City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: May 26, 2011

AGENDA DATE: June 2, 2011

PROJECT ADDRESS: 601 E. Micheltorena Street (MST2003-00827)
Cottage Hospital Workforce Housing Project ("Bella Riviera")

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner DK
Allison De Busk, Project Planner ALD

I. PROJECT DESCRIPTION / BACKGROUND

The project consists of the demolition of the former St. Francis Hospital complex and construction of 115 residential condominiums and 265 parking spaces. The project was approved by the Planning Commission on September 21, 2006, and by the City Council on appeal on December 19, 2006. The Final Maps for the project were approved by City Council in September 2010.

An Environmental Impact Report (EIR) was prepared to analyze this project, and the mitigation measures identified therein were incorporated into the project's conditions of approval. One of the conditions of approval is that staff reports on the status and effectiveness of construction-related conditions and monitoring be provided to the Planning Commission every six months following issuance of the demolition permit (condition H.40). The demolition permit for the project was issued on May 13, 2010. The first update was provided to the Planning Commission in November 2010. This is the second update.

The anticipated project schedule, including completed tasks, is as follows:

- Site Preparation (asbestos removal, sound wall construction, tree relocation/removal, installation of construction trailer, etc) – March through May 2010
- Demolition – May through December 2010
- Construction – started January 2011; anticipated to last for approximately 23 months (until November 2012)

II. RECOMMENDATION

Staff does not recommend any changes to the conditions of approval, and will report back on the project's status in six months.

Vicinity Map – 601 E. Micheltorena Street

III. CONDITION COMPLIANCE

There are several general categories of conditions/mitigation measures, which are discussed below.

A. NEIGHBORHOOD MEETINGS

Pursuant to Condition of Approval F.3, the Applicant has held four informational meetings with the neighborhood in order to keep interested parties and surrounding neighbors abreast of the construction phases and schedule. The most recent meeting was held on April 14, 2011 and was attended by at least seven individuals, as well as the project team. The meeting provided an overview of construction activities to date, a summary of upcoming phases for the next 6 months and a review of environmental monitoring. Additionally, the project team answered neighborhood questions.

B. TREE PROTECTION

The project includes the protection and/or relocation of a significant number of trees. Tree relocation and/or protection occurred throughout the project site prior to demolition. A previously boxed melalueka was removed during this reporting period because it had declined

(due to stress from boxing and the heat wave in November 2010) to a point where it could not be revived. Trees continue to be monitored, and as the project progresses the landscape architect and arborist will assess the health of those trees that are proposed for relocation, and a final landscape plan will be prepared based on that information. If changes from the approved landscape plan are required (i.e. replacing the melalueka), they will be brought to the Architectural Board of Review for consideration.

C. RECYCLING

A total of 30,341 tons of demolition debris was hauled offsite, of which, 29,823 tons (over 98%) was recycled and/or reused. This exceeded the 95% recovery rate as required under Condition H.24.

D. ARCHAEOLOGICAL MONITORING

Archaeological monitoring is required during all ground disturbing activities at the site, which means that regular monitoring took place throughout demolition and site grading. At this point, almost all of the site has been disturbed and monitored, and further monitoring will only occur as needed. No significant historic resource deposits or Native American materials have been identified.

IV. NEIGHBORHOOD ISSUES AND CONCERNS

As construction at the site has progressed over the last six months, staff has identified the following recurring issues based on complaints received from the neighbors: noise and dust. The Project Environmental Coordinator (PEC) received 24 complaints for the period December 1, 2010 – April 30, 2011. This averages to approximately six complaints per month. Construction activity did not occur during the period November 19, 2010 - January 3, 2011, so very few complaints were received during this time. Additionally, construction activity was halted from March 19-31, 2011 due to rain and muddy conditions. April has seen an increased number of complaints (12 of the 24 received), likely due to the offsite utility improvement work going on around the perimeter of the site, which occurs outside the soundwall. This activity has also resulted in more of an inconvenience for adjacent residents because of road closures, temporary no parking, and occasional dust, etc. Many of the complaints received by the PEC were not due to infractions of project conditions, but were related to nuisance noise and/or truck operations associated with construction activity.

As of April 30, 2011, the neighborhood complaints consist of seven noise-related, six dust-related, three truck traffic-related, three graffiti-related and five miscellaneous. Thirteen verbal warnings have been issued to the contractor by the PEC since the last construction update (for a total of 21 verbal warnings). The PEC issued a Violation of the street sweeping condition on April 12, 2011 for dirt/dust in the right-of-way. This is the only Violation issued thus far by the PEC.

A. NOISE

Because construction noise was determined to be a significant, unavoidable environmental impact, the project has several conditions of approval intended to reduce construction noise to the maximum extent feasible, including restricting construction hours; minimizing construction traffic through neighborhoods; limitations on staging, queuing, simultaneous equipment use

and material delivery; requiring mufflers and constructing a perimeter sound barrier. Noise complaints received during this period have been related to off-site utility work, which is closer to residences and doesn't benefit from the sound wall. The noise-related mitigations have generally been observed. There have been three verbal warnings related to work outside the permitted hours.

The contractor has submitted a request for an exception to the conditions of approval in order to allow the concrete pumper truck to arrive between 7-9 a.m. and to leave between 4-5 p.m.. This would occur one to two times per week over the next six months. This would allow time for set up and clean up within official work hours, but means there would be truck trips during peak hours (7-9 a.m. and 4-6 p.m.), which is typically not permitted. A request to allow one lumber delivery per month on Saturday between 9 a.m. and 5 p.m. or on weekdays between 4-7 p.m. to avoid conflicts with weekday traffic and other trades onsite was also made. These exceptions would affect conditions H.5 Construction-Related Truck Trips, H.10 Construction Hours, and H.13 Delivery and Storage of Materials and Equipment (refer to Exhibit A). At the time of writing this staff report, a formal decision on the request had not been made by staff. An update will be provided at the Planning Commission meeting. If any exceptions to work hours are granted, neighbors would be given at least 48 hours advance notice per Condition H.10.

Overall, staff has found the noise mitigations to be relatively successful in minimizing neighborhood impacts.

B. Air Quality / Dust Control

The project conditions of approval include several measures to address air pollution and dust, including construction equipment controls, reduced on-site vehicle speeds, watering disturbed areas, covered truck loads, and street sweeping. Partially due to the recent rains, on-site dust control has been relatively good during this reporting period. As the project progresses, ensuring adequate watering on-site so that there is no visible dust leaving the site will likely become more of an issue again. Two verbal warnings for non-covered loads have been issued.

C. Traffic / Haul Routes

There have been three verbal warnings regarding haul route infractions, and two verbal warnings regarding truck queuing near the project site.

D. Erosion Control - BMPs and Storm Water Pollution Prevention Plan

The project requires implementation of Best Management Practices (BMPs) during construction to address water quality. Given the rain events that we've had since December 2010, and most notably in March 2011, these BMPs have been tested and have been adjusted as construction warrants.

During the significant rain event that occurred March 19-21, 2011, the PEC observed specific onsite BMPs (e.g., fiber rolls, gravel bags, silt fences, de-silting basins) not working effectively to prevent offsite transport of sediment. Portions of the fiber rolls and sand/gravel bags located beneath the Salsipuedes Street sound wall near the entrance gates were overwhelmed by the amount of rain that fell within a 24-hour period, and as a result, sediment-laden water was

exiting the project site at these locations. Fiber rolls and sand/gravel bags were re-positioned around the perimeter of the site along Salsipuedes Street, which effectively diverted the runoff back onto the property and eventually into the onsite de-silting basin located in the southwest corner of the property.

Additionally, a complaint was received regarding the "lakes" observed on-site. These lakes were the result of the detention basins filling with water during the rains. These basins are a typical erosion/sediment control BMP measure to hold/delay runoff on site, or to slow the runoff down to allow sediments to settle out of the water. This is very important to the water quality in the creeks and the ocean. The settling ponds on site are by design and required. Due to the contractor's concern that the temporary upper detention basin would exceed capacity from the significant amount of rain received, water was pumped to the formal retention/de-silting basin located in the southwest corner of the site. Water was also being pumped from the lower basin directly to the storm drain, and the basin had a French drain at the bottom that led to the storm drain. The water going into the storm drain contained a lot of sediment. City staff went out to the site and requested that pumping be halted until the situation could be better assessed. A thorough description of the events related to this issue can be found in the Attached PEC Report for that week (Attachment B). The property owner was cited by the City because this was the second offense regarding the discharge of sediment within a 12-month period (first offense was in July 2010).

There has been one verbal warning issued to the contractor for erosion control issues. However, in general, and especially given the higher than normal rain totals this year, the site's erosion control measures have been effective and the contractor has been proactive in this regard. The tracking of sediment off-site by hauling trucks has been the primary issue that the PEC has had to address over the last six months. There have been two verbal warnings related to street sweeping. In response, the PEC has ordered additional street sweeping on both a regular and as-needed basis. This will continue to be an area of monitoring for the PEC.

E. UNDERGROUND STORAGE TANK

As reported at the last update, on August 6, 2010 an underground storage tank (UST) was discovered encased in concrete below the former boiler room adjacent to Salsipuedes Street. County Fire conducted site visits on August 19th and 25th, 2010. A Corrective Action Plan was approved by County Fire and the tank and contaminated soil were removed (September 2010 and early January 2011, respectively) and properly disposed of. The site investigation and corrective action for the UST were completed and the case was closed as of March 24, 2011.

On February 15, 2011, County Fire did an inspection of another underground tank that was found during grading activities. The tank was determined to not be a petroleum tank and no further action was required.

V. CONCLUSION

The anticipated construction timeframe for the development is long, and, as identified in the EIR, the project will have significant impacts on neighbors related to construction noise, and construction-

related impacts associated with dust will be potentially significant but mitigable. Construction traffic was determined to be an adverse, but less than significant impact.

Although there have been neighborhood complaints regarding noise, traffic, dust and other miscellaneous items, the complaints have been responded to quickly by the applicant. Given the scope of the project, construction activities have been proceeding in a timely manner and with relatively few complaints. Based on this review, Staff is not proposing any changes to the Conditions of Approval.

Exhibits:

A. Selected Conditions of Approval (excerpt from City Council Resolution 06-103)
B. PEC Weekly Report, week of March 21 to March 27, 2011

The noise barrier shall be designed by a licensed engineer and shall be at least eight feet in height. The noise barrier requires the issuance of a building permit. All gates in the barrier shall be provided with approved sound blocking or absorbing material. (N-1c)

25. **Conditions on Plans/Signatures.** The final Planning 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., Final Map submitted to Public Works 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. (AQ-1m)

Signed:

_____

Property Owner
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 Owner and/or Contractor for the duration of the project construction. Community Development Department staff shall review the plans and specifications to assure that they are incorporated into the bid documents, such that potential contractors will be aware of the following requirements prior to submitting a bid for the contract.

1. **Hazardous Materials Safety.** Measures to protect workers and neighbors, contain exposure, provide for proper disposal, and remediate from any hazardous material contamination shall be implemented in accordance with State regulations. *(H-4)*

2. **Construction Notification to Neighbors.** At least twenty (20) days prior to commencement of construction, the contractor or owner shall provide written notification to property owners and residents within 1,000 feet of the project area, to surrounding area homeowners associations, and posted at the access to construction site. The notice shall provide a construction schedule, required

noise and dust control conditions applied to the project, and the name and telephone number of the Project Environmental Coordinator and Construction Site Monitor who can address questions and problems that may arise during construction. Said notice shall be consistent with the requirements outlined in Condition F.3. *(N-2)* (AQ-1k)

3. **Construction Dust Complaints.** The site development contractor shall provide a phone line that can be used by project area residents to register dust-related complaints at the project site. The phone line shall be answered between the hours of 8 a.m. and 5 p.m., and recorded by an answering machine at other times. The phone number and an explanation of what the phone number is for shall be posted at construction site entrances located on Arrellaga, Salsipuedes, Micheltorena, and California Streets. The phone number of the Santa Barbara APCD shall also be posted. The contractor shall be responsible for implementing dust control measures in a timely manner in response to complaints that are received. A log shall be kept at the project site to document complaints that are received and actions implemented in response to individual complaints. A construction team member/responsible party shall return all complaint phone calls within one business day. (AQ-1l)

4. **Demolition/Construction Materials Recycling.** Recycling and/or reuse of demolition/construction materials shall be carried out to the maximum extent feasible as determined by the Public Works Director, and containers shall be provided on site for that purpose. All construction/demolition waste generated by the Workforce Housing project shall be salvaged for reuse or be transported to an appropriate off-site recycling facility. Indicate on the plans the location of 40 yd. roll-off container for collection of demolition/construction materials. At a minimum, 95% of all demolition materials by weight, except hazardous materials, shall be recycled and/or reused. Such recycling percentage shall be monitored and certified for compliance by the demolition contractor and recycling facility, as appropriate. To the maximum extent feasible, as determined by the Community Development Director, based on condition of the material, Mission roof tile existing on buildings to be demolished shall be saved and re-used in the new construction. (SW-1b)

5. **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 on adjacent streets and roadways. Queuing of construction vehicles may be allowed in an off-site

location outside of residential neighborhoods acceptable to the Transportation Operations Engineer.

6. **Construction Related Traffic Routes.** Truck traffic related to the construction and related traffic controls will be limited to the routes specified by the City of Santa Barbara and agreed upon during the contractor's detailed noise mitigation plan. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods. Temporary traffic control measures, such as but not limited to appropriate signage, flag-persons, barriers, etc shall also used to minimize construction-related traffic conflicts. Truck traffic through residential neighborhoods shall be as limited as possible, subject to approval by the Public Works Director. Prior to start of construction, the contractor or owner shall place a notice in major local publications providing the public with information regarding haul routes and construction timing. *(N-5d & T-1)* (N-1n & TRF-7a)

7. **Construction Equipment Air Quality Controls.** The following measures shall be carried out to reduce diesel particulate and ozone precursor emissions:

   a. **Diesel Engines.** Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized to the maximum extent feasible, as determined by the Community Development Director. (AQ-2a)

   b. **Engine Size.** The engine size of construction equipment shall be the minimum practical size. (AQ-2b)

   c. **Equipment Use Management.** The number of pieces 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. (AQ-2c)

   d. **Equipment Maintenance.** Construction equipment shall be properly maintained per the manufacturer's specifications. (AQ-2d)

   e. **Engine Timing.** Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. (AQ-2e)

   f. **Catalytic Converters.** Catalytic converters shall be installed on gasoline-powered equipment. (AQ-2f)

   g. **Diesel Emission Reduction.** Diesel catalytic converters, diesel oxidation catalysts, and diesel particulate filters as certified and/or verified by the EPA or California shall be

installed, if available, as determined by the Community Development Director. (AQ-2g)

h. **Diesel Equipment Replacement.** Diesel powered equipment shall be replaced by electric equipment to the maximum extent feasible, as determined by the Community Development Director. (AQ-2h)

i. **Minimize Employee Trips.** Construction worker trips shall be minimized by requiring carpooling and by providing for lunch opportunities on-site. (AQ-2i)

j. **Low VOC Coatings.** Low volatile organic compound (VOC) architectural coatings shall be used to the maximum extent feasible, as determined by the Community Development Director. (AQ-2j)

k. **Low Sulfur Fuel.** All diesel-powered equipment shall use ultra-low sulfur diesel fuel when available, as determined by the Public Works Director. (AQ-2k)

l. **Bio-diesel.** During the demolition and grading phases, all diesel-powered construction equipment and vehicles manufactured in 1992 or later and used on site shall be fueled using bio-diesel fuels if such fuels are available on the South Coast of Santa Barbara County. Bio-diesel fuels shall be used to the maximum extent feasible for all other construction phases. Availability and feasibility shall be determined by the Public Works Director. (AQ-2l)

8. **Haul Routes.** The haul routes for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Public Works Director.

9. **On-Site Vehicle Speed Control.** On-site vehicle speeds shall be limited to 15 miles per hour or less. (AQ-1d)

10. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., with a noise restriction between 7:00 a.m. and 8:00 a.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
Presidents' Day	3rd Monday in February
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 1,000 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 & N-5b)* (N-1a)

11. **Construction Activity Scheduling.** Demolition, grading and construction activities in each proposed project site development area shall be scheduled to minimize the occurrence of simultaneous construction operations that have the potential to result in excessive noise generation. For example, concrete breaking demolition activities should not occur in more than one development area at a time. (N-1l)

12. **Minimize Equipment Use.** Equipment use for demolition, grading and construction activities shall be minimized, and the simultaneous operation of equipment within a proposed project development area shall be limited to the extent possible. (N-1m)

13. **Delivery and Storage of Materials and Equipment.** All deliveries of material and equipment will occur on-site within the gates located within the construction barricades and only during the hours specified by the City on weekdays, unless otherwise authorized under Condition H.10 above. The queuing of construction vehicles outside the site specified hours will be strictly prohibited. Queuing of construction vehicles may be allowed in an off-site location outside of residential neighborhoods acceptable to the Transportation Operations Engineer. Vehicles delivering materials and equipment to the site shall be operated in strict conformance with regulations established by the United States Department of Transportation and all State and Local requirements. The vehicles shall all utilize mufflers and other devices to minimize noise levels. All materials and equipment will be stored on-site and within the confines of the construction barricades, unless otherwise authorized. ~~*(N-5c)*~~ N-1h

14. **Construction Equipment Mufflers and Shields.** All construction equipment used on the site, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices. Sound control devices and techniques, such as noise shields and blankets, shall be employed as needed to reduce the level of noise to surrounding residents. *(N-3)* (N-1d)

15. **Construction Staging Areas.** Only designated and City-approved construction equipment and material staging areas shall be used. All staging areas shall be located a minimum of 50 feet from the perimeter of the project site. *(N-4)* (N-1e)

16. **Construction Parking/Storage.** Construction parking and storage shall be provided as follows:

    a. During construction, free parking spaces for construction workers and construction equipment shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. If parking is provided off-site, a shuttle service between the parking area and the project site shall be provided.

    b. Storage or staging of construction materials and equipment and parking for construction workers within the public right-of-way is prohibited except within the extension of Salsipuedes Street, unless otherwise authorized. (TRF-4a)

17. **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. At a minimum, this shall include wetting down disturbed areas in the late morning and after work is completed for the day. 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. Increased watering frequency shall be required whenever necessary to prevent visible dust emissions from leaving the project site. Disturbed areas must also be kept moist during weekends and days when no construction activities are occurring. (AQ-1a & 1b)

18. **Stockpiled Material.** Stockpiles of soil and demolition material shall be located as far from the perimeter of the projects site as possible. Stockpiles shall be kept covered, moist, or treated with soil binders to prevent dust emissions from leaving the project site. (AQ-1c)

19. **Dust Emissions from Loading.** Stockpiled soil and demolition material shall be sprayed with water prior to and during loading into transport vehicles or containers. The amount of water applied shall be sufficient to prevent visible dust emissions from leaving the project site. (AQ-1e)

20. **Wind Erosion Control.** After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind erosion 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. (AQ-1i)

21. **Covered Truck Loads.** Trucks transporting fill material to and from the site shall be covered from the point of origin. (AQ-1f)

22. **Construction Noise and Vibration Complaints.** The site development contractor shall provide a phone line that can be used by project area residents to register complaints about noise and vibration at the project site. The phone line shall be answered between the hours of 8 a.m. and 5 p.m., Monday through Friday, and recorded by an answering machine at other times. The voice mail message during non-construction hours shall include an alternative phone number to be used in emergencies. The phone number and an explanation of what the phone number is for shall be posted at construction site entrances located on Arrellaga, Salsipuedes, Micheltorena, and California Streets. The contractor shall be responsible for implementing noise and vibration control measures in a timely manner in response to complaints that are received. A log shall be kept at the project site to document complaints that are received and actions implemented in response to individual complaints. A construction team member/responsible party shall return all complaint phone calls within one business day. *(N-5a)* (N-1f)

23. **Noise Complaint Resolution.** In response to verified complaints regarding excessive construction-related noise, the City may require the applicant/project developer to implement a noise monitoring program. The noise monitoring program shall be designed and conducted to ensure that appropriate noise reduction and control measures are identified and implemented so that construction-related noise levels at sensitive receptors (residences) adjacent to the project site do not exceed the following levels.

    a. Noise exceeding 70 dBA shall not occur for more than five minutes at a time, nor for more than 15 minutes per hour.

    b. Noise exceeding 75 dBA shall not occur for more than one minute at a time, nor for more than five minutes per hour.

    c. Noise exceeding 85 dBA shall not occur for more than 1 minute per hour.

    The results of all required noise monitoring, along with a description of actions implemented to conform with the above noise standards, shall be provided to the City Planning Department. Noise monitoring at receptor locations may be required until it has been demonstrated to the satisfaction of the Planning Department that effective noise abatement and control measures have been implemented and the noise standards described above have been achieved. (N-1g)

24. **Delivery and Storage of Materials and Equipment.** All deliveries of material and equipment will occur on-site within the construction site barricades and only on weekdays during the hours specified by the City. Construction vehicles shall not be allowed to queue outside the project site before the specified hours. Queuing of construction vehicles may be allowed in an off-site location outside the residential neighborhoods acceptable to the Transportation Operations Engineer. Vehicles delivering materials and equipment to the site shall be operated in strict conformance with regulations established by the United States Department of Transportation and all State and Local requirements. The vehicles shall all use mufflers and other devices to minimize noise levels. All materials and equipment shall be stored on-site and within the confines of the construction barricades. *(N-5c)* (N-1h)

25. **No Worker Access to the Neighborhood**. All workers will be required to park on-site (i.e. behind the construction barricades or in designated off-site parking areas that are outside of the entire residential area surrounding the site. Workers will also be required to remain in designated on-site areas during all breaks and workers will not be permitted to gather off-site during the course of proposed demolition and construction. *(N-5e)*

26. **Radios and Alarms.** No radios, music playback equipment, musical instruments, or automobile or truck alarms shall be permitted on the project site. *(N-5f)* (N-1i)

27. **Vehicle Noise.** Except as otherwise required by law for backing up or emergencies, all vehicle horns shall remain silent. *(N-5g)* (N-1o)

28. **Limitations on Catering Trucks.** Catering trucks providing service to workers at the site will be required to park within the site at all times. Catering trucks shall not be permitted to park on the street nor to sound their horns near or within the site. *(N-5h)* (N-1j)

29. **Loitering.** Loitering of any kind will not be permitted at any gate, on the jobsite or any street, whether before, during or after work hours, on weekdays or on weekends. *(N-5i)*

30. **Limited Site Access.** Access to the site shall be limited to areas approved by the City of Santa Barbara. The gate(s) shall incorporate the same method of noise shielding as the required site perimeter barriers and shall be kept closed except for vehicle passage. *(N-5j)* (N-1p)

31. **Portable/Stationary Equipment.** When portable or stationary equipment, such as but not limited to generators, air compressors and wood sawing stations are required on the project site, the equipment shall be located as far from the project boundaries as possible. If it is necessary to locate portable/stationary equipment within 200 feet of the project perimeter, methods to provide noise shielding for that equipment shall be implemented. This may include but is not limited to: providing a three or four sided enclosure which is lined with a sound absorbing material between the equipment and the property line, or locating the equipment so that noise shielding is provided by existing or new structures located on the project site. *(N-5k)* (N-1k)

32. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible to minimize areas exposed to wind erosion. Additionally, building pads shall be installed as soon as possible after grading unless seeding or soil binders are used, as directed by the Building Inspector. (AQ-1j)

33. **Gravel Pads.** Gravel pads shall be installed at all vehicle access points to the project site to minimize tracking of dirt or mud onto public roads. (AQ-1g)

34. **Street Sweeping.** Arrellaga, Micheltorena, Salsipuedes, and California Streets shall be inspected daily throughout the project development period to determine if there are project-related accumulations of mud, dirt or silt on the roads. Affected road segments shall be cleaned of such mud, dirt, or silt by the use of a street sweeper. (AQ-1h)

35. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division and the Regional Water Quality Control Board (California Storm Water Best Management Practices Handbooks).

36. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractors and Project Environmental Coordinator's (PEC) name, contractors and PEC's telephone number, work hours, site rules, 24-hour emergency phone number, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.

37. **Tree Protection.** All trees not indicated for removal on the site plan shall be preserved, protected and maintained, in accordance with the Tree Protection Plan and any related Conditions of Approval.

38. **Tree Protection.** Notes on the grading plan that specify the following:

    a. No fill shall be placed under the driplines of the existing trees.

    b. A qualified Arborist shall be present during any excavation adjacent to or beneath the dripline of the trees which are required to be protected.

    c. All excavation within the dripline of the trees shall be done with hand tools.

    d. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.

    e. No heavy equipment, storage of materials or parking shall take place under the dripline of the trees.

    f. Any root pruning and trimming shall be done under the direction of a qualified Arborist.

39. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

40. **Staff Reports.** Staff reports on the status and effectiveness of construction related mitigations and monitoring shall be provided to the Planning Commission six months after the demolition permit is issued and every six months thereafter until Certificates of Occupancy are issued. The applicant and Project Environmental Coordinator shall provide information and participate in the status reports.

DUDEK

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#55 Compliance Monitoring Report CHS Work Force Housing Project

To: Allison DeBusk, City of Santa Barbara Planning, Case Planner

cc: Ron Biscaro, Cottage Hospital Foundation, Project Sponsor

Dave Burke, Burke Advisors, Project Construction Manager

Jonathan Leech, Dudek

From: John Cuykendall, Project Environmental Coordinator

Date: April 4, 2011

Subject: Weekly Monitoring Report, March 21 to March 27, 2011

PEC Logs: 161 - 165

Archaeology Monitor Weekly Report: March 26, 2011

Arborist Report: None

This is the fifty-fifth weekly monitoring report for the Bella Riviera (formerly Santa Barbara Cottage Health Systems) Workforce Homes Project located at the former St. Francis Hospital site.

Attached please find a set of the daily field logs/reports completed during the week of March 21, 2011 for the project. As noted in the field logs, the project construction team has been in compliance with the conditions and environmental mitigations during construction of the Bella Riviera Workforce Homes Project.

CONSTRUCTION ACTIVITY

No construction activity occurred during this week due to rain and muddy conditions onsite. However, SL Residential was onsite throughout the week modifying erosion control measures in response to the significant rain storm event that occurred over the weekend.

MONITORING

Monitoring for the following compliance conditions was provided:

- Working hours restricted to the period from 7 AM to 5 PM weekdays; work prohibited on weekends and City Holidays; weekday noise restriction between 7:00 a.m. and 8:00 a.m.
- Heavy truck traffic to avoid the morning (7 AM to 9 AM) and evening (4 PM to 6 PM) peak traffic hours.
- Construction workers shall not park on neighborhood streets.
- Archaeological monitoring during all ground disturbing activities.
- Arborist monitoring of trees to remain or to be relocated.
- Erosion Control.
- All hauling trucks transporting fill material shall be covered.
- Construction related truck trips shall follow the haul route(s) as approved by the City.
- Use of water trucks/sprinkler systems to keep areas of vehicle movement/ construction activity damp.
- Limitations of Catering Trucks – park onsite and no horns.
- Gravel pads at truck entrances/exits of the sites to prevent dirt tracking off-site.
- Late model diesel engines and use of low-sulfur diesel fuel/bio-diesel fuel.
- Hazardous materials safety.
- Construction staging areas.
- Dust emission from loading.
- Construction parking / storage.
- Water sprinkling during grading.
- Delivery and storage of materials and equipment.
- No worker access to the neighborhoods.
- Tree protection.
- Construction site rules.
- Street sweeping.

SL Residential and their sub-contractors have been cooperative and construction hours and noise restrictions have been faithfully observed.

No parking transgressions were observed or reported to the PEC. Access gates to the site at Arrellaga, Salsipuedes, and California Streets were observed closed due to inactivity at the site during the week.

Santa Barbara County Fire Department issued a letter dated March 24, 2011 confirming completion of the site investigation and corrective action for the former underground boiler tank discovered at the project site during demolition activities. No further action related to the former boiler tank is required. To review a copy of the official remedial

action completion certification letter, please visit the State Water Resources Control Board's GeoTracker Database located at http://geotracker.waterboards.ca.gov.

In addition, the Case Closure Report prepared and submitted by Santa Barbara County Fire Department relative to the former underground boiler tank can also be found at the State Water Resources Control Board's GeoTracker Database located at http://geotracker.waterboards.ca.gov.

As noted in last week's report, on the morning of Sunday, March 20, 2011, the PEC observed specific onsite BMPs (e.g., fiber rolls, gravel bags, silt fences, de-silting basins) not working effectively to prevent offsite transport of sediment. Portions of the fiber rolls and sand/gravel bags located beneath the Salsipuedes Street soundwall near the entrance gates were overwhelmed by the amount of rain that fell within a 24-hour period, and as a result, sediment-laden water was exiting the project site at these locations. Fiber rolls, and sand/gravel bags were re-positioned around the perimeter of the site along Salsipuedes Street, which effectively diverted the runoff back onto the property and eventually into the onsite de-silting basin located in the southwest corner of the property. The PEC requested that the contractor evaluate the BMPs on Monday morning to modify as necessary to prevent another such occurrence, where sediment-laden water could be allowed to exit the site.

The following paragraphs provide a detailed account of the actions taken to correct the inadequacies in the BMP measures identified on Sunday. As noted in the approved RWQCB NPDES General Construction Permit for the site, if the BMP measures identified in the Storm Water Pollution Prevention Plan (SWPPP) prove inadequate, the measures are to be modified as necessary to reduce/prevent any discharge in violation of the permit. Further, the project site is considered a Risk Level 1 site, whereby only visual monitoring of storm water run-off quality, not sampling and testing, is required. Consistent with the SWPPP and the NPDES Construction General Permit issued by the RWQCB for this project, the contractor (SL Residential) and civil engineer (Michael Hamilton, SWPPP author) worked together throughout the week to evaluate and determine the best course of action to rectify the problems with BMP deficiencies identified onsite.

Monday, March 21, 2011

Monday morning, SL Residential crews were observed onsite responding to concerns expressed by the PEC on Sunday. Laborers were positioning new sand/gravel bags and fiber rolls around the perimeter of the site and rolling out hose lines to pump water from a temporary upper detention basin where water had accumulated over the weekend from the significant amount of rain received over a 24-hour period, to the formal de-silting basin located in the southwest corner of the site. SL Residential was initially concerned with the amount of water stored in the upper temporary basin and directed their crews to immediately install two hose lines with pumps to begin to drain the upper temporary basin into the lower dedicated retention/de-siltation basin. The initial concern was to

alleviate the potential risk of the upper basin exceeding capacity (with sheet flow outfall occurring at that point).

Jim Rumbley, Code Enforcement Officer with City Parks and Recreation Department, Creeks Division arrived at the site soon after the laborers turned on the pumps; the City representative was evidently present in response to an e-mail sent to the Mayor from Cherie Rae expressing concern from a neighbor relative to the amount of water accumulated onsite, and the removal of a retaining wall that was identified to be preserved in the original on-site improvements (civil engineering) plan.

Once onsite, Jim Rumbley observed two hose lines pumping water from the upper detention basin to the lower de-silting basin and then a third hose line that had unfortunately been installed by laborers to pump water from the lower de-silting basin directly into the drain inlet grate. Upon Jim Rumbley observing the third hose line pumping water with sediment directly into the basin drain inlet, he directed that all pumps be turned off to allow a more thorough assessment of the situation onsite.

During the initial evaluation of the BMPs, it was discovered that despite all the pumps being turned off, murky water continued to enter the lower sediment basin concrete drain inlet. Upon closer inspection, it was determined that murky water was entering the sediment basin inlet riser via a 4-inch perforated drain pipe below the existing retaining wall, which was being used as the southern embankment to the de-silting basin.

Code Enforcement Officer, Jim Rumbley requested that the contractor cap the 4-inch drain pipe to stop the flow of murky water entering the City's catch basin. However, it proved extremely difficult to cap the 4-inch drain pipe due to its location within the concrete drain inlet. As a result, the contractor decided to drain the lower de-silting basin to a level below the retaining wall drain pipe by pumping water from the lower basin up to the upper basin. This effectively reduced the flow of murky water into the drain inlet.

Furthermore, once the lower basin was drained, the contractor, using an excavator, began to dig next to the retaining wall in an attempt to locate the drain. Due to construction hour restrictions onsite, work was stopped for the day. Excavation activities were planned to continue the next morning. No further pumping of water occurred that day.

<u>Tuesday, March 22, 2011</u>
Under the observation of Jim Rumbley and City Building Inspector, Geoff Lancaster, excavation of the lower basin continued in the morning. Excavation reached a depth of 7-feet, which exposed a French drain pipe next to the retaining wall. The 4-inch pipe was then cut and connected to a 4-inch PVC elbow and standpipe next to the wall and concrete inlet grate to prevent further release of murky water from the French drain into the storm drain system.

Although sampling of the water is not required per the RWQCB permit issued for this site, only visual monitoring of discharges is required; a single sample (not a series of

samples to establish an average value of all samples) was taken in an attempt to characterize the existing condition. The sample was taken from the basin inlet onsite to determine the turbidity of the water. According to Mike Hamilton, the discharge appeared muddy and worse than the previous day because of the local earth disturbance associated with excavation of the basin. Mike Hamilton accompanied Jim Rumbley to conduct a turbidity test. As expected, the sample failed the turbidity test. No further pumping occurred that day. However, work crews did install additional waddles, fiber rolls, and gravel bags within the site, in particular, around the de-silting basin and stockpiled soil onsite.

Jim Rumbley contacted Jon Rohrbough with the Central Coast Regional Water Quality Control Board via e-mail Tuesday evening to inform him of the release of sediment-laden water into the onsite storm drain inlet at the Bella Riviera project site. Mr. Rumbley requested clarification on what is permissible under the RWQCB permit issued to the site and questioned whether or not the infraction warranted any type of enforcement action from RWQCB.

Wednesday, March 23, 2011

SL Residential spent most of the morning strategizing on implementing alternative methods to improve the quality of water exiting the site. It was determined that the most effective discharge method would be to pump water from the upper basin using an inner-tube to float the pump to ensure only near-surface (cleanest) water was pumped directly to the lower basin drain inlet. Filter fabric was placed over the intake for the hoses to further remove sediment. This method improved the clarity of the water exiting the hoses into the lower basin drain inlet. However, murky water was again observed entering into the City's catch basin via the de-silting basin drain inlet. Pumping was immediately stopped. It was determined that overflow from the water being pumped from the upper basin into the drain inlet was settling next to the French drain along the retaining wall and subsequently draining into the City's catch basin.

In order to avoid having to remove the concrete inlet grate to access the 4-inch drain pipe located several feet below the grate, it was determined that the level of water in the de-silting basin must remain below the level of the retaining wall drain pipe to prevent murky water from entering the City's catch basin. Consequently, water was again pumped from the lower basin to the upper basin to drain the de-silting basin. Once the water in the de-silting basin was at a level below the retaining wall drain pipe, pumping resumed from the upper basin to the lower basin drain inlet; however, pumping was slowed to minimize overflow into the lower basin. No pumping occurred overnight.

Thursday, March 24, 2011

Pumping resumed in the morning. Layers of filter fabric were installed at the de-silting basin drain inlet grate and at the pump to ensure clarity in the water being discharged. Visual inspections of the water showed clear water discharges up until mid-morning when murky water was observed discharging into the City's catch basin. Pumping was immediately stopped. It was quickly discovered that the filter fabric on the hose ripped,

allowing murky water to enter the inlet. The filter fabric was replaced with filtration bags to eliminate the possibility of filter fabric tearing again. Pumping resumed in the afternoon with the use of filtration bags.

Jim Rumbley conducted a site visit in the afternoon to perform a visual inspection of the water entering the drain inlet. Mr. Rumbley requested that the contractor install additional filtration bags to improve the clarity of the water being discharged. Mr. Rumbley scheduled a follow-up site inspection for the next morning to visually inspect the discharge.

RWQCB's Jon Rohrbough responded Thursday morning directly to Michael Hamilton in response to Mr. Rumbley's 3/22/11 e-mail. Mr. Rohrbough generally stated that as long as the dischargers are taking all responsible steps to minimize or prevent any discharge in violation of the permit (which includes the use of Best Conventional Technology (BCT) that are economically feasible for conventional pollutants), whether or not the turbidity exceeds the levels identified in the permit no further action would be warranted on the part of the RWQCB. Furthermore, Mr. Rohrbough stated that if the measures identified in the SWPPP prove inadequate, dischargers are required by the permit to modify control measures in the SWPPP as necessary to achieve the BCT standard. This is the process pursued by SL Residential, the Project Manager, and the Project's Civil Engineer since being notified by the PEC on Sunday of inadequacies in the BMPs.

Friday, March 25, 2011

Pumping of water resumed in the morning from the upper basin directly to the concrete drain inlet at the de-silting basin. Filtration bags were utilized to remove sediment from the water. A second pump was used to continually pump water from the lower de-silting basin to the upper basin to prevent murky water from accumulating in the basin, which may discharge into the City's catch basin.

Jim Rumbley was onsite in the morning to visually inspect the discharge. Mr. Rumbley took a sample of the water entering the City's catch basin and requested that the water pump from the upper basin to the drain inlet be turned off until the sample was tested. The other pump, pumping water from the de-silting basin to the upper basin remained on to prevent murky water from accumulating in the de-silting basin.

The turbidity test of the sample showed that the discharge was well within the threshold identified in the RWQCB discharge permit for the Bella Riviera construction site. However, Mr. Rumbley requested that the contractor suspend pumping activities until he received feedback from RWQCB regarding the turbidity test.

As noted above, Jim Rumbley contacted Jon Rohrbough at Central Coast RWQCB to inform him of the turbidity test results and to obtain RWQCB approval prior to allowing continued discharging of water onsite based on the most recent turbidity test levels. Jon Rohrbough responded shortly thereafter, stating as he noted previously in his earlier e-mail that dischargers are required to implement the best available technology to prevent

or reduce pollutants, and that the turbidity level identified in the permit is used as an indicator as to whether the discharger is fulfilling the requirement. Should the discharger exceed the limit indicated in the permit, it does not constitute a violation (particularly for a Risk Level 1 site), but rather signifies that more effort would need to be undertaken to evaluate the BMPs in place and to take steps to reduce pollutants in the discharge. Mr. Rohrbough went on to state that if the turbidity levels are within the turbidity limit as identified in the permit, and the discharger is taking all technologically and economically feasible steps to minimize sediment discharge, then the site is in compliance with the permit.

Mr. Rumbley subsequently sent an e-mail to the contractor stating that pumping operations may resume to discharge the water stored onsite, subject to the existing methods (e.g., filtration bags) being used and the requirement that the filtration bags be routinely checked and maintained. Mr. Rumbley also stated that no pumping shall occur without the presence of someone on site to monitor the system (e.g., over the weekend). No pumping occurred over the weekend.

Although the contractor was operating in compliance with the RWQCB permit with respect to procedures involving significant storm events (5-year 24-hour storm event), under which when inadequacies in the BMPs were identified measures were implemented to correct the inadequacies, Mr. Rumbley issued a $200 violation to the property owner; the citation was based on what Mr. Rumbley described as a second violation in twelve months, where sediment-laden water was discharged from the site. The first violation occurred on July 27, 2010 during demolition activities when Standard Industries was demolishing the lower parking structure. Standard Industries was spraying water using a hose line to suppress fugitive dust emissions during the break-up of concrete, and unintentionally some water exited the site beneath the fiber roll located below the soundwall near the central driveway cut on Micheltorena Street.

Next week pumping will resume and will be monitored hourly to ensure the filtration bags are working properly and the discharge remains clear. Furthermore, the lower de-silting basin will be modified to address the French drain along the retaining wall.

In regards to the e-mail sent to the Mayor from Cherie Rae concerning the old retaining wall onsite, the architect and civil engineer determined during demolition activities (once the retaining wall was exposed) that the existing retaining wall would not withstand the loads planned to be placed upon the wall. Furthermore, the conditions of approval required incorporating the retaining wall only if feasible. It was determined infeasible and subsequently removed. As a result, a new retaining wall was designed and incorporated into the building plans. The redesigned retaining wall was approved by City staff on December 2, 2010 as part of the City's Plan Check Review process.

The Bella Riviera project team has scheduled the next neighborhood meeting for April 14, 2011 at 6:30 p.m. The meeting will provide an update on construction and monitoring activity to date and provide information on upcoming construction activity.

No archaeological monitoring was conducted during this week. Construction activity was suspended due to rain and muddy conditions onsite.

Attachments