



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2014.1473ENV  
 Project Address: 311 Grove Street  
 Zoning: Hayes-Gough NCT (Neighborhood Commercial Transit) District  
 40-X and 50-X Height and Bulk Districts  
 Block/Lot: 0809/020  
 Lot Size: 3,590 square feet  
 Plan Area: Market and Octavia Area Plan  
 Project Sponsor: 311 Grove Hayes Valley, LLC  
 c/o Jaqui Braver – DM Development  
 (415) 692-5065, [jaqui.braver@dm-dev.com](mailto:jaqui.braver@dm-dev.com)  
 Staff Contact: Michael Li  
 (415) 575-9107, [michael.j.li@sfgov.org](mailto:michael.j.li@sfgov.org)

1650 Mission St.  
 Suite 400  
 San Francisco,  
 CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
 Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The project site is on the south side of Grove Street between Franklin and Gough streets near the western edge of San Francisco’s Downtown/Civic Center neighborhood. The project site is in the Hayes-Gough NCT (Neighborhood Commercial Transit) District and on a through lot with frontage on both Grove and Ivy streets. The northern (Grove Street) half of the lot is in a 50-X Height and Bulk District, and the southern (Ivy Street) half of the lot is in a 40-X Height and Bulk District. The project site, which is paved but has been vacant since 1956, is currently being used as a surface parking lot. Auto repair, woodworking, and painting businesses occupied the project site prior to 1956.

(Continued on next page.)

### EXEMPT STATUS

Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

### DETERMINATION

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

  
 SARAH B. JONES  
 Environmental Review Officer

February 23, 2016  
 Date

cc: 311 Grove Hayes Valley, LLC, Project Sponsor  
 Supervisor London Breed, District 5  
 Carly Grob, Current Planner  
 Pilar LaValley, Preservation Planner

Historic Preservation Distribution List  
 Distribution List  
 Virna Byrd, M.D.F.  
 Exemption/Exclusion File

The proposed project consists of constructing a new eight-unit building that would be five stories and 52 feet tall on Grove Street and four stories and 43 feet tall on Ivy Street.<sup>1</sup> The tallest point of the building would be the top of the elevator penthouse at about 56 feet above the Grove Street sidewalk (the proposed elevator would stop at the highest residential floor; it would not provide access to the roof deck on the Grove Street side of the building). The first through fifth floors of the building would be occupied by a total of eight dwelling units. There would be one basement level with four parking spaces. Garage access via a garage door and a car elevator would be provided on Ivy Street. The existing curb cut on Ivy Street would be retained, and the existing curb cut on Grove Street would be removed. A total of eight Class 1 bicycle parking spaces would be provided. Usable open space for the residents of the proposed project would be provided in the form of a ground-level yard and two roof decks.

Construction of the proposed project would take about 13 months. The proposed building would rest on a mat foundation; no pile driving would be required. Construction of the proposed project would require excavation to a depth of nine feet below ground surface and the removal of about 1,200 cubic yards of soil.

## PROJECT APPROVAL

The proposed project would require the following approvals:

- **Rear Yard Modification; Permitted Obstructions and Ground-Floor Active Use Variances** (*Zoning Administrator*)
- **Site/Building Permit** (*Planning Department and Department of Building Inspection*)

The proposed project is subject to notification under Planning Code Section 312. If discretionary review before the Planning Commission is requested, the discretionary review decision constitutes the Approval Action for the proposed project. If no discretionary review is requested, the issuance of the building permit by the Department of Building Inspection constitutes the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

## COMMUNITY PLAN EXEMPTION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (a) are peculiar to the project or parcel on which the project would be located; (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which the project is consistent; (c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or (d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or

---

<sup>1</sup> Pursuant to Planning Code Section 263.20, the proposed building may exceed the height limit by one foot for every foot of additional floor-to-ceiling height in excess of 10 feet provided at the ground floor.

to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 311 Grove Street project described above, and incorporates by reference information contained in the Programmatic EIR for the *Market and Octavia Area Plan* (Market and Octavia PEIR).<sup>2</sup> Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Market and Octavia PEIR.

On April 5, 2007, the Planning Commission certified the Market and Octavia PEIR by Motion No. 17406.<sup>3,4</sup> The PEIR analyzed amendments to the *San Francisco General Plan (General Plan)* to create the *Market and Octavia Area Plan* and amendments to the Planning Code and Zoning Maps, including the creation of the Hayes-Gough NCT District. The PEIR analysis was based upon an assumed development and activity that were anticipated to occur under the *Market and Octavia Area Plan*. The proposed 311 Grove Street project is in conformance with the height, use, and density for the site described in the Market and Octavia PEIR and would represent a small part of the growth that was forecast for the *Market and Octavia Plan* area. Thus, the plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the proposed 311 Grove Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

The Hayes-Gough NCT District, lying west of Franklin Street and east of Laguna Street, is within walking distance of the San Francisco Civic Center. This mixed-use commercial district contains a limited range of retail uses that primarily cater to the immediate needs of the neighborhood. The few comparison goods that are provided attract clients from a wider area outside the neighborhood, mostly workers of, and visitors to, the nearby performing arts venues and the San Francisco Civic Center. In order to maintain the mixed-use character of the district, the zoning controls permit most commercial uses on the first and second floors and strongly encourage housing on and above the third floor.

In May 2008, subsequent to the certification of the PEIR, the Board of Supervisors approved and the Mayor signed into law revisions to the Planning Code, Zoning Maps, and *General Plan* that constituted the “project” analyzed in the Market and Octavia PEIR. The legislation created several new zoning controls, which allow for flexible types of new housing to meet a broad range of needs, reduce parking requirements to encourage housing and services without adding cars, balance transportation by considering people movement over auto movement, and build walkable whole neighborhoods meeting everyday needs. The *Market and Octavia Area Plan*, as evaluated in the PEIR and as approved by the Board of Supervisors, accommodates the proposed use, design, and density of the 311 Grove Street project.

---

<sup>2</sup> San Francisco Planning Department Case No. 2003.0347E, State Clearinghouse No. 2004012118.

<sup>3</sup> San Francisco Planning Department, *Market and Octavia Area Plan Final Environmental Impact Report*, Case No. 2003.0347E, certified April 5, 2007. This document is available online at [www.sf-planning.org/index.aspx?page=1714](http://www.sf-planning.org/index.aspx?page=1714), accessed January 6, 2016.

<sup>4</sup> San Francisco Planning Commission Motion No. 17406, April 5, 2007. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=568>, accessed January 6, 2016.

Individual projects that could occur in the future under the *Market and Octavia Area Plan* will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 311 Grove Street is consistent with and was encompassed within the analysis in the Market and Octavia PEIR. This determination also finds that the Market and Octavia PEIR adequately anticipated and described the impacts of the proposed 311 Grove Street project, and identified the mitigation measures applicable to the 311 Grove Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.<sup>5, 6</sup> Therefore, no further CEQA evaluation for the project is required. Overall, the Market and Octavia PEIR and this Certificate of Exemption for the proposed project comprise the full and complete CEQA evaluation necessary for the proposed project.

## PROJECT SETTING

The project vicinity is characterized by a mix of residential, retail, office, open space, and arts-related uses. The scale of development in the project vicinity varies in height from 20 to 390 feet. Existing development on the project block consists of two-, three-, and four-story, multi-unit residential buildings. Some of these buildings that front Gough, Grove, and Franklin streets have ground-floor retail or office uses. There is a two-story office building on the northeast corner of the project block. The Performing Arts Garage is on the north side of Grove Street across from the project site. This structure includes ground-floor retail uses. There is a six-story, multi-unit residential building on the south side of Ivy Street across from the project site. Davies Symphony Hall is half a block east of the project site, and the San Francisco War Memorial and Performing Arts Center, which includes the Herbst Theatre and the War Memorial Opera House, is half a block northeast of the project site. The San Francisco Civic Center occupies several city blocks on the east side of Van Ness Avenue; this complex of buildings includes the Bill Graham Civic Auditorium, the main branch of the San Francisco Public Library, the Asian Art Museum, the San Francisco Civic Center Courthouse, and San Francisco City Hall. These buildings surround the approximately 5.8-acre Civic Center Plaza.

The project site is well served by public transportation. Within one-quarter mile of the project site, the San Francisco Municipal Railway (Muni) operates the following transit service: the 5 Fulton, 5R Fulton Rapid, 6 Haight/Parnassus, 7 Haight/Noriega, 7X Noriega Express, 9 San Bruno, 9R San Bruno Rapid, 21 Hayes, 47 Van Ness, and 49 Mission/Van Ness bus lines; the F Market historic streetcar; and the J Church, KT Ingleside/Third Street, L Taraval, M Ocean View, and N Judah Muni Metro light rail lines.

## POTENTIAL ENVIRONMENTAL EFFECTS

The Market and Octavia PEIR analyzed environmental issues including: plans and policies; land use and zoning; population, housing, and employment; urban design and visual quality; shadow and wind; cultural (historic and archeological) resources; transportation; air quality; noise; hazardous materials; geology, soils, and seismicity; public facilities, services, and utilities; hydrology; biology; and growth inducement. The proposed 311 Grove Street project is in conformance with the height, use and density for the site described in the Market and Octavia PEIR and would represent a small part of the growth that

---

<sup>5</sup> Susan Exline, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2014.1473E, 311 Grove Street, October 27, 2015.

<sup>6</sup> Jeff Joslin, San Francisco Planning Department, Community Plan Exemption Eligibility Determination, Current Planning Analysis, Case No. 2014.1473ENV, 311 Grove Street, February 16, 2016.

was forecast for the area covered by the *Market and Octavia Plan*. Thus, the plan analyzed in the Market and Octavia PEIR considered the incremental impacts of the proposed 311 Grove Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia PEIR.

The Market and Octavia PEIR identified significant impacts related to shadow, wind, archeology, transportation, air quality, hazardous materials, and geology. Mitigation measures were identified for these impacts and reduced all of these impacts to less-than-significant levels with the exception of those related to shadow (impacts on two open spaces: the War Memorial Open Space and United Nations Plaza) and transportation (project- and program-level as well as cumulative traffic impacts at nine intersections; project-level and cumulative transit impacts on the 21 Hayes Muni line). A shadow fan analysis prepared by the Planning Department determined that the proposed project would not shadow any parks or open spaces.<sup>7</sup> At a height of 53 feet, the proposed project is not tall enough to substantially alter ground-level wind currents in a manner that would adversely affect public areas and result in a significant wind impact. Implementation of the proposed project would not involve the demolition of a building that was determined to be a historic resource. In addition, the architectural design of the proposed project would be compatible with the character of the Hayes Valley Residential Historic District.<sup>8</sup> For these reasons, the proposed project would not result in a significant impact on historic resources. Traffic and transit ridership generated by the project would not make a considerable contribution to the traffic and transit impacts identified in the Market and Octavia PEIR.

The Market and Octavia PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historic resources, hazardous materials, and transportation. **Table 1** lists the mitigation measures identified in the Market and Octavia PEIR and states whether each measure would apply to the proposed project.

**Table 1 – Market and Octavia PEIR Mitigation Measures**

Mitigation Measure	Applicability	Compliance
<b>A. Shadow</b>		
A1: Parks and Open Space Not Subject to Section 295	Applicable: Project exceeds a height of 50 feet.	<b>Completed:</b> The Planning Department generated a shadow fan and determined that the proposed project would not shadow any parks or open spaces.
<b>B. Wind</b>		
B1: Buildings in Excess of 85 Feet in Height	Not Applicable: Project does not exceed a height of 85 feet.	Not Applicable

<sup>7</sup> San Francisco Planning Department, *Shadow Fan Analysis for 311 Grove Street*, December 8, 2014.

<sup>8</sup> Pilar LaValley, San Francisco Planning Department, email to Michael Li, San Francisco Planning Department, January 13, 2016.

Mitigation Measure	Applicability	Compliance
B2: All New Construction	Applicable: Project involves new construction of a 53-foot-tall building.	<b>Completed:</b> The project sponsor has designed the proposed project to minimize its effects on ground-level wind conditions.
<b>C. Archeological Resources</b>		
C1: Soil-Disturbing Activities in Archeologically Documented Properties	Not Applicable: Project site is not an archeologically documented property.	Not Applicable
C2: General Soil-Disturbing Activities	Applicable: Project would include soil-disturbing activities.	<b>Completed:</b> The Planning Department has conducted a Preliminary Archeological Review and determined that the proposed project would have no effect on archeological resources.
C3: Soil-Disturbing Activities in Public Street and Open Space Improvements	Not Applicable: Project would not include soil-disturbing activities associated with public street or open space improvements.	Not Applicable
C4: Soil-Disturbing Activities in the Mission Dolores Archeological District	Not Applicable: Project site is not in the Mission Dolores Archeological District.	Not Applicable
<b>D. Transportation</b>		
D3: Traffic Mitigation Measure for Laguna/Market/ Hermann/Guerrero Streets Intersection (LOS D to LOS E PM peak-hour)	Not Applicable: Plan level mitigation by the San Francisco Municipal Transportation Agency (SFMTA).	Not Applicable
D4: Traffic Mitigation Measure for Market/Sanchez/ Fifteenth Streets Intersection (LOS E to LOS E with increased delay PM peak-hour)	Not Applicable: Plan-level mitigation by the SFMTA.	Not Applicable
D5: Traffic Mitigation Measure for Market/Church/ Fourteenth Streets Intersection (LOS E to LOS E with increased delay PM peak hour)	Not Applicable: Plan-level mitigation by the SFMTA.	Not Applicable

Mitigation Measure	Applicability	Compliance
D6: Traffic Mitigation Measure for Mission Street/Otis Street/South Van Ness Intersection (LOS F to LOS F with increased delay PM peak-hour)	Not Applicable: Plan-level mitigation by the SFMTA.	Not Applicable
<b>E. Air Quality</b>		
E1: Construction Mitigation Measure for Particulate Emissions	Not Applicable: Superseded by Construction Dust Control Ordinance.	Not Applicable
E2: Construction Mitigation Measure for Short-Term Exhaust Emissions	Applicable: Project site is in an Air Pollutant Exposure Zone.	The project sponsor has agreed to develop and implement a Construction Emissions Minimization Plan (see Project Mitigation Measure 1).
<b>F. Hazardous Materials</b>		
F1: Program- or Project-Level Mitigation Measures	Not Applicable: Superseded by Construction Dust Control Ordinance and federal, state, and local regulations related to abatement and handling of hazardous materials.	Not Applicable
<b>G. Geology, Soils, and Seismicity</b>		
G1: Construction-Related Soils Mitigation Measure	Not Applicable: Superseded by San Francisco Public Utilities Commission's Construction Site Runoff Ordinance (Public Works Code, Ordinance No. 260-13).	Not Applicable

Please see the attached Mitigation Monitoring and Reporting Program for the complete text of the applicable mitigation measures. With implementation of these mitigation measures, the proposed project would not result in significant impacts beyond those analyzed in the Market and Octavia PEIR.

#### PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was mailed on May 27, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. Comments received from the public expressed concerns related to impacts on vehicular access to and from adjacent properties; impacts of excavation and construction on the structural integrity of adjacent buildings; and impacts of construction dust on air quality. These concerns are considered and addressed in the CPE Checklist under the topics of Transportation and Circulation; Geology and Soils; and Air Quality, respectively. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Market and Octavia PEIR.

## CONCLUSION

As summarized above and further discussed in the attached Community Plan Exemption (CPE) Checklist:

1. The proposed project is consistent with the development density established for the project site in the *Market and Octavia Area Plan*;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Market and Octavia PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Market and Octavia PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Market and Octavia PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Market and Octavia PEIR to mitigate project-related significant impacts.

Therefore, the proposed project is exempt from further environmental review pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

**EXHIBIT 1: MITIGATION MONITORING AND REPORTING PROGRAM**

<u>Adopted Mitigation/Improvement Measures</u>	<b>MONITORING AND REPORTING PROGRAM</b>			
	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<p><b>MITIGATION MEASURES</b></p> <p><b><u>Project Mitigation Measure 1: Construction Air Quality (Implementing Market and Octavia PEIR Mitigation Measure E-2)</u></b></p> <p>A. <i>Engine Requirements.</i></p> <ol style="list-style-type: none"> <li>All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.</li> <li>Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</li> <li>Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location,</li> </ol>	Project sponsor, contractor(s).	Submit certification statement prior to construction activities requiring the use of off-road equipment.	Project sponsor, contractor(s), and the ERO.	Considered complete upon submittal of certification statement.

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation/Improvement Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<p>except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two-minute idling limit.</p> <p>4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.</p> <p>B. <i>Waivers.</i></p> <p>1. The Planning Department’s Environmental Review Officer (ERO) or designee may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for on-site power generation meets the requirements of Subsection (A)(1).</p>				

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation/Improvement Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<p>2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the table below.</p>				

**Table – Off-Road Equipment Compliance Step-down Schedule**

<b>Engine Emission Standard</b>	<b>Emissions Control</b>
Tier 2	ARB Level 2 VDECS
Tier 2	ARB Level 1 VDECS
Tier 2	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3. Alternative fuels are not a VDECS.

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation/Improvement Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<p>C. <i>Construction Emissions Minimization Plan.</i> Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.</p> <ol style="list-style-type: none"> <li>1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.</li> <li>2. The ERO shall ensure that all applicable</li> </ol>	Project sponsor, contractor(s).	Prepare and submit a Plan prior to issuance of a permit specified in Section 106A.3.2.6 of the San Francisco Building Code.	Project sponsor, contractor(s), and the ERO.	Considered complete upon findings by the ERO that the Plan is complete.

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation/Improvement Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
<p>requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.</p> <p>3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.</p> <p>D. <i>Monitoring.</i> After start of construction activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information</p>	<p>Project sponsor/ contractor(s).</p>	<p>Submit quarterly reports.</p>	<p>Project sponsor, contractor(s), and the ERO.</p>	<p>Considered complete upon findings by the ERO that the Plan is being/has been implemented.</p>

**MONITORING AND REPORTING PROGRAM**

<b>Adopted Mitigation/Improvement Measures</b>	<b>Responsibility for Implementation</b>	<b>Mitigation Action and Schedule</b>	<b>Monitoring/Reporting Responsibility</b>	<b>Monitoring Schedule</b>
--	--	---	--	--------------------------------

required in the Plan.