

SAN FRANCISCO PUBLIC UTILITIES COMMISSION INFRASTRUCTURE CONSTRUCTION MANAGEMENT PROCEDURES	
SECTION: SFPUC INFRASTRUCTURE CONSTRUCTION MANAGEMENT	APPROVED: 
PROCEDURE NO: 039	DATE: 6/7/2019
TITLE: ENVIRONMENTAL MINOR PROJECT MODIFICATION (MPM)	REVISION: 1

1.0 Policy

A Minor Project Modification (MPM) is a document that is prepared when the need to request a minor modification from an aspect of the project's environmental requirements is realized. Therefore, MPMs shall be carefully considered, prepared, and reviewed in a technically sound manner in conformance with this procedure.

This procedure applies to all personnel working on the SFPUC Infrastructure Construction Management (CM) Program to the extent that their work is affected by these CM Procedures and does not conflict with specific San Francisco Public Utilities Commission (SFPUC) policies or the contract under which the work is executed.

2.0 Description

This procedure establishes the requirements for the process, coordination of review and response, and retention of MPMs. The procedure describes the processing of a MPM from its original preparation by the Environmental Compliance Manager (ECM) through (a) final approval, (b) approval with conditions, or (c) denial and eventual disposition in Document Controls retention.

3.0 Definitions

3.1 Minor Project Modifications (MPM)

A MPM is a document prepared by the ECM for a modification from some aspect of the project's environmental requirements. MPMs may require a determination of compliance with federal or state regulations such as the National Historic Preservation Act (for which the US Army Corps of Engineers has a regulatory responsibility) or the federal or state endangered species acts.

There are several reasons why an MPM might be warranted, these include but are not limited to:

Modification of a project's California Environmental Quality Act (CEQA) Mitigation Measures.

For examples:

1. Modification of contractor's work hours.
2. Modification of a seasonal constraint (e.g., if a contractor needs to remove or trim trees during the bird breeding season).

Substantial change of the CEQA project description.

For example:

1. If a contractor, SFPUC, or SFPUC representative determines the need for workspace outside of the project's footprint as defined in the CEQA project description (e.g., staging area, yard, parking area, new access road, truck turnaround, spoil storage or disposal area, etc.).

Modification of what was submitted in the project's environmental permit applications or required in the project's environmental permit requirements or other regulatory documents (e.g., USFWS Biological Opinion).

For example:

1. If a contractor determines that plywood (snake) fencing can't be buried 6 inches per the project's USFWS Biological Opinion due to a conflict with surface tree roots.
2. If the contractor determines that a stream crossing method described in the project's California Department of Fish and Game 1602 permit needs to be modified.

Initially the need for an MPM is determined during the ECM's review of a Value Engineering Change Proposal (VECP), Proposed Change Order (PCO) or other determination for the need of a project modification (e.g., SFPUC determination). During review of the VECP or PCO, the ECM will determine if the VECP or PCO requires an MPM.

The process for the ECM, ECCM and RE determining whether to pursue an MPM is included in the VECP process. In summary, when reviewing a VECP or PCO, the ECM will coordinate with the ECCM to determine the feasibility, timing, and impacts related to obtaining a modification. The ECM will then provide advice to the RE on the feasibility and timing for obtaining a modification. It is the RE's decision whether to process an MPM. If the RE, in coordination with the ECCM, determines that a modification is required, warranted, and can be obtained in time to meet construction's needs, then the ECM will prepare and process an MPM.

3.2 MPM Review

The ECCM must review all MPMs as they may involve compliance with Federal and state regulations or concurrence from CEQA Lead Agency and/or permitting agencies. The MPM could also require providing additional acres of compensation lands if protected species habitat is involved.

Example of MPMs:

- Request for use of a two-track dirt road (i.e., dirt road that doesn't show evidence as having been bladed or graded).
- Request for use of a staging area or yard in a plowed or cultivated agricultural field.
- Request for use of a well in a plowed or cultivated agricultural field that is accessed via a two-track dirt road.
- Request for use of extra workspace to store spoil, materials, or equipment outside of approved construction work limits.
- Request to create a truck turnaround or pull out area adjacent to an existing paved or graded or graveled road.
- Request to obtain water from a farmer or rancher's well.
- Request to create a new access road outside of the approved construction work limits to access a staging area, yard, parking area, well, etc.
- Request to work outside of the hours specified in the project's mitigation measures.
- Request to work inside a creek outside of the timeframe specified in the project's permits or mitigation measures.

3.3 MPM Denial

MPMs can be denied if it is determined that the activity under review could potentially cause an impact to resources, including biological or cultural.

Example of denied MPMs:

- Request for use of extra workspace to store spoil, materials, or equipment is denied because it is directly adjacent to a wetland that may be habitat for sensitive animal species.
- Request to utilize a nearby farmers stock pond as a source of water for dust control is denied, as the pond may be habitat for sensitive animal species.
- Request for an extra workspace to store spoil, materials, or equipment is denied because the cultural survey performed as part of the MPM process determines that there is a cultural site located in that location.

4.0 Responsibilities

4.1 Environmental Compliance Manager (ECM)

The ECM is responsible for reviewing VECP, Change Orders, and other project proposed modifications to determine if the requests will result in a California Environmental Quality Act (CEQA), permit, or Biological Opinion modification and, if required, for preparing and processing an MPM.

4.1.1 Processing of the MPM includes ordering the required biological or cultural surveys and reports.

4.1.2 The ECM is also responsible for advising the RE on the feasibility of obtaining a modification and the consequential impacts.

4.2 Environmental Construction Compliance Manager (ECCM)

The Environmental Construction Compliance Manager (ECCM) is responsible for assisting the ECM in determining the feasibility and impacts of requesting a CEQA or permit modification and to assist in advising the RE of the findings.

4.2.1 The ECCM is responsible for submitting MPMs to jurisdictional agencies and CEQA Lead Agency.

4.3 Environmental Project Manager (EPM)

Prior to the start of construction activities, the EPM in the SFPUC Bureau of Environmental Management is responsible for providing the ECM with documentation that identifies the areas that have been previously surveyed for biological and cultural resources and the survey results.

4.3.1 The EPM is also responsible for providing the ECM with documentation of the project's cultural Area of Potential Effect (APE).

4.4 Resident Engineer (RE)

The RE is responsible for determining if an MPM is warranted. Concurrence from the RE for the processing of an MPM is required prior to initiating an MPM and ordering/requesting the corresponding biological and/or cultural surveys and reports.

4.5 Office Engineer (OE)

The OE is responsible for noting the requirement for an MPM on the corresponding VECP or PCO.

4.6 Administrative/Document Control Specialist

The ADCS is responsible for assigning the file code and filing the MPM into the appropriate project files once it has been approved, approved with conditions, or denied.

5.0 Implementation

In response to a VECP, Change Order, or other request initiated by the CM team or City Representative, the ECM initiates an MPM by completing an MPM form (Attachment 039 – 2).

ECM determines if an MPM is required.

5.1 MPM Initiation

5.1.1 In response to a VECP Order, Proposed Change Order, or request initiated by the CM team or City Representative, the ECM initiates an MPM. If an MPM is required, ECM determines if biological and cultural surveys are required (i.e., is the area within previously surveyed biological or cultural corridor and is the area within the cultural Area of Potential Effect) by reviewing project supporting documentation available from the project's EPM.

5.1.2 Biological Survey:

- If required, ECM requests that a new survey is performed and obtains report containing survey results and recommended conditions (i.e., mitigation) as applicable.
- If not required, ECM to provide documentation of previous survey and results.

5.1.3 Cultural Survey:

- If required, ECM requests that a new survey is performed and obtains report containing survey results and recommended conditions (i.e., mitigation) as applicable.
- If not required, ECM to provide documentation of previous survey and results including documentation that requested area is within project's APE.

5.2 ECM Submittal

ECM submits an MPM and supporting reports (i.e., cultural or biological) that require resource agency review or concurrence to the ECCM once they are complete. Reports should also include any proposed conditions, maps, and photographs, as applicable.

5.3 ECCM Submittal

ECCM submits the applicable documentation to the resource agencies and/or CEQA Lead Agency for review.

5.4 ECCM Transmittal

ECCM returns the MPM to the ECM with backup documentation (i.e. concurrence or denial) from the applicable jurisdictional agencies and/or CEQA Lead Agency. ECCM will return MPMs as (a) approved, (b) approved with conditions, or (c) denied.

5.5 OE Transmittal

The ECM forwards approved, approved with conditions, or denied MPM to the OE.

5.6 RE Notification

Once the MPM receives all approvals, the ECM will notify the RE that the requested activity can commence.

5.7 Document Retention

The OE forwards to the ADCS who files a complete copy of the MPM in the project hardcopy and appropriate Document Records Folder in CMIS.

6.0 Other Procedural Requirements

None

7.0 References

7.1 Technical Specifications

None

7.2 SFPUC Infrastructure CM Procedures

No. 009 Value Engineering Change Proposal (VECP)

No. 011 Construction Change Management

7.3 Other

None

8.0 Attachments

039 - 1 Minor Project Modification Form

039 - 2 Revision Control Log

Attachment 039 – 1
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Minor Project Modification Form

<Insert Program Logo Here>	SAN FRANCISCO PUBLIC UTILITIES COMMISSION <Insert Program Title Here>	<Insert Program Logo Here>
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Minor Project Deviation Number: _____ Date: _____

Project Title: _____

MEA Case No./Project No. _____

MPD Prepared By: _____

MPD Triggered By: VECP PCO Other: _____

Landowner: SFPUC Other: _____

Vegetative Cover/Land Use: _____ Net Acreage Affected: _____

Deviation From: Mitigation Measure: _____ Other: _____

Permit: _____

Detailed Description of Minor Project Deviation:

Attachments:

Biological <input type="checkbox"/> Yes <input type="checkbox"/> No	Cultural <input type="checkbox"/> Yes <input type="checkbox"/> No	Photos <input type="checkbox"/> Yes <input type="checkbox"/> No	Other <input type="checkbox"/> Yes <input type="checkbox"/> No
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Resources:

Biological No Resources Present Resources Present NA

Previous Biological Survey Report Reference: _____

Cultural No Resources Present Resources Present Within Project APE

NA (paved/graveled area and no ground disturbance)

Previous Cultural Survey Report Reference: _____

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Minor Project Modification Form

Conditions of Approval or Reasons for Denial

SFPUC Required Signatures for Environmental Approval:	
ECCM: _____	Date: _____
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions (see conditions above) <input type="checkbox"/> Denied	
SFPUC agrees that Contractor will abide by the mitigation measures detailed in the CEQA document and project permit requirements and have appropriate Specialty Environmental Monitors present where required.	

MEA Required Signatures for Approval:	
Signee: _____	Date: _____
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions (see conditions above) <input type="checkbox"/> Denied	

CEQA SECTION	Applicable	(Y) Define Potential Impact or (N) Briefly Explain Why CEQA Section isn't Applicable
Geology, Soils and Seismicity	<input type="checkbox"/> Y <input type="checkbox"/> N	
Hazardous Materials and Waste	<input type="checkbox"/> Y <input type="checkbox"/> N	
Hydrology	<input type="checkbox"/> Y <input type="checkbox"/> N	
Cultural Resources	<input type="checkbox"/> Y <input type="checkbox"/> N	
Traffic and Circulation	<input type="checkbox"/> Y <input type="checkbox"/> N	
Air Quality	<input type="checkbox"/> Y <input type="checkbox"/> N	
Noise and Vibration	<input type="checkbox"/> Y <input type="checkbox"/> N	
Visual Resources	<input type="checkbox"/> Y <input type="checkbox"/> N	
Vegetation and Wildlife	<input type="checkbox"/> Y <input type="checkbox"/> N	

**Attachment 039 - 2
Revision Control Log**

Revision No.	Revision Date	What changed?
Rev 1	6/7/19	<ul style="list-style-type: none">• Minor format changes;• Attachments revised;• Revision Control Log updated.
Rev 0	11/14/16	Signed