



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2014.0409ENV  
 Project Address: 1740-1770 Market Street  
 Zoning: NCT-3 (Moderate Scale Neighborhood Commercial Transit) District  
 85-X Height and Bulk District  
 Block/Lot: 0855/010  
 Lot Size: 13,123 square feet  
 Plan Area: Market and Octavia  
 Project Sponsor: Mariusz Piotrowski – Forum Design  
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### PROJECT DESCRIPTION

The project site is a triangular parcel on a block bordered by Octavia Boulevard, Haight Street, Gough Street, and Market Street in San Francisco's Western Addition neighborhood, adjacent to the South of Market neighborhood. The project site is occupied by a two-story, 30-foot-tall, approximately 25,110-gross-square-foot (gsf) commercial building. The project site has a small surface parking area along Market Street that includes three vehicle parking spaces, accessed by an 18-foot curb cut on Market Street.

(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

July 21, 2016  
 Date

cc: Mariusz Piotrowski, Project Sponsor  
 Supervisor London Breed, District 5  
 Tina Chang, Current Planner  
 Marcelle Boudreaux, Preservation Planner

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

The proposed project consists of the demolition of the existing building and construction of a nine-story, 84-foot-tall (100 feet tall with rooftop equipment) mixed-use residential building with ground floor commercial space. The 86,050-gsf building would include 100 residential units and 4,385-gsf of ground floor commercial uses. The building is proposed to be designed to meet GreenPoint Gold. Common usable open space for the residents of the proposed project would be provided in the form of a terrace on the second floor and a roof deck. The proposed project would include 170 bicycle parking spaces: 160 Class 1 spaces would be provided on the ground floor and 10 Class 2 spaces would be provided on the Market Street sidewalk adjacent to the project site. No off-street or on-street vehicle parking spaces are proposed for the project. The existing 18-foot curb cut on Market Street that previously provided vehicle access to the project site would be removed. Six existing street trees located along the project frontage on Market Street would remain.

Construction of the project is expected to last about 24 months. The proposed building would be supported by a concrete mat slab foundation; pile-driving is not required. Construction of the proposed project would require excavation to a depth of five feet below ground surface (bgs) and the removal of about 1,460 cubic yards of soil.

## PROJECT APPROVAL

The proposed project would require the following actions by the Planning Commission:

- Conditional Use Authorization per Planning Code Section 731.11 for developments on lots greater than 10,000 square feet.

The proposed project would require the following actions by City Departments:

- **San Francisco Planning Department – Zoning Administrator.** Rear Yard Modification per Planning Code Section 134(e) to modify the location and configuration of the rear yard and Variance from Section 140 for approximately 23 units that do not meet exposure requirements.
- **Department of Building Inspection (DBI).** Demolition, grading, and building permits for the demolition of the existing building and the construction of the new building.
- **San Francisco Public Works (SFPW).** Street and sidewalk permits for any modifications to public streets and sidewalks.
- **San Francisco Municipal Transportation Agency (SFMTA).** Approval of the proposed curb modifications.
- **San Francisco Public Utilities (SFPUC).** Approval of a stormwater control plan and any changes to sewer laterals.

The approval of the Conditional Use Authorization by the Planning Commission 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 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 1740-1770 Market 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>1</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>2,3</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 NCT-3 (Moderate Scale Neighborhood Commercial Transit) 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 1740-1770 Market 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 1740-1770 Market 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.

NCT-3 Districts are transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services. The NCT-3 Districts support neighborhood-serving commercial uses on lower floors and housing above. These districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. The district's form can be either linear along transit-priority corridors, concentric around transit stations, or broader areas where transit services criss-cross the neighborhood. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. Residential parking is not required and generally limited. Commercial establishments are discouraged or prohibited from building accessory off-street parking in order to preserve the pedestrian-oriented character of the district and prevent attracting auto traffic. There are prohibitions on access (i.e.

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<sup>1</sup> San Francisco Planning Department Case No. 2003.0347E, State Clearinghouse No. 2004012118.

<sup>2</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>3</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.

driveways, garage entries) to off-street parking and loading on critical stretches of neighborhood commercial and transit streets to preserve and enhance the pedestrian-oriented character and transit function.

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 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 1740-1770 Market Street project.

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 1740-1770 Market 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 1740-1770 Market Street project, and identified the mitigation measures applicable to the 1740-1770 Market 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>4,5</sup> Therefore, no further CEQA evaluation for the 1740-1770 Market Street 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 site is on a block bordered by Octavia Boulevard, Haight Street, Gough Street, and Market Street in San Francisco’s Western Addition neighborhood, adjacent to the South of Market neighborhood. The project vicinity is characterized by a mix of residential and commercial uses, and the scale of development in the project vicinity ranges from one to five stories (15 to 75 feet tall).

The lot adjacent to project site, on the west, is occupied by 8 Octavia, a five-story, mixed-use building featuring upper-story residential uses above ground-floor retail use. The lot adjacent to the project site, on the east, is occupied by a four-story building featuring upper-story residential uses above ground-floor retail uses. The lots adjacent to the project site, on the north, are occupied by a two-story commercial building and two three-story residential buildings.

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<sup>4</sup> Adam Varat, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Citywide Planning and Policy Analysis, Case No. 2014.0409E, 1740 Market Street, June 10, 2016*. This document (and all other documents cited in this report, unless otherwise noted), is available for review at 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case No. 2014.0409E.

<sup>5</sup> Jeff Joslin, San Francisco Planning Department, *Community Plan Exemption Eligibility Determination, Current Planning Analysis, Case No. 2014.0409E, 1740 Market Street, June 8, 2016*.

Further east of the project site at 1700 Market Street is a two-story commercial building; a project consisting of an eight-story building featuring upper-story residential uses (43 residential units) above ground floor retail uses has been approved for the site. On the south side of Market Street across from the project site, there is a four-story, mixed-use building and a three-story motel. South of the project site at 1699 Market Street is a two-story commercial building; a project consisting of a nine-story building featuring upper-story residential uses (162 units) above ground floor retail uses has been approved for the site. On the north side of Haight Street across from the project site, there are one- to three-story commercial and residential buildings.

The project site fronts Market Street, which is a major transportation corridor through downtown San Francisco that runs northeast to southwest from the Ferry Building on The Embarcadero to the Castro, Upper Market, and Twin Peaks neighborhoods. The project site is well served by public transportation. The San Francisco Municipal Railway (Muni) operates the F Market historic streetcar plus a number of surface buses that run on Market Street. Muni also operates the Muni Metro light rail system, which runs underground beneath Market Street in the project vicinity. The Van Ness Muni Metro station is approximately two blocks east of the project site. The US 101/Central Freeway on/off ramp is located approximately 200 feet west of the project site.

## 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 1740-1770 Market 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 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 1740-1770 Market 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 shade any public parks or open spaces.<sup>6</sup> Therefore, the proposed project would not contribute to the significant and unavoidable shadow impacts identified in the Market and Octavia PEIR. 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

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<sup>6</sup> San Francisco Planning Department, *Shadow Fan Analysis for 1740-1770 Market Street*, June 15, 2016.

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 public parks or open spaces.
<b>B. Wind</b>		
B1: Buildings in Excess of 85 Feet in Height	Applicable: Project involves new construction of a 85-foot-tall (up to 100 feet with rooftop equipment) building.	<b>Completed:</b> The project sponsor has designed the proposed project to minimize its effects on ground-level wind conditions.
B2: All New Construction	Applicable: Project involves new construction of a 85-foot-tall (up to 100 feet with rooftop equipment) 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.	The Planning Department has conducted a Preliminary Archeological Review. The project sponsor has agreed to implement a mitigation measure related to the accidental discovery of archeological resources (see Project Mitigation Measure 1).
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

<b>Mitigation Measure</b>	<b>Applicability</b>	<b>Compliance</b>
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: Automobile delay removed from CEQA analysis.	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: Automobile delay removed from CEQA analysis.	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: Automobile delay removed from CEQA analysis.	Not Applicable
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: Automobile delay removed from CEQA analysis.	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 for Health Risks and Hazards (see Project Mitigation Measure 2).
<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>		

Mitigation Measure	Applicability	Compliance
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 March 1, 2016 to adjacent occupants and owners of properties within 300 feet of the project site. Comments received from the public were requests to be placed on the distribution list to be notified of future planning documents.

**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.





**ATTACHMENT C:  
MITIGATION MONITORING AND REPORTING PROGRAM  
(Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p>If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/ cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource.</p>	Project Sponsor	In case of accidental discovery	If ERO determines an archeological resource may be present, services of a qualified archeological consultant to be retained.		
<p>The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p>	Archeological consultant		Identify and evaluate archeological resources.	Make recommendation to the ERO	
<p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning Division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p>	Project Sponsor	After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery.	Implementation of Archeological measure required by ERO.		
<p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p>	Project Sponsor	Following completion of any* archeological field program. (* required.)	Submittal of Draft/Final FARR to ERO.		

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<p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>	<p>Project Sponsor</p>		<p>Distribution of Final FARR.</p>		

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<b>Air Quality</b>					
<p><b>Project Mitigation Measure 2 – Construction Air Quality (Mitigation Measure E2 in the Market and Octavia PEIR)</b></p> <p><i>The project sponsor or the project sponsor's Contractor shall comply with the following:</i></p> <p><i>A. Engine Requirements</i></p> <ol style="list-style-type: none"> <li>1. 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>2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.</li> <li>3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, 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.</li> <li>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.</li> </ol>	Project sponsor/ contractor(s).	Prior to construction activities requiring the use of off-road equipment.	Submit certification statement.	Project sponsor / contractor(s) and the ERO.	Considered complete on submittal of certification statement.

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<p><i>B. Waivers.</i></p> <ol style="list-style-type: none"> <li>The Planning Department's Environmental Review Officer or designee (ERO) 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 onsite power generation meets the requirements of Subsection (A)(1).</li> <li>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 Table below.</li> </ol> <p><b>Table – Off-Road Equipment Compliance Step-down Schedule</b></p> <table border="1" data-bbox="130 1003 823 1162"> <thead> <tr> <th>Compliance Alternative</th> <th>Engine Emission Standard</th> <th>Emissions Control</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tier 2</td> <td>ARB Level 2 VDECS</td> </tr> <tr> <td>2</td> <td>Tier 2</td> <td>ARB Level 1 VDECS</td> </tr> <tr> <td>3</td> <td>Tier 2</td> <td>Alternative Fuel*</td> </tr> </tbody> </table> <p>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.</p>	Compliance Alternative	Engine Emission Standard	Emissions Control	1	Tier 2	ARB Level 2 VDECS	2	Tier 2	ARB Level 1 VDECS	3	Tier 2	Alternative Fuel*					
Compliance Alternative	Engine Emission Standard	Emissions Control															
1	Tier 2	ARB Level 2 VDECS															
2	Tier 2	ARB Level 1 VDECS															
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<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 Project Sponsor shall ensure that all applicable 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.</li> <li>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.</li> </ol>	<p>Project sponsor/ contractor(s).</p>	<p>Prior to issuance of a permit specified in Section 106A.3.2.6 of the Francisco Building Code.</p>	<p>Prepare and submit a Plan.</p>	<p>Project sponsor/ contractor(s) and the ERO.</p>	<p>Considered complete on findings by ERO that Plan is complete.</p>

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 (Includes Text for Adopted Mitigation Measures)**

<i>Adopted Mitigation Measures</i>	<i>Responsibility for Implementation</i>	<i>Mitigation Schedule</i>	<i>Mitigation Action</i>	<i>Monitoring/Reporting Responsibility</i>	<i>Monitoring Schedule</i>
<p><i>D. 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 required in the Plan.</p>	<p>Project sponsor/ contractor(s).</p>	<p>Quarterly.</p>	<p>Submit quarterly reports.</p>	<p>Project sponsor/ contractor(s) and the ERO.</p>	<p>Considered complete on findings by ERO that Plan is being/was implemented.</p>