

226 & 232 EUCALYPTUS HILL DRIVE  
MST2004-00349

MITIGATION MONITORING AND REPORTING PROGRAM

PURPOSE

The purpose of the 226 & 232 Eucalyptus Hill Drive Project Mitigation Monitoring and Reporting Program (MMRP) is to ensure compliance with all mitigation measures identified in the Final Mitigated Negative Declaration to mitigate or avoid potentially significant adverse environmental impacts resulting from the proposed project. The implementation of this MMRP shall be accomplished by the Applicant and their representatives. The MMRP program shall apply to all of the actions occurring under the Permit for the 226 & 232 Eucalyptus Hill Drive project.

I. RESPONSIBILITIES AND DUTIES

A qualified representative from the Applicant, approved by the City Planning Division and paid for by the Applicant shall be designated as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of this mitigation monitoring and reporting program to the City for actions undertaken under the 226 & 232 Eucalyptus Hill Drive Project. 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 this program.

It is the responsibility of the Applicant to comply with all mitigation measures listed in the attached MMRP matrix table. Any problems or concerns between monitors and construction personnel shall be addressed by the PEC. Staff and/or contractors hired to do work under the 226 & 232 Eucalyptus Hill Drive Project shall provide a schedule of activities for review and approval of the PEC. The staff or contractor shall inform the PEC of any major revisions to the construction schedule at least 48 hours in advance. The PEC, staff, and contractor shall meet on a weekly basis in order to assess compliance and review future activities anticipated under the construction of the 226 & 232 Eucalyptus Hill Drive Project.

A PRE-IMPLEMENTATION BRIEFING

The PEC shall prepare a pre-implementation briefing report. The report shall include a list of all mitigation measures and a plot plan delineating all sensitive areas to be avoided. This report shall be provided to all personnel performing work under this permit.

The pre-implementation briefing shall be conducted by the PEC. The briefing shall be attended by the PEC, supervisors of staff working on the project, necessary consultants, Planning Division Case Planner, and all contractors and subcontractors associated with the project. Additional pre-construction briefings shall be conducted when changes in the PEC, staff working on the project and a change in contractor occurs.

This MMRP shall be presented to those in attendance at the meeting. The briefing presentation shall include project background, the purpose of the MMRP,

duties and responsibilities of each participant, communication procedures, monitoring procedures, filling out of the mitigation monitoring matrix and summary reports, and duties and responsibilities of the PEC, staff, contractors, and project consultants.

It shall be emphasized at this briefing that the PEC and project consultants have the authority to stop construction and redirect construction equipment in order to comply with all mitigation measures.

## II. IMPLEMENTATION PROCEDURES

### A. REPORTING PROCEDURES

The PEC for shall utilize the MMRP Matrix Table, attached to the Addendum to the Mitigated Negative Declaration, as the basis for daily monitoring of activities approved as a part of the project. As long as no compliance with mitigation measure issues is identified on the completed matrix table, the MMRP forms shall be kept on file by the PEC. If the PEC identifies non-compliance or other problems with mitigation measure issues, the completed forms shall be forwarded to the Environmental Analyst in the Planning Division. In addition, monthly summary reports and annual summary reports on the mitigation monitoring program shall be submitted to the Planning Division by the PEC.

### A. MMRP MATRIX

The following MMRP Matrix Table provides each mitigation measure, identifies the responsible party, and allows the monitor to indicate the date monitoring occurred, whether the mitigation measure has been implemented, and comments on activities, if necessary.

The MMRP Matrix Table is intended to be used by all parties involved in monitoring the project mitigation measures, as well as project contractors and others working in the field. The Matrix Table shall be used as a compliance checklist to aid in compliance verification and monitoring requirements for all activities conducted under the 226 & 232 Eucalyptus Hill Drive Project, whenever activities authorized under this permit are conducted. A copy of the MMRP matrix table shall be kept in the project file by the PEC as verification that compliance with all mitigation measures has occurred.

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MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
<p>Oak Tree Protection. Tree protection measures for oaks, as recommended in the Oak Tree Protection Plan dated September 21, 2006, shall be followed for the duration of all grading and construction activities associated with the project. (B-1)</p> <p>Habitat Protection. The two eucalyptus trees identified as a great horned owl roost and an acorn granary, shall be retained and protected per the recommendations of the Biological Assessment dated October 26, 2006, and as noted on the Tree Preservation Plan. (B-3)</p> <p>High Fire Vegetation Management. Residences located in the High Fire Hazard area are required to maintain vegetation to create an effective fuel break by thinning dense vegetation (mosaic style) and removing dry brush, flammable vegetation and combustible growth from areas within 100 feet of all buildings or structures. The owner(s) shall perform the following maintenance annually for the life of the project:</p> <ol style="list-style-type: none"> <li>Cut and remove hazardous brush, shrubs, and flammable vegetation such as dry grass and weeds within 100 feet of any structure and within 2 inches of the ground.</li> <li>Thin brush from streets and driveways both horizontally and vertically along the property. Flammable vegetation must be cleared on each side of the street or driveway for a distance of 10 feet and a vertical distance of 13 feet, 6 inches. Vegetation must be cut to within 2 inches of the ground. This applies to the public or private driveway and any public or private streets that border the property.</li> <li>Remove dead wood, trim the lower branches, and limb all live trees to 6 feet above the ground (or as much as possible with younger, smaller trees), especially trees adjacent to buildings.</li> <li>Trim tree limbs back a minimum distance of 10 feet from any chimney opening.</li> <li>Remove all dead trees from the property.</li> <li>Maintain the roof of all structures free of leaves, needles or other vegetative debris.</li> <li>Legally dispose of all cut vegetation, including any debris left from previous tree trimming and brush removal. Cut vegetation may be chipped and spread throughout the property as a ground cover, up to 12 inches in depth, and at least 30 feet from any structure. (H-1)</li> </ol>				

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<p>Drainage and Water Quality. Any increase in runoff above existing conditions shall be retained on site, consistent with the City's NPDES Guidelines. Project plans for grading, drainage, stormwater facilities, and project development, shall be subject to review and approval by City Building Division and Public Works Department per City regulations. 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, urban water quality pollutants, or groundwater pollutants would result from the project. The Owner shall maintain the storm drain and retention areas consistent with an approved maintenance plan. This plan shall be provided with the building plan submittal for review and approval by Community Development prior to approval of building permits. (W-1)</p>				
<p>Storm Water Pollution Control Systems Maintenance. The Owner(s) shall maintain the drainage system, storm drain and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or Public Works Director.</p>				
<p>Participation in the Eucalyptus Hill Vegetation Management Unit. Participation in the Eucalyptus Hill Vegetation Management Unit to reduce fire hazards in the area. If a community project is underway, the Owner would be encouraged to participate in cooperative vegetation management, public education, or other community solutions to reduce hazard and risk.</p>				
<p>Landscape Plan. The landscape plan shall adhere to the Fire Department Landscape Guidelines for properties in the high fire hazard area. These plans shall be reviewed and approved by the Architectural Board of Review, Transportation Planning Division, and the Fire Department. (H-2)</p>				
<p>Oak Tree Replacement. A replacement plan for the four Coast Live Oaks to be removed shall be included in the landscape plans for Parcel 1 and/or Parcel 2, to be reviewed and approved by the Architectural Board of Review. Replacement oaks shall be 70 one-gallon young saplings per the recommendations of the Oak Tree Protection Plan. Final tree size and ratio for replacement to be approved by the ABR.</p>				

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<p>Tree Protection Measures. The landscape plan and grading plan shall include the following tree protection measures:</p> <ul style="list-style-type: none"> <li>a. Fencing. Fencing or protective barriers around the tree(s) during construction.</li> <li>b. Landscaping Under Trees. Landscaping under the tree(s) that is compatible with the preservation of the tree(s).</li> <li>c. Oak Tree Protection Measures. The following provisions shall apply to existing oak trees on site: <ul style="list-style-type: none"> <li>(1) During construction, fencing or protective barriers shall be placed around the dripline of all oak trees located within 25 feet of development.</li> <li>(2) No grading shall occur under any oak tree dripline, except as indicated on the drainage and grading plan. Grading within the dripline of any oak shall be minimized and shall be done with light (one ton or less) rubber-tired equipment or by hand. If use of larger equipment is necessary within the dripline of any oak, it shall only be operated under the supervision and direction of a qualified Arborist.</li> <li>(3) A qualified Arborist shall be present during any grading or excavation adjacent to or beneath the dripline of any oak tree. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound. Any thinning or root pruning and trimming shall be done under the direction of a qualified Arborist.</li> <li>(4) No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.</li> <li>(5) Landscaping provided under the oak tree(s) shall be compatible with preservation of the trees as determined by the Architectural Board of Review (ABR). No irrigation system shall be installed under the dripline of any oak tree.</li> </ul> </li> </ul> <p>Existing Tree Preservation. The existing tree(s) shown on the approved Tree Preservation and Removal Plan to be retained shall be preserved and protected and fenced during construction.</p> <p>Irrigation System. The irrigation system shall be designed and maintained with the most current technology to prevent a system failure and shall be kept to the minimum necessary for plant survival.</p>				

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Permeable Paving. Permeable/porous paving materials shall be utilized where possible to reduce the impermeability of hardscape surfaces. (W-3)				
Landscape Plan Approval Required. The landscape plan shall be reviewed and approved by the Transportation Planning Division to ensure compliance with sight visibility requirements.				
Nesting Native Birds. Construction activities including tree and vegetation removal shall occur outside the breeding bird season (February 1 – August 15). If project activities cannot be feasibly avoided during the bird nesting season the owner shall conduct a minimum of four weekly bird surveys, using a qualified biologist with experience in conducting breeding bird surveys, approved by the City Environmental Analyst, to detect protected nesting native birds in the vegetation and trees to be removed and within 300 feet of the construction work area. The surveys shall begin 30 days prior to the disturbance of suitable nesting habitat and conducted on a weekly basis with the last survey conducted no more than three days before construction is initiated. If an active nest is located, construction within 500 feet of a raptor nest and 300 feet of any other nesting bird, vegetation clearing and tree removal shall be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. This shall be confirmed by the qualified biologist. Nesting areas to be avoided during construction shall be marked and protected with flagging and stakes or construction fencing at least 300 feet or 500 feet (if applicable) from the nest.				
Neighborhood Notification Prior to Construction. At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses and residents within 450 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.				

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Arborist's Monitoring. Submit to the Planning Division a contract with a qualified arborist for monitoring of all work within the dripline of all oak trees during construction. The contract shall include a schedule for the arborist's presence during grading and construction activities, and is subject to the review and approval of the Planning Division.				
Design Review Requirements. Plans shall show all design, landscape and tree protection elements, as approved by the Architectural Board of Review.				
Pre-Construction Conference. No more than twenty 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 Property Owner, Landscape Architect, Biologist, Project Engineer, Project Environmental Coordinator, Mitigation Monitors, Contractor and each Subcontractor.				
Construction-Related Truck Trips. Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic and noise on adjacent streets and roadways. (T-1)				
Construction Related Traffic Routes. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Public Works Director. (T-1)				
Haul Routes. The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer. (T-1)				

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<p>Construction Hours. Construction (including preparation for construction work) is prohibited Monday through Friday before 8:00 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:</p> <p>New Year's Day    January 1st*</p> <p>Martin Luther King's Birthday 3rd Monday in January</p> <p>Presidents' Day    3rd Monday in February</p> <p>Memorial Day        Last Monday in May</p> <p>Independence Day July 4th*</p> <p>Labor Day            1st Monday in September</p> <p>Thanksgiving Day 4th Thursday in November</p> <p>Following Thanksgiving Day Friday following Thanksgiving Day</p> <p>Christmas Day        December 25th*</p> <p>*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.</p> <p>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. (N-1)</p>				



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<p>Construction Parking/Storage. Construction parking and storage shall be provided as follows:</p> <ul style="list-style-type: none"> <li>a. During construction, free parking spaces for construction workers shall be provided on-site.</li> <li>b. On-site or off-site storage shall be provided for construction materials, equipment, and vehicles. Storage of construction materials within the public right-of-way is prohibited. (T-2)</li> </ul> <p>Construction Dust Control. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less. (AQ-1)</p> <p>Water Sprinkling During Grading. During site grading and transportation of fill materials, regular water sprinkling shall occur using 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.</p> <p>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. (AQ-2)</p> <p>Covered Truck Loads. Trucks transporting fill material to and from the site shall be covered from the point of origin. (AQ-3)</p> <p>Gravel Pads. Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads. (AQ-4)</p>				

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<p>Disturbed Area Treatment. After clearing, grading, earth moving or excavation is complete, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:</p> <ul style="list-style-type: none"> <li>a. Seeding and watering until grass cover is grown.</li> <li>b. Spreading soil binders.</li> <li>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.</li> <li>d. Other methods approved in advance by the Air Pollution Control District. (AQ-5)</li> </ul>				
<p>Construction Equipment Requirements. The following shall be adhered to during project grading and construction to reduce NOx and particulate emissions from construction equipment:</p> <ul style="list-style-type: none"> <li>a. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized wherever feasible.</li> <li>b. The engine size of construction equipment shall be the minimum practical size.</li> <li>c. 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.</li> <li>d. Construction equipment shall be maintained in tune per the manufacturer specifications.</li> <li>e. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.</li> <li>f. Diesel powered equipment shall be replaced by electric equipment whenever feasible. (AQ-6)</li> </ul> <p>Construction Best Management Practices (BMPs). Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.</p>				

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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's) name, contractor(s) and PEC's telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.				
Tree Protection. All trees not indicated for removal on the site plan shall be preserved, protected and maintained.				
Tree Protection. Notes on the grading plan that specify the following: <ul style="list-style-type: none"> <li>a. No grading shall occur under the driplines of the existing tree(s).</li> <li>b. A qualified Arborist shall be present during any excavation adjacent to or beneath the dripline of the tree(s) which are required to be protected.</li> <li>c. All excavation within the dripline of the tree(s) shall be done with hand tools.</li> <li>d. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.</li> <li>e. No heavy equipment, storage of materials or parking shall take place under the dripline of the tree(s).</li> <li>f. Any root pruning and trimming shall be done under the direction of a qualified Arborist.</li> </ul>				
Construction Equipment Maintenance. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices. (N-2)				
Graffiti Abatement Required. Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.				

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<p>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 applicant. 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.</p> <p>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.</p> <p>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.</p>				
<p>Complete Public Improvements. Public improvements, as shown in the improvement plans connecting new private sewer system to existing public 8 inch sewer main on Woodland Drive and storm drain system from the site to the public sewer system on Woodland Drive.</p>				