


PUBLIC COMMENT LETTERS

915 E ANAPAMU STREET

S U Z A N N E  E L L E D G E
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

PRINCIPAL PLANNERS
SUZANNE ELLEDGE • LAUREL F. PEREZ

18 March 2010

Ms. Kelly Brodison, Assistant Planner
Planning Division, Community Development Department
630 Garden Street
Santa Barbara, CA 93101

RE: 915 E. Anapamu Street, MST2007-00331 – Initial Study/Draft Mitigated Negative Declaration (MND) Comment letter

Dear Ms. Brodison:

We appreciate the opportunity to provide the City with the written comments from the project team and applicant concerning the Draft MND for the proposed multi-family residential project located at 915 E. Anapamu. We are not submitting comments relative to the adequacy of the environmental analysis, but have minor clarifications contained within the environmental setting, plans and policy discussion and existing conditions descriptions which are described below.

ENVIRONMENTAL SETTING

Biological Resources (page 2)

The last sentence of the first paragraph, Army Corps of Engineers is misspelled.

PLANS AND POLICY DISCUSSION

4. Conservation Element
Visual Resource Policy 2.0 (page 5)
This discussion should make reference to the fact that the project site is not located on a major hillside.

Air Quality – Recommended Mitigation

AQ-22 Carpool Parking. Provide preferential parking for carpools and vanpools for construction workers.

Biological Resources – Existing Conditions and Project Impacts

The second paragraph (page 15) should qualify the Army Corps of Engineers (ACOE) determination of "Waters of the U.S." The ACOE has a very low threshold in making this

identification. Any drainage that eventually drains into the ocean is determined to be "Waters of the U.S." As a result of this determination, the project was designed to maintain the channel in its current condition, completely avoid the three-foot delineation of the channel (as defined by the ACOE), and to maintain a structural setback that ranges from 10 feet to 70 feet from the top of the drainage channel. Further, the drainage channel is not mapped in the Santa Barbara County Flood Control digital plan of any creek or in any City designated flood-prone area. The drainage enters the property via a 36-inch diameter concrete storm drain pipe located beneath Lowena Drive, flows across the subject site, enters another 36-inch diameter concrete storm drain pipe at the southern property boundary, where it enters the City's storm drain system for a distance of approximately 1 ½ miles before it discharges into the Laguna Channel south of Highway 101. The drainage channel appears to be man-made and does not have sufficient hydrology to support native riparian and/or wetland vegetation.

In the last sentence of the second paragraph (page 15) Army Corps of Engineers is misspelled.

3.a. Rare/Endangered species or their habitats

The first paragraph misrepresents the amount of vegetation proposed to be removed. Much of the vegetation will remain (18 trees); of the removals, only five (5) are oak trees and the remainder are ornamental. The project also includes a significant amount of proposed trees and vegetation.

BIO-2 Replacement Trees.

The last sentence should delete the reference to City parkway and instead refer to City parks. Also, we would like to propose that some of the mitigation trees be installed on the County Bowl property in addition to Skofield Park as they have indicated an interest in receiving trees..

Geophysical Conditions – Existing Conditions and Project Impacts

5.d: Landslides or Mudslides

The last sentence should be revised to state the following: Also, the applicant would periodically clean out the drainage culvert especially after periods of heavy rainfall and this activity may require a permit from the Army Corps of Engineers.

Conclusion

The Initial Study/Draft MND is a thorough document addressing project potential environmental impacts and summarizes the extensive technical analyses completed by

the applicant. The project applicant team is in agreement with both the required and recommended mitigation measures contained the Initial Study/Draft MND dated February 18, 2010 prepared for the subject project.

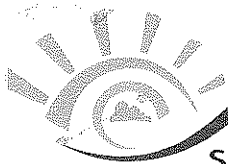
Thank you for consideration of our written comments and please do not hesitate to call me or any of the project team if you have any questions or would like to discuss the comments contained in this letter.

Sincerely,

SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES

A handwritten signature in black ink, appearing to read "Trish Allen".

Trish Allen, AICP
Senior Planner



**Santa Barbara County
Air Pollution Control District**

March 3, 2010

Kelly Brodison
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990

Re: Draft MND for 915 East Anapamu Street, MST2007-00331

Dear Ms. Brodison:

The Air Pollution Control District (APCD) has reviewed the Draft Mitigated Negative Declaration (MND) for the referenced case, which consists of demolition of existing structures, including a 2,192 square foot single-family residence, and construction of a 9-unit apartment structure with subterranean parking and two additional duplex structures. Grading on the site will consist of 3,350 cubic yards of cut and 550 cubic yards of fill, and twenty existing trees are proposed for removal. The subject property, a 0.94-acre parcel, is located at 915 E. Anapamu Street in the city of Santa Barbara.

The Air Pollution Control District offers the following comments on the Draft MND:

1. **Global Climate Change Impact Evaluation, Page 12:** A number of state and regional agencies have been working to develop various approaches to determine whether an individual project's greenhouse gas (GHG) emissions are considered significant (i.e., cumulatively considerable) in the context of the California Environmental Quality Act (CEQA). To date, none of the approaches being considered include an analysis whereby a project's individual GHG emissions are compared, in relative terms, to the total amount of GHG emissions estimated for the entire State of California. APCD staff recommends deleting this type of comparison from the document.

The Air Pollution Control District offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
3. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

Terence E. Dressler • Air Pollution Control Officer

March 3, 2010

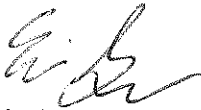
Page 2

4. Applicant may be required to complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28 which can be downloaded at <http://www.sbcapcd.org/eng/dl/dl08.htm>) for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the Santa Barbara Air Pollution Control District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. For additional information regarding asbestos notification requirements, please visit our website at <http://www.sbcapcd.org/biz/asbestos.htm> or contact us at (805) 961-8800.

5. At a minimum, prior to occupancy each building should reduce emissions of greenhouse gases by:
 - Increasing energy efficiency beyond Title 24 requirements;
 - Encouraging the use of transit, bicycling and walking by the occupants;
 - Increasing recycling goals (e.g., separate waste and recycling receptacles); and
 - Increasing landscaping (shade trees decrease energy requirements and also provide carbon storage.)

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,



Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Suzanne Elledge
Project File
TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- 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 work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- 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.
- Diesel powered equipment should be replaced by electric equipment whenever feasible. ✓
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible. ✓
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size. ✓
- 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. ✓
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite. ✓

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Brodison, Kelly

Subject: FW: FW: 915 E. Anapamu process question

From: Deborah L. Schwartz [mailto:ds@mesaconsultingllc.com]

Sent: Thursday, March 11, 2010 8:04 AM

To: Brodison, Kelly

Cc: Kato, Danny

Subject: FW: FW: 915 E. Anapamu process question

Dear Kelly,

At Danny's suggestion, I am forwarding my summary comments to you and the ABR for consideration on the 915 E. Anapamu redevelopment project DMND.

- 1) This property being adjacent to the Santa Barbara Bowl needs careful evaluation in terms of traffic circulation and parking impacts associated with potentially approving a 13-unit project of rentals (and not commercial day-time use mostly).
- 2) The 13 potentially significant environmental impacts warrant more extensive evaluation to better determine if identified mitigations can assuredly bring the level of impacts below significant (as I believe required under CEQA).
- 3) As a designated high fire area, careful evaluation of a) the placement of structures along with b) ingress and egress routes in order to ensure sufficient safe and timely access to and out of the property in case of fires.
- 4) A circa-1900 sandstone wall and steps that ring the Milpas Street side of the property that are eligible for City designation as a Structures of Historic Merit should be designated as such as a condition of project approval. I would strongly recommend that the wall be maintained in its current, historic place but that if the new owners wish to remove the steps (which lead nowhere at present), they must preserve and reuse them as steps in a prominent location on the property.

Sincerely,

Deborah L. Schwartz

Brodison, Kelly

From: Kato, Danny
Sent: Thursday, March 25, 2010 5:28 PM
To: 'charmainejacobs@cox.net'
Cc: Brodison, Kelly; Berman, Michael
Subject: RE: 915 E. Anapamu status

Hi Charmaine

We are scheduled to go to ABR on 4/5 to tell them what their role and responsibility is for the environmental review (no review of the project). The MND is scheduled for adoption on 4/19. The ABR could give preliminary approval to the project on 4/19, if they are ready.

We will respond to your comments below in the FMND.

D

Danny Kato
Senior Planner
(805) 564-5470 x 2567

-----Original Message-----

From: charmainejacobs@cox.net [mailto:charmainejacobs@cox.net]
Sent: Thursday, March 25, 2010 3:05 PM
To: Kato, Danny
Cc: Charmaine Jacobs
Subject: 915 E. Anapamu status

Danny,
Can you tell me the status of 915 E. Anapamu? Is it on its way to ABR? When?

Re- reading the DMND, four areas caught my eye: zoning, traffic, topography, and final findings regarding hazards.

1) Zoning- The project proposes 13 new rental units (26 bedrooms) to replace one modest single family residence. So, 13 new units per acre in a 3-unit per acre zone.

2) Traffic- the DMND reports no impacts for the new 26 bedroom project: only 6-7 new peak hour trips. This seems low to me, is it the standard equation?

Also, cumulative traffic impacts are not mentioned in the recommendation to make findings, yet there are at least three proposed condo projects at the same intersection, and several more large projects a few blocks down Milpas. And Milpas is showing up "red" in traffic congestion projections.

3). Topography- 27% of the property exceeds the 30% slope AND is in the City's High Fire Hazard area. This does not meet the standard for sites that are good to recommend for substantial densification.

Also, the project requires 3,350 cu. yds. of "cut" (and offers negligible "fill"). That's a lot! And results in a substantial change of topography

on one acre.

4). Hazards- the project proposes major densification on one of only two possible narrow exits from the five-thousand seat Santa Barbara Bowl- also in the high fire zone.

So, a schedule update would be appreciated. When does ABR see it?

Thanks,
Charmaine

Sent via BlackBerry by AT&T