

1900 Lasuen Road, El Encanto Hotel (MST2007-00140)

**MITIGATION MONITORING AND REPORTING PROGRAM**

**PURPOSE**

The purpose of the 1900 Lasuen Road, El Encanto Hotel 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, consultants and representatives. The MMRP program shall apply to all of the actions occurring under the Permit for the 1900 Lasuen Road, El Encanto Hotel 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) for each department. The PECs 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 1900 Lasuen Road, El Encanto Hotel 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 and the responsible department. Staff and/or contractors hired to do work under the 1900 Lasuen Road, El Encanto Hotel 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 respective 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 1900 Lasuen Road, El Encanto Hotel Project.

**A PRE-IMPLEMENTATION BRIEFING**

The PECs 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 PECs, 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 PECs 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 the applicant shall utilize the MMRP Matrix Table, 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. If the PEC identifies non-compliance or other problems with mitigation measure issues, the completed forms shall be forwarded to 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.

### **B. 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 1900 Lasuen Road, El Encanto Hotel 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 applicant as verification that compliance with all mitigation measures has occurred.

**1900 LASUEN ROAD, EL ENCANTO HOTEL PROJECT (MST2007-00140)  
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE**

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
<p><b>AQ-1 Construction Dust Control - Minimize Disturbed Area/Speed.</b> Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.</p>	Applicant/ Contractor			
<p><b>AQ-2 Construction Dust Control - Watering.</b> 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.  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.</p>	Applicant/ Contractor			
<p><b>AQ-3 Construction Dust Control - Tarping.</b> Trucks transporting fill material to and from the site shall be covered from the point of origin.</p>	Applicant/ Contractor			
<p><b>AQ-4 Construction Dust Control - Gravel Pads.</b> Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads.</p>	Applicant/ Contractor			
<p><b>AQ-5 Construction Dust Control - Stockpiling.</b> 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.</p>	Applicant/ Contractor			

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<p><b>AQ-6 Construction Dust Control – Disturbed Area Treatment.</b> 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:</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.</li> </ul>	Applicant/ Contractor			
<p><b>AQ-7 Construction Dust Control – Paving.</b> All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</p>	Applicant/ Contractor			
<p><b>AQ-8 Construction Dust Control – PEC.</b> The contractor or builder shall designate a person or persons to 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 upon request.</p>	Applicant/ Contractor			
<p><b>AQ-9 Portable Construction Equipment.</b> All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.</p>	Applicant/ Contractor			

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<b>AQ-10 Fleet Owners.</b> 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 <a href="http://www.arb.ca.gov/regact/2007/ordies107/froal.pdf">http://www.arb.ca.gov/regact/2007/ordies107/froal.pdf</a> .	Applicant/ Contractor		
<b>AQ-11 Engine Size.</b> The engine size of construction equipment shall be the minimum practical size.	Applicant/ Contractor		
<b>AQ-12 Equipment Numbers.</b> 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.	Applicant/ Contractor		
<b>AQ-13 Equipment Maintenance.</b> All construction equipment shall be maintained in tune per the manufacturer's specifications.	Applicant/ Contractor		
<b>AQ-14 Catalytic Converters.</b> Catalytic converters shall be installed on gasoline-powered equipment, if feasible.	Applicant/ Contractor		
<b>AQ-15 Diesel Construction Equipment.</b> Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.	Applicant/ Contractor		
<b>AQ-16 Engine Timing and Diesel Catalytic Converters.</b> Other diesel construction equipment, which does not meet CARB standards, 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, if available.	Applicant/ Contractor		

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AQ-17 Diesel Replacements. Diesel powered equipment shall be replaced by electric equipment whenever feasible.	Applicant/ Contractor		
AQ-18 Idling Limitation. Idling of heavy-duty diesel trucks during loading and unloading shall be prohibited; electric auxiliary power units shall be used whenever possible.	Applicant/ Contractor		

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<p><b>CR-1 Unanticipated Archaeological Resources Contractor Notification.</b> 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>Applicant/ Contractor</p>		

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<p><b>CR-2 Eucalyptus Tree Preservation.</b> The eucalyptus trees, located along Alvarado Place in the northwest portion of the site, and identified as historically significant, shall be retained unless a City-approved arborist determines that their preservation is not feasible or recommended due to their existing condition relative to life expectancy, disease, or safety reasons. The final design shall, to the maximum extent feasible, preserve the eucalyptus trees located along Alvarado Place. Prior to building permit issuance, final plans shall be accompanied by a City-approved arborist report stating that the design will not adversely impact the eucalyptus trees and shall be subject to the review and approval of the City's Environmental Analyst. If any of the trees are to be removed pursuant to the arborist determination, the trees shall be replaced with skyline trees.</p>	<p>Applicant, arborist</p>			
<p><b>N-1: Construction Notice.</b> At least 20 days prior to commencement of construction, the contractor shall provide written notice to all property owners and residents within 450 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site.</p>	<p>Applicant/ Contractor</p>			



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<p><b>N-2: Construction Hours.</b> Noise-generating construction activities (which may include preparation for construction work) shall be permitted weekdays between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays observed by the City as legal holidays: New Year's Day (January 1<sup>st</sup>); Martin Luther King Jr.'s Birthday (3<sup>rd</sup> Monday in January); President's Day (3<sup>rd</sup> Monday in February); Memorial Day (Last Monday in May); Independence Day (July 4<sup>th</sup>); Labor Day (1<sup>st</sup> Monday in September); Thanksgiving Day (4<sup>th</sup> Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25<sup>th</sup>). *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>Occasional night work may be approved for the hours between 5 p.m. and 8 a.m. by the Chief of Building and Zoning per Section 9.13.015 of the Municipal Code) between the hours of 5 p.m. and 8 a.m. weekdays. In the event of such night work approval, the applicant shall provide written notice to all property owners and residents within 450 feet of the project property boundary and the City Planning and Building Divisions at least 48 hours prior to commencement of any. Night work shall not be permitted on weekends and holidays.</p>	Applicant/ Contractor		
<p><b>N-3: Construction Equipment Sound Control.</b> All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.</p>	Applicant/ Contractor		
<p><b>N-4: Sound Barriers.</b> As determined necessary by the Planning Division, the project shall employ sound control devices and techniques such as noise shields and blankets during the construction period to reduce the level of noise to surrounding residents and businesses.</p>	Applicant/ Contractor		
<p><b>N-5: Location of Equipment.</b> Siting of cranes, hoists, or other semi-stationary heavy equipment shall be as far away noise-sensitive uses as practical, consistent with construction requirements.</p>	Applicant/ Contractor		

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<b>N-6: Electrical Powered Equipment.</b> Electrical powered equipment shall be used instead of equipment driven by internal combustion engines where feasible.	Applicant/ Contractor			
<b>N-7: No Idling of Equipment.</b> Equipment shall not be left idling for long periods; instead, it should be switched off.	Contractor			
<b>N-8: Location of Delivery Area.</b> An area shall be designated for delivery of materials and equipment to site. This area shall be located as far from residential properties as is practical, consistent with construction requirements. This area shall be protected by a temporary barrier blocking the line of sight from the source to any operable residential window.	Applicant/ Contractor			

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<p><b>PS-1 Solid Waste Management Plan.</b> The Applicant shall develop and implement a Solid Waste Management Plan to reduce waste generated by construction and demolition activities. Consistent with City of Santa Barbara ordinances and in order to achieve the waste diversion goals required by state law, the Contractor may choose to separate waste and recyclables on-site or use a combination of source separation and a construction and demolition (C&amp;D) sorting facility. The Solid Waste Management Plan shall include the following:</p> <ol style="list-style-type: none"> <li>1. Contact information: The name and contact information of who will be responsible for implementing the Solid Waste Management Plan.</li> <li>2. Waste assessment: A brief description of the proposed project wastes to be generated, including types and estimated quantities during the construction phase of this project. A minimum of 90% of demolition and construction materials shall be recycled or reused.</li> <li>3. Recycling and waste collection areas: Waste sorting and/or collection and/or recycling areas shall be clearly indicated on the project plans and approved by the City Solid Waste Specialist.</li> <li>4. Transportation: A description of the means of transportation of recyclable materials and waste (whether materials will be site-separated and self-hauled to designated centers, or whether mixed materials will be collected by a waste hauler and removed from the site to be processed) and destination of materials.</li> <li>5. Landfill information: The name of the landfill(s) where trash will be disposed of and a projected amount of material that will be landfilled.</li> </ol>	Applicant/ Contractor		

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<p>6. Meetings: A description of meetings to be held between applicant and contractor to ensure compliance with the site Solid Waste Management Plan.</p> <p>7. Alternatives to landfilling: A list of each material proposed to be salvaged, reused, or recycled during the course of the Project.</p> <p>8. Contingency Plan: An alternate location to recycle and/or stockpile C&amp;D in the event of local recycling facilities becoming unable to accept material (for example: all local recycling facilities reaching the maximum tons per day due to a time period of unusually large volume).</p> <p>9. Implementation and Documentation of Solid Waste Management Plan:</p> <p>a. Manager: The Permit Applicant or Contractor shall designate an on-site party (or parties) responsible for instructing workers and overseeing and documenting results of the Solid Waste Management Plan for the Project Site Foreman. The contact will notify the Public Works Department immediately should any deviance from the Solid Waste Management Plan be necessary.</p> <p>b. Distribution: The Contractor shall distribute copies of the Solid Waste Management Plan to the Job Site Foremen, impacted subcontractors, and the Architect.</p> <p>c. Instruction: The Permit Applicant or Contractor shall provide on-site instruction of appropriate separation, handling, and recycling, salvage, reuse, and return methods to be used by all parties at the appropriate stages of project development.</p>				

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<p>d. Separation and/or Collection areas: The Permit Applicant or Contractor shall ensure that the approved recycling and waste collection areas are designated on site.</p> <p>e. Construction of Recycling and Waste container facilities: Inspection shall be made by Public Works to ensure the appropriate storage facilities are created in accordance with AB 2176, California State Public Resources Code 42911 and City of Santa Barbara Zoning Ordinances.</p> <p>f. Hazardous wastes: Hazardous wastes shall be separated, stored, and disposed of according to federal, state and local regulations.</p> <p>g. Documentation: The Contractor shall submit evidence at each inspection to show that recycling and/or reuse goals are being met and a Summary of Waste Generated by the Project shall be submitted on a monthly basis. Failure to submit this information shall be grounds for a stop work order. The Summary shall be submitted on a form acceptable to the Public Works Department and shall contain the following information:</p> <ul style="list-style-type: none"> <li>• Disposal information: amount (in tons or cubic yards) of material landfilled; identity of the landfill; total amount of tipping fees paid at the landfill; weight tickets, manifests, receipts, and invoices (attach copies).</li> </ul>				

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<ul style="list-style-type: none"> <li>• Recycling information: amount and type of material (in tons or cubic yards); receiving party; manifests, weight tickets, receipts, and invoices (attach copies).</li> <li>• Reuse and salvage information: list of items salvaged for reuse on project or campus (if any); amount (in tons or cubic yards); receiving party or storage location.</li> </ul> <p>h. Contingency Plan: The Permit Applicant or Contractor shall detail the location and recycling of stockpiled material in the event of the implementation of a Contingency Plan.</p>				
<p><b>W-1 Drainage and Water Quality.</b> Final 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 prior to issuance of any building or public works permits. At a minimum, any increase in stormwater runoff (based on a 25-year storm event) shall be retained on-site, and the project shall be designed to capture and treat the calculated amount of runoff from the project site for a 1 inch storm event, over a 24-hour period. Sufficient engineered design and adequate mitigation 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.</p>	Applicant/ Contractor			

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<p><b>W-2 Erosion Control/Water Quality Protection Plan.</b> Prior to the issuance of a demolition permit for the proposed project, the applicant or project developer shall prepare a final erosion control plan that is consistent with the requirements outlined in the <i>Procedures for the Control of Runoff into Storm Drains and Watercourses</i> and the Building and Safety Division <i>Erosion/Sedimentation Control Policy</i> (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site. At minimum, the erosion control/water quality protection plan prepared for the proposed project shall address the implementation, installation and/or maintenance of each of the following water resource protection strategies:</p> <ul style="list-style-type: none"> <li>• Paving and Grinding</li> <li>• Sandbag Barriers</li> <li>• Spill Prevention/Control</li> <li>• Solid Waste Management</li> <li>• Storm Drain Inlet Protection</li> <li>• Stabilize Site Entrances and Exits</li> <li>• Illicit Connections and Illegal Discharges</li> <li>• Water Conservation</li> <li>• Stockpile Management</li> <li>• Liquid Wastes</li> <li>• Street Sweeping and Vacuuming</li> <li>• Concrete Waste Management</li> <li>• Sanitary/Septic Waste Management</li> <li>• Vehicle and Equipment Maintenance</li> <li>• Vehicle and Equipment Cleaning</li> <li>• Vehicle and Equipment Fueling</li> </ul>	Applicant/ Contractor		

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<p><b>W-3 Minimization of Storm Water Pollutants of Concern.</b> The Owner shall submit project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The approved facilities shall be maintained in working order for the life of the project.</p>	Applicant/ Contractor		
<p><b>W-4 Storm Drain System Stenciling and Signage.</b> Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project, and shall inspect at least annually and submit report to City annually..</p>	Applicant/ Contractor		
<p><b>W-5 Passive Drainage Techniques.</b> Passive/nature water treatment design techniques such as bioswales, infiltration basins, etc, shall be incorporated into open space areas, groundcover, and courtyards to treat the small, frequent storm events that impact water quality in Santa Barbara (a 1 inch storm event, over a 24-hour period). These types of passive/natural capture and filtration design options shall be implemented as opposed to mechanical/underground options, which pose maintenance problems and often times, do not treat runoff as efficiently. These measures shall be incorporated into the drainage plan and shall be subject to review and approval by City Building Division and Public Works Department per City regulations prior to issuance of any building or public works permits.</p>	Applicant/ Contractor		