

Attachment A

Errata to the Addendum (To 00-ND-003) for the Miramar Beach Resort and Bungalows Project

November 20, 2008

Introduction

This errata to the Addendum and Findings addresses changes in Caruso's proposed project description (from MPC approval) related to the installation of piles at the Oceanfront units and the Main Building. Previously, piles that would support the Oceanfront units would have been installed by a pile-driving technique. The project description has been revised to eliminate any pile system from the Main Building whatsoever and to include the use of Torque Down 1275 piles for the Oceanfront units. Torque Down 1275 piles would be inserted into the ground using a screw-driver type action driven by a Delmag RH26 rig power train. According to a November 19, 2008 Acentech Noise & Vibration Analysis (Attachment B of the December 9, 2008 Board Letter), by using the Torque Down 1275 piles, noise and vibrational impacts to neighboring residences would be reduced under those which would be created by the previously proposed pile-driving technique. The major noise and vibrational source associated with this process would be the Delmag RH26 rig power train which would be positioned no closer than 25 feet from the nearest residences when installing the nearest piles.

Description of Torque Down Pile Method

Torque Down 1275 piles achieve placement into the ground through torque and downward pressure, a method that is appropriate for use in beach areas as there is no displacement of sand, soils or ground materials from the area of installation. The Torque Down 1275 piles consist of concrete-filled, 12.75-inch diameter steel pipe with a special tip welded to the bottom of the pipe. The special tip includes special cutting teeth to assist in pile installation. The piles are driven into the ground by application of torque and downward pressure using a 560 horsepower Delmag RH26 Hydraulic Foundation Rig capable of driving piles into very dense sands and weathered bedrock.

Revisions to the Addendum

Aesthetics/Visual

The approved Schragger Plan did not include new driven piles in its Oceanfront unit foundation systems. Adverse aesthetic impacts, associated with the temporary location of construction equipment adjacent to the beach, were not identified in either 00-ND-003 or the September 25, 2008 Addendum thereto. Additionally, both the originally proposed pile driver and the torque down machine would operate from the landward side of the Oceanfront units. Previously identified mitigation measures would reduce impact levels

to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Agricultural Resources

The approved Schragger plan was determined to have no impacts to agricultural resources. Similarly, the MPC approved Caruso plan was determined to have no affect on agricultural resources. Caruso's currently proposed project changes, associated with construction of the foundation systems of the Oceanfront units and the Main Building, would not change impact levels. Impacts would be less than significant.

Air Quality

The County does not have a threshold for short-term construction-related NO_x and ROC emissions or for PM₁₀ emissions. Nevertheless, short-term construction-related vehicle exhaust emissions are not considered significant because all short-term construction activities in the County contribute only a relatively small portion of the total NO_x and ROC emissions in the County (construction only generated 6% of the total NO_x in Santa Barbara County in 1990). Therefore, construction of any given project would not be expected to contribute significantly to the current violation of the state ozone standard or violate the federal ozone standard. Consistent with this rationale, 00-ND-003 found that impacts associated with short term construction emissions were less than significant for the approved Schragger Plan. Although the MPC approved Caruso Plan would involve more grading and additional construction worker vehicular emissions, the proposed project's short-term construction emissions would also be deemed less than significant. Regardless, the County CEQA guidelines for the preparation of air quality assessments indicate that short-term construction-related emissions should be discussed.

Dudek prepared an Air Quality analysis for the MPC approved Caruso project (*Air Quality Impact Analysis Miramar Hotel and Bungalows Project*, Dudek March 11, 2008, incorporated herein by reference) which utilized the URBEMIS program Version 9.2.4. This analysis was updated in November 2008 with relevant information on the Torque Down 1275 pile equipment to be used for pile installation. Construction related emissions from the Torque Down 1275 pile installation equipment did not significantly differ from the equipment utilized for the previously proposed pile driving activities. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Biological Resources

The approved Schragger project was determined to have several impacts on biological resources, none of which however, pertained specifically to the project's foundation systems or their construction. Similarly, the MPC approved Caruso project was determined to have several impacts on biological resources, none of which pertained specifically to the project's foundation systems or their construction, including driven piles at the Oceanfront units. Similar to the originally proposed driven piles, installation

of the Torque Down 1275 piles would be conducted from the landward side of the Oceanfront units and no equipment would be placed on the sandy beach. The equipment used to install the Torque Down 1275 piles would produce less noise and vibration than the pile driving equipment and would operate for a similar amount of time. The Torque Down 1275 pile installation method would not produce tailings or spoils. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Cultural Resources

Potentially significant impacts to cultural resources, associated with construction work in the area of the Oceanfront units, were identified under both the approved Schragger plan and the MPC approved Caruso plan. Mitigation measures were identified to ensure that impacts would be reduced to less than significance. Similar to the previous projects, impacts to cultural resources could occur in association with construction of the Oceanfront units using the Torque Down 1275 pile method. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Fire Protection

Impacts associated with fire protection under both the approved Schragger plan and the MPC approved Caruso plan were determined to be less than significant with the implementation of required Fire Access Plans. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Geologic Processes

The Schragger plan did not include use of piles at the Oceanfront units nor did the September 25, 2008 Addendum to 00-ND-003 identify any geologic impacts associated with installation of the driven piles proposed in association with the MPC approved Caruso plan. Similar to the pile driving equipment, the Torque Down 1275 pile equipment would operate on the landward side of the Oceanfront units. However, according to the November 19, 2008 Acentech Noise & Vibration Analysis (Attachment B of the December 9, 2008 Board Letter), the Torque Down 1275 pile installation equipment would produce less vibration than the pile drivers and would take less time to install the piles. The number and location of piles to be installed would not change from the previous design. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Hazardous Materials/Risk of Upset

Neither 00-ND-003, nor the September 25, 2008 Addendum thereto discussed hazardous materials/risk of upset impacts in association with use of construction equipment. The Torque Down 1275 pile installation method would utilize construction equipment similar (in terms of having an engine with motor oil and coolant, grease, etc.) to pile-driving equipment, however it would produce less vibration and would operate for a lesser period of time. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Land Use

Both 00-ND-003 and the September 25, 2008 Addendum thereto disclosed how short term construction related impacts were mitigated throughout the ND such that there were no resultant significant impacts to land use associated with construction. The proposed project change would be fully mitigated pursuant to mitigations contained throughout the documents and impacts would not be substantially more severe than the approved project or the MPC approved project.

Noise

Construction activities under the proposed project are expected to take 18 to 23 months to complete whereas the approved plan was to take 15 months. Construction activities potentially impacting the noise environment include demolition and site preparation using heavy equipment such as dozers and front loaders, interior construction and mechanical equipment installation requiring compressors and generators, and foundation construction/pile installation using Torque Down 1275 pile installation equipment and cranes. Maximum noise levels of proposed project construction activities (at 50 feet from the noise source) are expected to range from 71 dB(A) for an air compressor with noise reducing features to 85 dB(A) for the Torque Down 1275 pile installation equipment.

The approved Schragger plan did not include installation of piles to support the Oceanfront units while the MPC approved plan does. The *Miramar Hotel and Bungalows Project, Montecito, California Noise Study Addendum 1 - Revision 1 - Pile Driving Oceanfront Properties* February 22, 2008 Cornelis H. Overweg, P.E., INCE Senior Acoustician, Dudek, incorporated herein by reference, discussed the use of pile driving at the oceanfront units to install the supporting piers but the project has since replaced the pile driving technique with a new technique for pile installation, the Torque Down 1275 pile installation method. According to the November 19, 2008 Acentech Noise & Vibration Analysis (Attachment B of the December 9, 2008 Board Letter), use of the Torque Down 1275 pile installation method would generate noise of approximately 85 dB(A) at 50 feet from the equipment. Because noise decreases by 6 dB(A) per doubling of distance, noise generated by the Torque Down 1275 pile installation method at 25 feet of distance would be 91 dB(A). The use of noise attenuation barriers along the beachfront property lines would reduce noise levels by a minimum of 10 dB(A), (ANC_AB12 Noise Barrier/Sound Absorber Composite) bringing the noise level down to 81 dB(A) at 25 feet. One home is

located within 25 feet and two within 100 feet of where the Torque Down 1275 pile installation equipment would be placed near the easternmost oceanfront units and approximately two homes are located within 25 feet and four within 100 feet of where the Torque Down 1275 pile installation equipment would be placed near the westernmost oceanfront units. Because the project would generate noise up to 81 dB(A) at 25 feet away from residences, consistent with County thresholds (construction equipment generating noise levels above 95dB(A) at a distance of 50 feet requires mitigation in addition to standard work hours), no additional mitigation would be required to ensure that construction noise affecting residences located within 100 feet from installation activities (required for repairing the seawall and boardwalk) would be adequately mitigated. Noise levels associated with the MPC approved Caruso Plan, which included the pile driving technique to install piles under the Oceanfront units, were anticipated to be approximately 120 dB(A) at the nearest residences, and as such were greater than the noise levels generated by the Torque Down 1275 pile installation method. Therefore, impacts to noise associated with the use of the Torque Down 1275 pile installation method at the beachfront units would be less than significant, similar to the previously proposed pile-driving method.

Implementation of mitigations requiring installation of a temporary noise barrier, implementation of a noise monitoring program and the provision to offer off-site accommodation for residents adjacent to the construction during maximum noise-generating activities, would reduce short-term noise impacts associated with pile installation to less than significant levels and impacts from the proposed project would not be substantially more severe than impacts associated with the approved Schragger Plan.

MITIGATION MEASURES AND RESIDUAL IMPACTS

The following two mitigation measures derived from the approved plan are no longer feasible because the Torque Down 1275 pile equipment would be located within 25 feet of adjacent residences and produce noise levels of 91 dB(A) measured at 25 feet from the equipment. Noise attenuation barriers would be used to reduce these noise levels to a minimum of 81 dB(A) measured at 25 feet from the equipment. These noise levels are within the County's threshold of 95 dB(A) at 50 feet from the source and do not require additional mitigation measures.

The mitigation measures contained in the Noise section of 00-ND-003, including as revised below, would be adequate to mitigate potentially significant impacts associated with noise from the proposed project. As with the approved plan, the MPC approved project's residual impact and contribution to cumulative impacts would be less than significant.

Mitigation Measures:

Noise-3 Stationary construction equipment that generates noise that exceeds 65 dBA at the project boundaries, with the exception of the Torque Down 1275 pile

equipment used at the Oceanfront units, shall be shielded to P&D's satisfaction and shall be located at a minimum of 100 feet from occupied residences and/or All Saints by the Sea Church pre-school. **Plan Requirements:** Equipment area(s) with appropriate acoustic shielding shall be designated on building and grading plans. **Timing:** Equipment and shielding shall remain in the designated location(s) throughout construction activities. **MONITORING:** Permit Compliance shall perform site inspections to ensure compliance and shall respond to complaints.

Noise-4 Motorized construction equipment, with the exception of the Torque Down 1275 pile equipment used at the Oceanfront units, shall not be allowed to idle for longer than five minutes within 100 feet of occupied residences and/or All Saints by the Sea Church pre-school without appropriate acoustical shielding in place. **Plan Requirements:** Temporary acoustical shielding shall be installed around construction equipment such that sound levels are less than 65 dBA CNEL at sensitive receptors. **Timing:** Shielding shall remain in the necessary location(s) throughout noise-generating construction activities. **MONITORING:** Applicant's designee shall promptly respond to complaints. Permit Compliance shall perform periodic site inspections to ensure compliance and shall respond to complaints.

Public Facilities

Impacts to public facilities, from the specific installation of piles beneath the Oceanfront units, were not addressed in the September 25, 2008 Addendum to 00-ND-003 insofar as there are no impacts. The proposed project change, which is restricted to a change in the methodology of installing piles to support the Oceanfront units, would have no impact on public facilities. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Recreation

The approved Schragger plan did not include installation of piers to support the Oceanfront units. No impacts to recreation were identified in the September 25, 2008 Addendum to 00-ND-003, in association with the originally proposed Caruso project's driven piles. Machinery for both Caruso's originally proposed pile driving equipment and the currently proposed Torque Down 1275 pile equipment would operate on the landward side of the Oceanfront units. The Torque Down 1275 pile machinery would produce less vibration and would operate for a shorter construction period than the pile driving equipment. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Transportation/Circulation

The approved Schragger plan did not include installation of piers to support the Oceanfront units. Regardless, impacts from construction on transportation/circulation were identified in association with both the approved Schragger plan and the MPC approved Caruso plan. Impacts were mitigated to levels of less than significance. The Torque Down 1275 pile installation method would utilize a similar footprint to pile-driving equipment, produce less noise and vibration and operate for a lesser amount of time than the pile driving equipment. There would be virtually no change in the type or number of construction related vehicles associated with this technique. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Water Resources/Flooding

The approved Schragger plan did not include installation of piers to support the Oceanfront units. However, no water resources/flooding impacts were identified in the September 25, 2008 Addendum to 00-ND-003 specific to installation of driven piles at the Oceanfront units. The Torque Down 1275 pile installation method would utilize a similar footprint and location on the project site as the pile-driving equipment, produce less noise and vibration and operate for a lesser amount of time. Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Revisions to the Findings

Finding 1.1.3, Page 7

Due to generation of noise up to 85 dB(A) at 50 feet away from residences due to new Torque Down 1275 pile installation activities for the new Oceanfront building foundations and seawall that were not part of the approved plan, and greater unmitigated noise generation at residences closer than 50 feet, additional mitigation would be required for the proposed project to ensure that construction noise affecting residences located within 100 feet from Torque Down 1275 pile installation activities would be adequately mitigated. Implementation of mitigations requiring installation of a temporary noise barrier, implementation of a noise monitoring program and offering the provision of temporary off-site accommodation for residents adjacent to the construction during maximum noise-generating activities, would reduce short-term noise impacts associated with pile installation to *less than significant levels*.

Previously identified mitigation measures would reduce impact levels to less than significance and impacts associated with the proposed project change would not be substantially more severe than impacts associated with the approved Schragger plan or the MPC approved Caruso plan.

Revisions to the Project Description

Construction Details, Page 15

Torque Down 1275 pile installation would occur only in the area of the oceanfront units. Torque Down 1275 pile installation activities associated with the oceanfront units is anticipated to be performed in one phase lasting 7 days, eight hours per day (total of approximately 120-170 piles with a installation capability of approximately 25 piles per day).

Revisions to the Project Conditions

35. Stationary construction equipment that generates noise that exceeds 65 dBA at the project boundaries, with the exception of the Torque Down 1275 pile equipment used at the Oceanfront units, shall be shielded to P&D's satisfaction and shall be located at a minimum of 100 feet from occupied residences and/or All Saints by the Sea Church pre-school. **Plan Requirements:** Equipment area(s) with appropriate acoustic shielding shall be designated on building and grading plans. **Timing:** Equipment and shielding shall remain in the designated location(s) throughout construction activities. **MONITORING:** Permit Compliance shall perform site inspections to ensure compliance and shall respond to complaints.
36. Motorized construction equipment, with the exception of the Torque Down 1275 pile equipment used at the Oceanfront units, shall not be allowed to idle for longer than five minutes within 100 feet of occupied residences and/or All Saints by the Sea Church pre-school without appropriate acoustical shielding in place. **Plan Requirements:** Temporary acoustical shielding shall be installed around construction equipment such that sound levels are less than 65 dBA CNEL at sensitive receptors. **Timing:** Shielding shall remain in the necessary location(s) throughout noise-generating construction activities. **MONITORING:** Applicant's designee shall promptly respond to complaints. Permit Compliance shall perform periodic site inspections to ensure compliance and shall respond to complaints.