluation (EE) Application* to the Environmental Planning intake planner, along with a fee (see *Schedule of Application Fees*).

If the proposed project involves the major alteration or demolition of a property more than 50 years old, the project sponsor will need to file a *Historical Resource Evaluation – Supplemental Information Form* with the *EE Application* so that Department staff can evaluate whether the proposed project would result in impacts on historical resources.

Project sponsors also need to submit a Tree Disclosure Statement with the *EE Application*. Other materials, such as technical reports, may be required on a case-by-case basis. Refer to Special Studies, below.

Community Plan Exemption

Per Section 15183 of the State CEQA Guidelines, community plan exemptions from CEQA review may be issued for projects within adopted plan areas. These exemptions may be issued for larger projects that would not otherwise be exempt, if they are determined not to create significant impacts beyond those identified in the applicable area plan EIR.

Exemption Timeline

A determination of exemption is generally processed in a minimum of two weeks; however, projects that require historical review or other supplemental data may take two months or longer to process, based on factors such as changes in the proposed project, supplemental data requirements, and staff case load.

Appeal of Exemption

A determination of exemption may be appealed to the Board of Supervisors (the Board). The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Environmental Review

Please note that some moderate to large projects (e.g., those that create six or more dwelling units and those that create or add 10,000 square feet to a non-commercial building) are required to submit a *Preliminary Project Assessment (PPA) Application* prior to submitting an *EE Application*.

ENVIRONMENTAL EVALUATION APPLICATION

For projects not exempt from environmental evaluation, the project sponsor (private applicant or government agency) files a completed *EE Application* by appointment with the assigned Environmental Planning application intake planner along with a fee based on the construction cost of the proposed project. The Department's *Schedule of Application Fees* and contact information for the intake planner are available online at sfplanning.org, and at the PIC, 1660 Mission Street, First Floor, or by calling (415) 558-6377. The *EE Application* may be filed prior to or concurrently with the building permit application.

SPECIAL STUDIES

To assist Department staff in the environmental evaluation process, the project sponsor may be required to provide supplemental data or studies to the *EE Application* intake planner to address potential impacts on soils, transportation, biological resources, wind, hazards, shadows, noise, air quality, or other issue areas. If a shadow study is required, the project sponsor files a *Shadow Analysis Application* along with a fee (see *Schedule of Application Fees*), and Department staff prepares a shadow fan analysis. If a transportation study is required for impact analysis, the project sponsor submits two fees: one to the Department and one to the Municipal Transportation Agency (see the Department's *Schedule of Application Fees*). Fees are generally non-refundable and are in addition to costs paid by the project sponsor for consultant-prepared reports (see Consultants, below).

INITIAL STUDY

After the project sponsor submits a completed *EE Application*, Department staff prepares an initial study for the proposed project. Projects are evaluated on the basis of the information supplied in the *EE Application*,

any additional information required from the applicant, research, and contact with affected public agencies, citizens groups, and concerned individuals, all by or under the direction of Environmental Planning staff. Initial studies for some large or complex projects may need to be prepared by a consultant rather than by Department staff.

NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION

If the initial study determines that the proposed project would not have a significant effect on the environment, a preliminary negative declaration (PND) is issued, advertised in a local newspaper, posted at the Department, on its website, and on the subject site, and mailed to various parties as requested.

If the initial study determines that the project would result in significant impacts on the environment, but that such impacts could be reduced to a less-than-significant level through mitigation measures, Environmental Planning staff issues a preliminary mitigated negative declaration (PMND), provided that the project sponsor agrees to implement the mitigation measures.

Appeal of PND or PMND

During the 20 (or 30 if required by CEQA) calendar days after legal advertisement of the PND or PMND issued by the Department, concerned parties may comment on the adequacy of the PND or PMND, request revisions or appeal the determination, and/or request preparation of an EIR. Appeals must be in the form of a letter to the Environmental Review Officer stating the grounds for the appeal and must include an appeal fee (see *Schedule of Application Fees*). The Commission will decide the appeal at an advertised public hearing. The Commission may (1) sustain the PND or PMND as written, (2) amend the PND or PMND, or (3) require that an EIR be prepared.

If no appeal is filed within 20 or 30 calendar days, any substantive comments related to environmental effects will be incorporated into the final negative declaration (FND) or final mitigated negative declaration (FMND), which is signed by the Environmental Review Officer and issued. Approval decisions may then be made on the project.

Appeal of FND or FMND

FNDs and FMNDs are appealable to the Board. The procedures for filing an appeal of an FND or FMND determination may be obtained from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Negative Declaration Timeline

A minimum timetable for the negative declaration (ND) or mitigated negative declaration (MND) process is about six months; the timetable may be six to twelve months or longer based on factors such as changes in the proposed project, staff case load, supplemental data requirements, whether the document is appealed, and – where consultant work is required – quality of work.

ENVIRONMENTAL IMPACT REPORT

Before or during the initial study process, the Department may determine that the project could have a significant effect on the environment and that an EIR is required. The determination that an EIR is required is published in a local newspaper, posted at the Department, at the subject site, and on the sfplanning.org website, and mailed to various parties.

Administrative Draft EIR

If an EIR is required, the project sponsor must have an administrative draft EIR (ADEIR) prepared by a qualified environmental consultant and submitted to Department staff. Fees for processing the EIR are billed when staff advertises the EIR notice of preparation, and are payable upon submittal of the first ADEIR. This first administrative draft is reviewed by Environmental Planning staff in consultation with other relevant Department staff and public agencies. Two or three revisions of the ADEIR are often required for completion of research and verification of accuracy before the material is ready for publication.

Draft EIR Publication and Public Hearing

When staff determines that the ADEIR is acceptable for publication, the Department assumes authorship, authorizes publication of the draft EIR (DEIR), and advertises in a local newspaper and with on-site posting that the DEIR is available for public review, will be considered by the Commission at a specified public hearing, and what, if any, significant impacts are identified in the DEIR. The public hearing before the Commission occurs at least 30 days after publication of the DEIR. The purpose of the hearing is to receive

testimony related to the accuracy and completeness of the DEIR; written comments are also accepted during the review period, which extends at least five days beyond the hearing.

Final EIR Certification

Following the DEIR hearing, a comments and responses document is prepared to respond to all substantive issues raised in the written and oral testimony. The document is distributed to the Commission, commentors, and others as requested. After reviewing the comments and responses document, including any revisions to the DEIR and incorporation into the EIR of any further changes requested by the Commission, the Commission certifies at a public meeting that the final EIR (FEIR) has been completed in compliance with State law, and determines whether the project would or would not have a significant effect on the environment. It is important to note that certification does not approve or disapprove a project, but rather concludes that the EIR complies with CEQA and provides environmental information regarding the proposed project to serve as one of the elements upon which a reasoned decision is based.

If the Commission determines that the proposed project would have a significant effect on the environment, it may approve a project in one of two ways: (1) require changes in the project to reduce or avoid environmental damage if it finds such changes feasible (generally via alternatives and/or mitigation), or (2) find that changes are infeasible and make a statement of overriding considerations. CEQA requires decision-makers to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of a proposed project would outweigh the unavoidable adverse environmental effects, those adverse effects may be considered “acceptable.” The Commission must, in such cases, state in writing the specific reasons to support its action based on the FEIR and/or other information in the record.

Appeal of EIR

The certification of an FEIR is appealable to the Board. Any person or entity that has submitted comments to the Commission or to the Environmental Review Officer may appeal the Commission’s certification of the FEIR to the Board within 20 calendar days after that certification. Appeals must be in the form of a letter to the Board stating the grounds of the appeal, with submittal of an appeal fee (see *Schedule of Application Fees*).

Upon review by the Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months. The Board may reject by motion an appeal that fails to state proper grounds for the appeal. The Board must act on valid appeals at an advertised public hearing, which must be scheduled within 30 calendar days after the Commission's certification of the FEIR, but may in certain circumstances extend such time period up to 90 calendar days from the date of filing the appeal. The Board may affirm or reverse the certification by the Commission by a majority vote. If the Board affirms the Commission's certification, the FEIR is considered certified on the date upon which the Commission originally certified the FEIR. If the Board reverses the Commission's certification, the Board must make specific findings and remand the FEIR to the Commission for further action consistent with the Board's findings. The Commission must take such action as may be required by the Board and consider recertification of the EIR. Only the new or revised portions of the FEIR may then be appealed again to the Board.

EIR Timeline

A minimum timeline for the EIR process is 18 months; the period is variable, however, based on factors such as changes in the proposed project, staff case load, supplemental data requirements, quality of consultant work submitted to the Department, nature and volume of the DEIR comments, and whether the FEIR is appealed.

NOTICES OF EXEMPTION/ DETERMINATION

For projects that are exempt from environmental evaluation, the project sponsor may request that a notice of exemption (NOE) be filed after the project is approved. Though not required, the NOE shortens the statute of limitations for legal challenges under CEQA from 180 calendar days to between 30 and 35 calendar days.

A notice of determination (NOD) may be filed upon approval of a project for which an ND, MND, or EIR has been prepared. The filing of an NOD starts a 30-calendar day statute of limitations on court challenges to the approval under CEQA. If no NOD is filed, the statute of limitations is 180 calendar days.

The NOE or NOD must not be filed until after the project is approved but within five working days of project approval. It is possible that several NODs may be needed for one project if the project requires multiple approvals at different times. To file an NOE or NOD, the project sponsor must submit a fee to the County Clerk. A higher fee established by the State Department of Fish and Game is required for filing an NOD for a project that may result in an adverse impact on sensitive species, sensitive habitat, or wildlife migration.

Consultants

The project sponsor may retain or be required to retain environmental consultants to prepare an initial study, ND, MND, EIR, and other environmental documents or studies. The Department has established pools of qualified consultants with expertise in the preparation of environmental, transportation, historical resource, and archeological resource documents. If required for project analysis, the document must be prepared by a consultant who is included in the respective consultant pool. While the project sponsor pays all costs for preparation of the necessary consultant-prepared documents, the Department scopes, monitors, reviews, and approves all work completed by consultants.

For More Information

The following reference materials, applications, and forms are currently available at the Planning Information Center, 1660 Mission Street, First Floor, and on the Department's website, sfplanning.org:

→ **Preliminary Project Assessment (PPA)**

Application – Must be submitted prior to the EE Application if the project would create six or more dwelling units or create/add 10,000 square feet to a non-residential building.

The PPA process provides project sponsors with early feedback for environmental review and other Department requirements before development applications are filed. This early viewing of the project provides sponsors with early feedback and procedural instructions, and also allows staff to coordinate early in the development process.

→ **Environmental Evaluation (EE) Application**

– May need to be filed to determine whether projects are environmentally exempt or require environmental review.

→ **Historical Resources – Supplemental**

Information Form – May need to be filed with the EE Application.

→ **Categorical Exemptions from the California Environmental Quality Act** – Lists the types of projects that are exempt from environmental evaluation.

→ **San Francisco Preservation Bulletin No. 16: CEQA and Historical Resources** – Provides direction and guidance for the environmental evaluation of historic resources.

→ **Initial Study Checklist** – Provides a template for the Initial Study, and also serves to scope an EIR by determining which topics require more extensive review and which do not.

→ **Shadow Analysis Application** – Determines whether new structures above 40 feet in height would cast shadows on San Francisco Recreation and Parks Department properties.

→ **Transportation Impact Analysis Guidelines for Environmental Review** – Aids consultants in preparing transportation impact analyses for NDs, MNDs, and EIRs.

→ **Schedule of Application Fees** – Lists Department fees, including fees for exemptions, initial studies, environmental impact reports, and appeals of environmental determinations. Some fees are based on the construction cost of a proposed project, others are flat fees, and some are based on the cost of time and materials for environmental review processing.

General inquiries regarding environmental review should be directed to Environmental Planning at (415) 575 9025. For information regarding a specific project undergoing environmental review, contact the assigned planner (call the PIC at (415) 558-6377 to request the name and number of the assigned environmental planner).



SAN FRANCISCO
PLANNING
DEPARTMENT

FOR OTHER PLANNING INFORMATION: Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**

FAX: **415.558.6409**

WEB: <http://www.sfplanning.org>

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*