



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 001-10

500 JAMES FOWLER ROAD

GOLETA SLOUGH COASTAL DEVELOPMENT PERMIT

MARCH 4, 2010

**APPLICATION OF OWEN THOMAS, AGENT FOR THE CITY OF SANTA BARBARA,  
500 JAMES FOWLER ROAD, 073-045-003, G-S-R, S-D-3, GOLETA SLOUGH RESERVE  
AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RECREATIONAL  
OPEN SPACE (MST 2009-00424, CDP2009-00014)**

The Airport Department proposes to construct a 9.3 acre tidal restoration project in the Goleta Slough to serve as the final portion of mitigation for impacts associated with the Airfield Safety Projects (ASP). The primary purpose of the proposed project is to provide 7.05 acres of wetland restoration area needed to complete the ASP Coastal Development Permit mitigation requirements. Approximately 30.03 acres of the required 37.08 acres of habitat have already been restored to date for the Airfield Safety Projects. The restoration of tidal flows would provide several ecological benefits to the Goleta Slough, improve storm water management from the airfield, and contribute to a reduction of bird strike hazards for aviation.

The discretionary application required for this project is a Goleta Slough Coastal Development Permit to restore 9.3 acres of tidal wetland habitat in the Original Jurisdiction of the Coastal Zone (SBMC §29.25.050).

The Planning Commission will consider approval of the Mitigated Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

**WHEREAS**, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, one person appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 4, 2010
2. Site Plans
3. Correspondence received in opposition to the project:
  - a. Paula Wesbury, Santa Barbara

**NOW, THEREFORE BE IT RESOLVED** that the City Planning Commission:

- I. Adopted the Final Mitigated Negative Declaration and recommended approval of a Goleta Slough Coastal Development Permit to the California Coastal Commission making the following findings and determinations:
  - A. **Final Mitigated Negative Declaration Adoption (CEQA Guidelines §15074)**

1. The Planning Commission has considered the proposed Final Mitigated Negative Declaration together with comments received during the public review period process.
  2. The Planning Commission finds on the basis of the whole record before it (including the initial study and comments received) that there is no substantial evidence that the project, as mitigated, will have a significant impact on the environment. The Final Mitigated Negative Declaration dated February 9, 2010 is hereby adopted.
  3. The Planning Commission finds that the Final Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.
  4. The Planning Commission finds that the Final Mitigated Negative Declaration has been prepared in compliance with CEQA, and constitutes adequate environmental evaluation for the proposed project.
  5. A mitigation monitoring and reporting program for measures required in the project or made a condition of approval to mitigate or avoid significant environmental effects has been prepared.
  6. The project is within the boundaries of the Santa Barbara County Airport Land Use Plan. The project will not result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area as discussed in Section VI.B of this report.
  7. The location and custodian of the documents or other materials which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, California.
  8. The California Department of Fish and Game (CDFG) is a Trustee Agency with oversight over fish and wildlife resources of the State. The CDFG collects a fee from project proponents of all projects potentially affecting fish and wildlife, to defray the cost of managing and protecting resources. The project is subject to the DFG fee, and a condition of approval has been included which requires the applicant to pay the fee within five days of project approval.
- B. Recommendation for a Goleta Slough Coastal Development Permit (SBMC §29.25.050)**
1. The project is consistent with all applicable policies of the City's Local Coastal Program and all applicable provisions of the Code, because it will enhance and restore tidal wetland habitat as specified by Policy C-11 and SBMC §29.25.030.
  2. The project is consistent with the policies of the California Coastal Act, because it will restore tidal wetland habitat as discussed in Section I of this report (Coastal Act Section 30230).

3. The project is dependent upon the resources of the environmentally sensitive area and is consistent with Section 30233 of the Coastal Act because it is a habitat restoration project (Coastal Act Section 30233(a)(6)).
4. The project has been designed to prevent impacts which would significantly degrade an environmentally sensitive area and is compatible with the continuance of such habitat by enhancing its value as critical habitat as discussed in Section VI.A.2 (Policy C-9).
5. The project design maintains a natural buffer area of 100 feet between developed areas and all wetland areas, and all disturbed areas will be revegetated with native plants as discussed in Section VI.A.2 of this report (Policy C-4).
6. The project will sustain the biological productivity of coastal waters (Policy C-12) and will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes by providing habitat for rare and endangered species including the Belding's savannah sparrow and tidewater goby as discussed in Policy VI.A.2 of this report (Policy A-1).
7. The project includes adequate impact avoidance and mitigation measures to ensure protection of State and federally identified rare, threatened, or endangered species by incorporating monitoring of sensitive species and limiting construction to July through November as discussed in Section VI.A.2 of this report.
8. There is no less environmentally damaging alternative to the project, all feasible mitigation measures have been provided to minimize adverse environmental effects, all dredged spoils will be removed from the wetland area to avoid significant disruption to wildlife habitat and water circulation, and the project is designed to enhance the functional capacity of the wetland by providing critical habitat as discussed in Section VI.A.2 of this report (Policy C-15).
9. The project would not create a substantial alteration of rivers or streams in the Goleta Slough because the damming and dewatering of a portion of Tecolotito Creek will occur during the dry season, when flows are at their lowest, and will not take place until the last phase of project grading as discussed in Section I of this report.
10. Archaeological or other culturally sensitive resources within the Goleta Slough are protected from impacts because the selected project site is not in a Cultural Resource Sensitivity Area, and construction crews will be notified to stop work in the event of a resource discovery as discussed in Section VI.A.5.
11. The project will minimize adverse effects of run-off and interference with surface water flow through the implementation of a Storm Water Pollution Prevention Plan (SWPPP) discussed in Section VI.A.3 of this report.

12. Sedimentation from the project will be reduced to a minimum in a manner compatible with the maintenance of the wetland area by implementation of Best Management Practices in accordance with the SWPPP. Long-term sedimentation will be reduced by regular tidal influence as discussed in Section VI.A.3 of this report.
13. The project will enhance public educational opportunities at the Goleta Slough through continued maintenance of the Goleta Slough Access Permit program which allows researchers, student groups, and other interested parties to view and study the Goleta Slough's tidal prism as discussed in Section VI.A.4 of this report.

II. Said recommendation is subject to the following conditions:

- A. **California Department of Fish and Game Fees Required.** Pursuant to Section 21089(b) of the California Public Resources Code and Section 711.4 et. seq. of the California Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified Department of Fish and Game fees are paid and filed with the California Department of Fish and Game within five days of the project approval. The fee required is \$2010.25 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination cannot be filed and the project approval is not operative, vested, or final. The fee shall be delivered to the Planning Division immediately upon project approval in the form of a check payable to the California Department of Fish and Game.
- B. **Approved Development.** The development recommended for approval by the Planning Commission on TBD is limited to 10.3 acres of wetland habitat mitigation and the improvements shown on the plans signed by the Chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
- C. **Storm Water Pollution Control and Drainage Systems Maintenance.** The Santa Barbara Airport Department (Airport) shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Airport shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Airport shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit are required to authorize such work. The Airport is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

The Airport shall provide an Operations and Maintenance Procedure Plan (describing replacement schedules for pollution absorbing pillows, etc.) for the operation and use of the storm drain surface pollutant interceptors. The Plan shall be reviewed and approved by the Water Resources Specialist.

- D. **Pesticide or Fertilizer Usage Prohibited.** The use of pesticides or fertilizer shall be prohibited within the project site in Goleta Slough.
- E. **Public Works Requirements Prior to Building Permit Issuance.** The Airport shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
  - 1. **Drainage Calculations.** The Airport shall submit drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will not increase runoff amounts above existing conditions for a 25-year storm event. Any increase in runoff shall be retained on-site.
  - 2. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, or groundwater pollutants would result from the project. The Airport shall maintain the drainage system and storm water pollution control methods in a functioning state.
- F. **Community Development Requirements with Building Permit Application.** The following shall be submitted with the application for any Building or Public Works permit and finalized prior to Building or Public Works Permit issuance:
  - 1. **Project Environmental Coordinator Required.** Submit to the Planning Division a contract with a qualified representative for the Airport, subject to approval of the contract and the representative by the Planning Division, to act as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of the Mitigation Monitoring and Reporting Program (MMRP) and Conditions of Approval to the City. The contract shall include the following, at a minimum:
    - a. The frequency and/or schedule of the monitoring of the mitigation measures.
    - b. A method for monitoring the mitigation measures.

- c. A list of reporting procedures, including the responsible party, and frequency.
- d. A list of other monitors to be hired, if applicable, and their qualifications.
- e. Submittal of monthly reports during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP and condition compliance by the PEC to the Community Development Department/case planner.
- f. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in the MMRP and conditions of approval, including the authority to stop work, if necessary, to achieve compliance with mitigation measures.

The PEC shall monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District (*Required Mitigation Measure AQ-7*).

2. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to Airport, all businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) and Contractor(s), site rules and Conditions of Approval pertaining to construction activities and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction. The language of the notice and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division.
3. **Contractor and Subcontractor Notification.** The Airport shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
4. **Tidewater Goby Surveys.** Prior to construction and during all dewatering activities surveys shall be conducted by a biologist approved to handle tidewater gobies under a Section 10a(1a) Recovery Permit to determine the general abundance of tidewater gobies in tidal basin. Relocation of any tidewater gobies shall follow the procedures described in the USFWS Tidewater Goby Survey Protocol (2006). All native fish species shall be relocated from the Tidal Demonstration Basin and Foxtrot Drainage prior to any earthwork. The area of

Tecolotito Creek and Foxtrot Drainage to be dewatered shall be minimized, not completely dewatered if practical, and kept moist in order to minimize mortality of aquatic species. Foot traffic in any channel bottom shall be limited to fish relocation and dewatering activities.

Post construction surveys for tidewater goby shall be implemented for 2 years following completion of the project. The surveys shall be conducted by a Section 10a(1a) Recovery Permit approved biologist to determine the general abundance of tidewater gobies in tidal basin. Survey methods shall follow those previously conducted by Ecorp Consulting to measure population densities in Tecolotito and Carneros Creeks. A total of four surveys shall be conducted including one pre-spawn survey in May/June and one post-spawn survey in August of each year.

All tidewater goby survey reports shall be submitted to the USFWS for acceptance (*Required Mitigation Measure BIO-1*).

5. **Bird Monitoring.** The project site shall be monitored by a qualified biologist for Belding's savannah sparrow and loggerhead shrike. Prior to site preparation and construction activities, the Airport shall have a qualified biologist survey all breeding/nesting habitat within the project site every seven days for eight consecutive weeks. Documentation of findings, including negative findings shall be submitted to the California Department of Fish and Game (CDFG). Site preparation and construction activities will only begin if no breeding/nesting birds are observed and concurrence has been received from the CDFG. If breeding activities or an active nest is located in a work area, site preparation and construction activities shall not begin in that area until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area and the young will no longer be impacted by the project.

Once site preparation and construction activities have commenced, the project site shall be monitored for Belding's savannah sparrow and loggerhead shrike on a weekly basis. Documentation of findings, including negative findings shall be submitted to the California Department of Fish and Game (CDFG) until construction is complete.

Site preparation or construction activities shall be suspended immediately in a given basin if the qualified biologist determines that breeding or nesting activity is occurring in that basin. Site preparation and construction activities shall not resume until the monitor determines that the breeding and nesting activities described above have stopped.

Noise levels will be monitored by a qualified biologist to determine if construction activities are disruptive to Belding's savannah sparrow or loggerhead shrike in or adjacent to the project site. If a significant disruption to foraging behavior is observed, construction activities in the area of disturbance

will be stopped immediately until the qualified biologist develops recommendations to reduce or eliminate the disturbances and receives concurrence from CDFG.

Use of the project site by Belding's savannah sparrows or loggerhead shrike will be recorded during routine restoration monitoring, including evidence of breeding (*Required Mitigation Measure BIO-2*).

6. **Construction Season Limitation.** Construction shall be prohibited between November 1 and July 15 to avoid the rainy season, Belding's savannah sparrow and loggerhead shrike breeding season and potential Steelhead migration (*Required Mitigation Measure BIO-3*).
7. **Biological Monitoring and Performance.** Areas of temporary disturbance along the access routes shall be reseeded with native plants from local genetic stock. Weeding will be performed to ensure that restoration performance criteria are met. Weeding shall occur at least six times per year, or more frequently if necessary. Maintenance will be performed by hand, including techniques such as weed whacking and hand removal which has proven effective in other Airport restoration projects. Herbicides shall only be used if hand removal is not effective. Herbicides must be approved for use near water. Only targeted application will be permitted; no blanket spraying will be allowed. Application will be supervised by a qualified biologist. Prior to application of herbicide, the maintenance crew must alert the Airport in compliance with the City of Santa Barbara's Integrated Pest Management Program. A project completion report shall be prepared following the conclusion of construction activities.

Monitoring and reporting shall occur for a period of at least seven years if the performance criteria are not met. If performance criteria are not met by the end of year seven, then the choice of plants, site conditions, performance criteria, and other factors would be reevaluated by a qualified biologist. A new restoration effort would be implemented with a new monitoring period.

Performance criteria for the initial seeding effort would be as follows:

- a. All installed plants must achieve a 70% survival rate after one year following the construction completion, and an 80% survival rate of the remaining plants after two and three years.
- b. At the end of seven years, there must be a minimum of 75% total native plant cover.
- c. Non-native weeds must remain below 15% of total vegetative coverage at all times during the seven year period. By the end of the seventh year, the restoration site shall not have more than 10% non-native cover. Non-native grasses and common naturalized species that are not aggressive

such as brass buttons (*Cotula coronopifolia*) are not included in this performance criteria

- d. The project site must be without supplemental irrigation for a minimum of three years.
- e. Except for pickleweed, no species shall constitute more than 50% of the vegetative cover.
- f. No woody invasive species shall be present, and herbaceous invasive species shall not exceed 5% cover.

Formal site inspections to monitor progress towards the performance criteria shall be conducted six times a year during the monitoring period. The Airport shall prepare annual revegetation status report on the condition of the seeded areas during the monitoring period. An annual monitoring report shall be prepared detailing the condition of the revegetation area in respect to the performance criteria. The annual report shall contain quantitative analysis of achievement of performance criteria. The annual revegetation monitoring period shall span 12 months following completion of revegetation of the project site. Annual reports shall be completed one month after the end of the monitoring period and submitted to the permitting agencies (*Required Mitigation Measure BIO-4*).

- 8. **Pre-Construction Plant Survey.** A pre-construction survey shall be conducted during the blooming period for southern tarplant (July-August) and Coulter's goldfields (February-June) immediately prior to construction in all areas of the project site containing habitat suitable to support southern tarplant and/or Coulter's goldfields. Populations within or adjacent to the project site that can be avoided will be clearly marked with identifying flagging to ensure protection of the species.

If individuals or populations of southern tarplant and Coulter's goldfields cannot be avoided, all seed available from the plant to be removed would be salvaged and used in the restoration seed mix (*Required Mitigation Measure BIO-5*).

- 9. **Traffic Route Approval.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Transportation Manager (*Recommended Mitigation Measure TC-2*)
- 10. **Haul Route Approval.** The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Manager (*Recommended Mitigation Measure TC-3*)
- 11. **Parking/Storage Approval.** The location of construction parking and storage shall be provided in locations subject to the approval of the Transportation Manager. During construction, free parking spaces for construction workers shall be provided (*Recommended Mitigation Measure TC-4*)

12. **Letter of Commitment for Pre-Construction Conference.** The Airport shall submit to the Planning Division a letter of commitment that states that, prior to disturbing any part of the project site for any reason and after the Building permit has been issued, the General Contractor shall schedule a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, the assigned Building Inspector, the Planning Division, the Property Airport, the Landscape Architect, the Biologist, the Project Engineer, the Project Environmental Coordinator, the Contractor and each subcontractor.
- G. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Mitigation Monitoring and Reporting Requirement.** Airport shall implement the Mitigation Monitoring and Reporting Program (MMRP) for the project's mitigation measures, as stated in the Mitigated Negative Declaration for the project.
  2. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the Airport. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.  
  
If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.  
  
If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City

Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization (*Required Mitigation Measure CR-1*).

3. **Conditions on Plans/Signatures.** The final California Coastal Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

|                  |      |             |
|------------------|------|-------------|
| Airport Director |      | Date        |
| Contractor       | Date | License No. |
| Architect        | Date | License No. |
| Engineer         | Date | License No. |

- H. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Airport and/or Contractor for the duration of the project construction.

1. **Pre-Construction Conference.** Not less than 10 days or more than 20 days prior to commencement of construction, a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements, shall be held by the General Contractor. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, Building Division, Planning Division, the Airport Department, Landscape Architect, Biologist, Project Engineer, Project Environmental Coordinator, Mitigation Monitors, Contractor and each Subcontractor.
2. **Construction Dust Control – Minimize Disturbed Area/Speed.** Amount of disturbed area shall be minimized and on site vehicle speeds shall be limited to 15 miles per hour or less (*Required Mitigation Measure AQ-1*).

3. **Construction Dust Control - Watering.** During site grading and transportation of fill materials, regular water sprinkling shall use reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.  
  
Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph (*Required Mitigation Measure AQ-2*).
4. **Construction Dust Control – Tarping.** Trucks transporting fill material to and from the site shall be covered from the point of origin(*Required Mitigation Measure AQ-3*).
5. **Construction Dust Control – Gravel Pads.** Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads (*Required Mitigation Measure AQ-4*).
6. **Construction Dust Control – Stockpiling.** If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation (*Required Mitigation Measure AQ-5*).
7. **Construction Dust Control – Disturbed Area Treatment.** After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:
  - a. Seeding and watering until grass cover is grown;
  - b. Spreading soil binders;
  - c. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;
  - d. Other methods approved in advance by the Air Pollution Control District (*Required Mitigation Measure AQ-6*).
8. **Portable Construction Equipment.** All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit (*Required Mitigation Measure AQ-8*).
9. **Fleet Owners.** Fleet owners are subject to sections 2449, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of regulations (CCR) to

reduce diesel particulate matter (and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. See <http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf>) (*Required Mitigation Measure AQ-9*).

10. **Engine Size.** The engine size of construction equipment shall be the minimum practical size (*Required Mitigation Measure AQ-10*).
11. **Equipment Numbers.** The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time (*Required Mitigation Measure AQ-11*).
12. **Equipment maintenance.** All construction equipment shall be maintained in tune per the manufacturer's specifications (*Required Mitigation Measure AQ-12*).
13. **Catalytic Converters.** Catalytic converters shall be installed on gasoline-powered equipment, if feasible (*Required Mitigation Measure AQ-13*).
14. **Diesel Construction Equipment.** Only heavy-duty diesel construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be used (*Required Mitigation Measure AQ-14*).
15. **Engine Timing and Diesel Catalytic Converters.** Construction equipment operating on site shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed (*Required Mitigation Measure AQ-15*).
16. **Diesel Replacements.** Diesel powered equipment shall be replaced by electric equipment whenever feasible (*Required Mitigation Measure AQ-16*).
17. **Idling Limitation.** Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units shall be used whenever possible (*Required Mitigation Measure AQ-17*).
18. **Hazardous Materials Discovery.** All construction work shall cease in the event of visual discovery of hazardous or unknown material or upon discovery of chemical odors. The Santa Barbara County Hazardous Materials Unit (HMU) shall be contacted and given access to the site. Resumption of work shall not take place until such work has been approved by the HMU (*Recommended Mitigation Measure HAZ-1*).
19. **Construction Noise Reduction.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices (*Recommended Mitigation Measure NOI-1*).
20. **Recycling/Green Waste Reuse.** Recycling and/or reuse of construction and green waste materials shall be implemented and containers shall be provided on

site for that purpose during the construction period (*Recommended Mitigation Measure PF-1*).

21. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:30 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic on adjacent streets and roadways (*Recommended Mitigation Measure TC-1*).
22. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

|                               |                                   |
|-------------------------------|-----------------------------------|
| New Year's Day                | January 1st*                      |
| Martin Luther King's Birthday | 3rd Monday in January             |
| George Washington's Day       | 3rd Monday in February            |
| César Chávez Day              | March 31*                         |
| Memorial Day                  | Last Monday in May                |
| Independence Day              | July 4th*                         |
| Labor Day                     | 1st Monday in September           |
| Thanksgiving Day              | 4th Thursday in November          |
| Following Thanksgiving Day    | Friday following Thanksgiving Day |
| Christmas Day                 | December 25th*                    |

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number that is answered by a person, not a machine.

23. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
  - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are

- prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
- b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
  - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
24. **Water Sprinkling During Grading.** The following dust control measures shall be required, and shall be accomplished using recycled water whenever the Public Works Director determines that it is reasonably available:
- a. Site grading and transportation of fill materials.
  - b. Regular water sprinkling; during clearing, grading, earth moving or excavation.
  - c. Sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied on-site to prevent dust from leaving the site.
  - d. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
  - e. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement on-site damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
25. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.
26. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
27. **Mitigation Monitoring Compliance Reports.** The PEC shall submit monthly reports during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP compliance to the Community Development Department.
28. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s)

(and Project Environmental Coordinator's (PEC)) name, contractor(s) (and PEC's) telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The construction contact phone number shall include an option to contact a person instead of a machine in case of emergency. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.

29. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
30. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Airport shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

- I. **Prior to Project Completion.** Prior to project completion, the Airport shall complete the following:

1. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 ½ x 11" board and submitted to the Planning Division.
2. **Mitigation Monitoring Report.** Submit a final construction report for mitigation monitoring.
3. **Biological Monitoring Contract.** Submit a contract with a qualified biologist acceptable to the City for on-going monitoring.

**NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:**

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code

This motion was passed and adopted on the 4th day of March, 2010 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jostes)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

  
\_\_\_\_\_  
Julie Rodriguez, Planning Commission Secretary

  
\_\_\_\_\_  
Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

