



Site Mitigation Program Updates

July 1, 2026

Dear Community and Business Partners,

As we come into the new fiscal year, our City continues to face significant challenges. Public health, affordable housing, and economic recovery all place heavy demands on limited resources. Protecting San Franciscans from contamination while facilitating development requires navigation of a layered technical, legal, and operational landscape, all during significant budget deficits.

Despite these challenges, our small program continues to make meaningful changes. We keep permits and cases moving, while making program improvements to help residents, businesses, and our City partners. Some changes may feel like added steps, but rest assured, we are just bringing greater clarity to an already complex system that is designed to serve you.

With limited resources, it takes real expertise and determination to balance daily work with ongoing improvements. We hope you recognize the care behind these changes and the benefits they aim to deliver.

Thank you for your understanding and continued partnership. Should you have any questions, comments, or submittals, please contact us at (415) 252-3800 or dph-sitemitgeneral@sfdph.org.

Sincerely,

Site Mitigation Program

Program Name Change

We are pleased to share that **we are now called the Site Mitigation program.**

Our program is colloquially called the Maher Program, named after the District Supervisor who originally sponsored Health Code 22A. Formally, we were the Environmental Health Branch, Contaminated Site Assessment and Mitigation Program (EHB-SAM). Our program implements more than just Health Code 22A, and we'd like our name to reflect that in simpler language. Our new name is effective as of July 1, 2026.

New Application Eligibility Letter (AEL)

Upload an Application Eligibility Letter (AEL) with your building permit.

An AEL is a letter issued by the Site Mitigation program specifically for the permitting process. It indicates a project has met Health Code 22A prerequisites for completeness check.

Health Code 22A prerequisites differ by permit type. Previously, our regulatory letters were used to determine prerequisite completion. Since our regulatory letters focus on technical and regulatory aspects of the SMED case, they can be difficult to use to determine whether Health Code 22A prerequisites have been satisfied. The AEL was developed to quickly communicate that that a project has met the appropriate prerequisites for permitting.

Our program will begin issuing AELs as of July 1, 2026. Our regulatory letters will still be accepted for review in completeness check.

New Website

Our webpages have been significantly improved for understanding and transparency in our process.

We have many business and community stakeholders who must plan to meet Health Code requirements for the success of their projects. We strive to translate complex city processes that require specialty knowledge into language that everyone can understand. Since migration onto SF.gov, we continue to improve the information and structure of our website to facilitate understanding.

New Submittals and Compliance Sequence

New submittals and compliance sequence help clarify existing requirements, and create a clearer path to building occupancy and permit completion.

Applicants are now allowed to demonstrate that their building is safe to occupy to obtain Temporary Certificate of Occupancy (TCO), and to defer full completion of mitigation measures to Certificate of Final Completion and Occupancy (CFCO). When institutional controls are required, this change allows TCO to be issued potentially months sooner than CFCO.

To facilitate this, additional submittals are required. These submittals amount to the same level of reporting as before, just presented at different times. If engineering controls are implemented, an Engineering Control Plan (ECP) is required prior to permit issuance, and a Construction Quality Assurance (CQA) Report is required prior to TCO. The remainder of requirements, including an operations and maintenance plan, recording of a covenant and environmental restriction, a Site Mitigation Completion Report, and payment of all invoices, may occur as a condition of CFCO.

Previously, Applicants were required to demonstrate completion of all mitigation measures in order to obtain sign-off from Site Mitigation on TCO, including implementation of an institutional control. This often delayed TCO by months.

The ECP and CQA Report are both described on our website.

New Covenant and Environmental Restriction Materials

We have a new Covenant and Environmental Restriction template and instructions.

This update makes it easier to prepare and execute a Covenant and Environmental Restriction, with simpler template, clearer embedded instructions, and guidance on how the document should be prepared, notarized, and recorded.