

ATTACHMENT 2: DEVELOPMENT PLAN CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Development Plan is based upon and limited to compliance with the project description and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is a proposal by the California Department of Transportation (Caltrans) and Santa Barbara County Association of Government (SBCAG) to improve Highway 101 by adding a part time, continuous access High Occupancy Vehicle (HOV) lane in both the northbound and southbound directions within the highway corridor. The project is located along approximately 1.4 miles of Highway 101, between Post Mile (PM) 9.2 and PM 10.6. Part-time continuous access means that the HOV lanes would be open to all vehicles during off-peak periods (part-time), and access to and from the HOV lane would be unrestricted (continuous access). The HOV lanes will operate during peak periods, between the hours of 6 a.m. to 9 a.m. and 3 p.m. and 6 p.m., Monday through Friday. Outside of these hours, the HOV lanes would be open to mixed-flow traffic.

All vehicular travel lanes are proposed to be 12 feet wide, with 10 foot mainline shoulders, and 8-foot ramp shoulders. The inside mainline shoulders would vary from 2 feet to 18 feet, depending upon the available right-of-way (ROW). The wider shoulders would also be varied to provide adequate sight distance through curves along Highway 101.

Interchanges within the project limits consist of the southbound Posilipso on-ramp, southbound San Ysidro off-ramp, northbound San Ysidro on and off-ramps, southbound Olive Mill Road on-ramp, and northbound Olive Mill Road off-ramp. The maximum distance between interchanges is 0.5 miles between San Ysidro Road and Olive Mill Road. The project area is currently bounded by frontage roads and homes/businesses to the north and south of Highway 101, as well as the railroad ROW to the south.

The project would include replacement of existing roadway pavement surface with 40-year long-life concrete pavement on existing lanes and ramps within the project limits. Following several years of public input, one of the goals developed for the project was to ensure all improvements would be constructed entirely within Caltrans ROW. Work would be completed in the shoulder and median areas along the existing Highway 101 corridor. The project would also add non-standard shoulder widths for improved vehicle recovery; address sight distance on the mainline and ramps; and make upgrades to drainage, signage, lighting, and barriers.

Project construction would include the removal of approximately 157 non-native trees, 136 oak trees, 25 specimen trees, and 17 native trees. The project proposes to plant 449 trees, which includes 250 36" box oak trees, and 140 additional native trees as mitigation. Timing

of the landscaping improvements, including replacement trees, would follow construction of the mainline improvements. The project proposes approximately 86,500 cubic yards (CY) of cut, 1,900 CY of fill, and the total haul volume is approximately 84,600 CY.

Overhead signs will be installed along the highway corridor to facilitate wayfindings. The overhead signs could include single or double signs on a post base. Typical post height is approximately 20 feet and typical signage height is approximately 8 feet, for a total height of 28 feet.

- 2. Proj Des-01 Project Description Part 2:** Construction activities would be supported by existing Construction Support Sites (CSS) including a concrete batch plant that was approved for use in Segments 4B and 4C. The CSS is proposed to be used throughout construction of Segment 4D from approximately Spring 2023 to Fall 2026 and is subject to the approvals by the Santa Barbara County Air Pollution Control District. The concrete batch plant allows for the manufacturing of concrete for the construction and rehabilitation of the paved lanes and structures to be built as part of the Highway 101 Project. The batch plant site includes a portable “wet mix” batch plant with equipment designed to form concrete, including water, air, admixtures, sand, aggregate, and cement. Sand and aggregate used for concrete production at the site is provided by the Gardner Ranch and Bee Rock facilities. Sand and aggregate is stockpiled using a drive over conveyor drop. The transfer of materials within the site is completed with a 243 horse power wheeled front loader with a Tier 4 final diesel engine. The front loader is permitted to operate up to 1,000 hours per year. Surface water is directed to the southwest corner of the site using a v-ditch along the southern and eastern boundaries of the site to capture, slow, and direct water toward a manageable discharge point. The batch plant is permitted to operate up to 12 hours per day and produce up to 220 cubic yards per hour, 2,500 cubic yards per day, or 50,000 cubic yards per year. All other staging locations are within the Caltrans ROW. Upon completion of lane paving for Segment 4D all asphalt and construction materials will be removed from the site and the site will be restored with native vegetation and maintained by Caltrans until established.

Phasing: In order to streamline construction and reduce ramp closures, Segment 4D improvements are divided into two components, Phase 1: San Ysidro to Olive Mill, and Phase 2: Sheffield to San Ysidro, as described in detail below:

Phase 1: San Ysidro to Olive Mill

This phase is located between PM 9.9 to the south and PM 10.6 to the north, from approximately 0.1-mile south of the San Ysidro Road Overcrossing to the County/City of Santa Barbara line at the Olive Mill Road Overcrossing. This phase is planned to be constructed concurrently with the Olive Mill Road and San Ysidro Road roundabout projects. This segment will include approximately 41,700 CY of cut and 350 CY of fill and includes the following project elements:

- Installation of a median barrier at a maximum height of 42 inches. The concrete median barrier will be approximately 1,917 ft. long and will include approximately 989 ft. of metal guard rail.
 - Installation of guardrails and concrete barriers at a maximum height of 42 inches on the outside shoulders and ramps, on the Olive Mill Road southbound on-ramp Overcrossing, and on the San Ysidro Road Overcrossing.
 - Installation of vinyl clad chain-link fencing to delineate Caltrans ROW and provide access control.
 - Installation of a retaining wall on the south side of Highway 101. The retaining wall is proposed to be approximately 371 feet long and range from 3 to 8 ft. in height.
 - Installation of a retaining wall on the north side of Highway 101 at San Ysidro Road. The retaining wall is proposed to be approximately 113 feet long and range from 10 to 30 feet high.
 - Installation of a retaining wall on the north side of Highway 101 between San Ysidro Road and Olive Mill Road. The retaining wall is proposed to be approximately 602 feet long and ranges between 4 feet to 8 feet high.
 - Construction of a 12 foot wide auxiliary lane in both the northbound and southbound direction, between San Ysidro Road and Olive Mill Road interchanges.
 - The structural sections of the San Ysidro Road and Olive Mill Road interchange ramps will be rehabilitated, and ramp profiles will be updated to improve vertical stopping sight distance.
- 3. Proj Des-01 Project Description Part 3:** Existing drainage patterns will be retained to the extent feasible and existing pipe outfalls will remain in place. The project includes new drainage inlets and culverts along the Highway 101 mainline. Runoff will be contained by new drainage inlets along the inside shoulder and barrier. New inlets and pipe systems are also proposed in the outside shoulder to capture runoff before cross-slope transition. Roadside gutters, including high side gutters, will be lined to avoid potential erosion from concentrated runoff.

In this segment, a transverse overhead electrical distribution line, a pole and guy wire near the San Ysidro Creek Crossing and a longitudinal overhead electrical line along North Jameson Lane may require new, taller utility poles to meet the overhead clearance requirement. Southern California Gas has two transverse crossing that are in conflict with the proposed lowered grades and may need to be relocated. The Montecito Water District transverse line will be abandoned. The Montecito Sanitary District transverse line will be relocated to a nearby location.

Phase 2: Sheffield to San Ysidro

This segment is located between PM 9.2 to the south and PM 9.9 to the north, from 0.2 mile north of the Sheffield Avenue Undercrossing to 0.1 miles south of the San Ysidro Road

Overcrossing. This segment is expected to include 44,800 CY of cut and 1,550 CY of fill and will include the following project elements:

- Installation of a concrete barrier and double thrie beam barrier at a maximum height of 42 inches in the median. The double thrie beam barrier would be constructed in locations where it is required to allow for proper drainage.
- Installation of guard rails and concrete barriers at a maximum height of 42 inches on the outside shoulders and ramps. In one location, a 45-inch-high concrete barrier would be installed at the Posilipo Lane south-bound on-ramp. The barrier would be 152 feet long.
- The structural sections of the Posilipo Lane southbound on-ramp would be reconstructed and concrete curbs/gutters would be replaced.
- The existing sound wall along the south side of Highway 101 between approximately San Ysidro Creek and Posilipo Lane would be retained.
- Installation of vinyl clad chain-link fencing to delineate Caltrans ROW and provide access control.
- Installation of one retaining wall between southbound Highway 101 and South Jameson Road near the Miramar Hotel. The retaining wall is proposed to be approximately 337 feet long and ranges between 5 to 12.5 feet high.
- Replacement of a bridge over Romero Creek. The creek has a natural channel with concrete walls which would remain unchanged, the replacement slab bridge will be longer to accommodate a wider channel in anticipation of increased capacity.
- Replacement of a bridge over San Ysidro Creek. The creek has a natural channel with concrete walls, which would remain unchanged; the replacement slab bridge would be longer to accommodate a wider channel in anticipation of increased capacity.
- Replacement of a new bridge over Oak Creek. The creek has a natural channel with concrete walls which would remain unchanged; the replacement slab bridge would be longer to accommodate a wider channel in anticipation of increased capacity.
- The profile of Highway 101 would be corrected just west of Oak Creek to provide improved stopping sight distance.

Existing drainage patterns will be retained to the extent feasible and pipe outfalls and creeks will remain in place. Runoff from off-site areas will drain to the same inlets and culverts. Runoff will be contained by a number of drainage inlets along the inside shoulder to capture runoff before cross-slope transitions. Roadside gutters, including high side gutters, will be lined to avoid potential erosion from concentrated runoff.

- 4. Proj Des-01: Project Description Part 4:** The project also includes one Cox Communication transverse crossing that may require relocation based on the overhead clearance requirements. The Montecito Sanitary District owns two utility lines east of Oak Creek bridge that will be relocated to the Oak Creek bridge crossing. The Montecito Water District owns two transverse crossings within this segment that will need to be relocated to a nearby location. Two utility poles owned by Southern California Edison near San

Ysidro Creek and Oak Creek will be relocated farther from the highway to accommodate the widening. SoCal Gas has two transverse crossings that will be relocated to a nearby location.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

5. **Proj Des-02 Project Conformity:** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Conditions by Issue Area

6. **Aest-04 BAR Required:** The Owner/Applicant shall obtain Montecito Board of Architectural Review (MBAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials, and landscaping shall be compatible with vicinity development.

TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of the Zoning Clearance for the first phase of the project. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to project completion.

7. **Bio-01a Tree Protection Plan- Site Plan Component:** The Owner/Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect on-site trees. The plan shall include the following site plan components:
 1. The Owner/Applicant shall comply with and depict the following on the TPP exhibit and Grading and Building Plans.
 - a. No Grading shall take place within the dripline of trees unless otherwise approved by P&D staff.
 - b. Depict equipment storage (including construction materials, equipment, fill soil, or rocks) and construction staging and parking area during construction.

- c. Depict the type & location of protective fencing (See below) or other barriers to be in place to protect trees in protection areas during construction.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) Submit the TPP; (2) Include all applicable components in Tree Replacement Plan and Landscape and Irrigation Plans; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: The Owner/Applicant shall comply with this measure prior to Zoning Clearance issuance for each phase of the project. Plan components shall be included on all plans prior to Zoning Clearance issuance. The Owner/Applicant shall install tree protection measures onsite prior to construction of each phase.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed or if damage, or removal occurred, that correction is completed as required by the TPP prior to project completion.

8. **Bio-01b Tree Protection Plan – Construction Component:** The Owner / Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to protect onsite trees. The Owner/Applicant shall comply with and specific the following as notes on the TPP and on the plans.
 - a. Fencing of all trees to be protected at least six feet outside the dripline with chain-link (or other material satisfactory to P&D) fencing at least 3 feet high, staked to prevent collapse, and with signs identifying the protection area placed in 15-ft. intervals on the fencing.
 - b. Fencing/staking/signage shall be maintained throughout all grading and construction activities.
 - c. All trees located within 25 ft. of structures shall be protected from stucco and/or paint during construction.
 - d. No irrigation is permitted within 6 ft. of the dripline of any protected tree unless specifically authorized.
 - e. The following shall be completed only by hand and under the direction of a P&D approved arborist/biologist.
 - a. Any trenching required within the dripline or sensitive root zone of any specimen.
 - b. Cleanly cutting any roots of one inch in diameter or greater, encountered during grading or construction.
 - c. Tree removal and trimming.
 - f. Special equipment: If the use of hand tools is deemed infeasible by P&D, P&D may authorize work with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small excavator (i.e., 215 or small track hoe) may be used as determined by P&D staff and under the direction of a P&D approved biologist.
 - g. Grading shall be designed to avoid ponding and ensure proper drainage within dripline of oak trees.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and Landscape and Irrigation Plans; (3) include as notes or depiction all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: The Owner/Applicant shall comply with this measure prior to Zoning Clearance issuance for each phase of the project. Plan components shall be included on all plans prior to the issuance of the Zoning Clearance for each phase. The Owner/Applicant shall install tree protection measures onsite prior to commencement of construction for each phase.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to completion of construction.

9. Bio-02 Tree Replacement: The replacement trees shall be as follows:

- a. Each oak tree called out for removal in the project description shall be replaced with the proposed number in the project description. In the event that unexpected damage or removal occurs, the tree replacement shall have the following ratios where feasible: 10:1 for 1 to 5 gallon trees, 5:1 with 15 gallon trees, 3:1 with 24-inch box trees, and 2:1 with 36-inch box trees. A mix of tree sizes and ratios may be used. The final proposed size and quantity of replacement trees shall be reviewed and approved by P&D staff. The location of the replanting shall be shown on the plans. All other native trees shall be replaced at a minimum 1:1 ratio.
- b. Each specimen tree removed shall be replaced at a minimum 1:1 ratio with a minimum 15-gallon sized trees.
- c. Where feasible, species shall be from locally obtained plants and seed stock.
- d. The trees shall be gopher fenced with root protectors.
- e. The trees shall be irrigated with a low volume, water efficient, fully automatic remote irrigation system. Long-term maintenance efforts of the system will provide supplemental water as necessary to keep plants in a healthy and vigorous condition.
- f. Trees shall be watered during the five-year plant establishment period while reducing the water use each year. Once under the care of Caltrans maintenance control, the watering times will be further reduced each year so that the plants adapt to the natural rainfall and climatic conditions.
- g. If replacement trees cannot be accommodated on site, the Owner/Applicant shall submit a plan for P&D approval for replacement trees to be planted off-site.
- h. All new and replanted 1-gallon trees shall be protected from predation by wild and domestic animals by the use of foliage protectors.

PLAN REQUIREMENTS: Show planting location, size, quantities, species, methods of irrigation, and provide details for root and foliage protection.

TIMING: Plans shall be submitted prior to issuance of the Zoning Clearance for each phase of construction.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to project completion.

- 10. CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant. If human remains are found, the Most Likely Descendent shall be notified.

PLANS REQUIREMENTS: This condition shall be included in the Project Specifications for the contractor and shall be included in the Mitigation Monitoring and Reporting Plan,

MONITORING: P&D permit processing planner shall check the Project Specifications and MMRP prior to issuance of the Zoning Clearance for each phase of construction, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

- 11. Noise-04 Equipment Shielding-Construction:** Stationary construction equipment that generates noise which exceeds 65 dBA at the property lines of sensitive receptors adjacent to the project shall be shielded with appropriate acoustic shielding to P&D's satisfaction.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on plans if applicable prior to issuance of Zoning Clearance for each phase of construction.

TIMING: Equipment and shielding shall be installed prior to use of noise generating stationary construction equipment and shall remain in the designated location during use of stationary construction equipment.

MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of the use of stationary construction equipment. P&D compliance staff shall perform site inspections throughout construction to ensure compliance.

- 12. Special Noise-01:** Caltrans shall coordinate with property owners identified as "severe receptors" in the 2014 Caltrans EIR, as amended by the 2017 Revised Caltrans EIR and 2018 Caltrans Addendum, to provide funding for acoustical treatment for severe receptor sites.

TIMING: Outreach to property owners shall be completed prior to issuance of Zoning Clearance for each phase. Funds for acoustical treatment shall be offered to property owners prior to project completion.

MONITORING: Caltrans shall submit proof to P&D staff that outreach to property owners was conducted and a draft agreement or refusal of the offer with the property owner has been reached regarding acoustical treatment and funding prior to Zoning Clearance issuance for each phase. Prior to completion of the project segment adjacent to the severe receptor, Caltrans shall submit proof to P&D Permit Compliance staff that funds for acoustical treatment were offered to effected property owners.

- 13. WatConv-07 SWPPP:** The Owner/Applicant shall submit proof of exemption or a copy of a Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board.

TIMING: Prior to Zoning Clearance issuance for each phase of construction, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

MONITORING: P&D permit processing planner shall review the documentation prior to Zoning Clearance issuance for each phase of construction. P&D compliance monitoring staff shall inspect during construction for compliance with the SWPPP.

County Rules and Regulations

- 14. Rules-02 Effective Date-Appealable to CCC:** This permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [Article II Section 35-169]
- 15. Rules-05 Acceptance of Conditions:** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 16. Rules-07 DP Conformance:** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscapes areas shall be developed in conformity with the approved development plan.
- 17. Rules-14 Final DVP Expiration:** Final Development Plans shall expire ten years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.

18. Rules-18 CUP and DVP Revisions: The approval by the Planning Commission of a revised Development Plan shall automatically supersede any previously approved Development Plan upon the effective date of the revised permit.

19. Rules-29 Other Department Conditions: Compliance with Departmental/Division letter required as follows:

1. Air Pollution Control District Letter dated May 11, 2022
2. Flood Control Letter dated August 6, 2021

20. Rules-31 Mitigation Monitoring Required: The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:

- a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.
- b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to Zoning Clearance issuance as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;
- c. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D compliance monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors, and contracted monitors among others.

21. Rules-33 Indemnity and Separation: The Owner/Applicant (Caltrans) agrees to indemnify, defend, and hold harmless Santa Barbara County and its officers, officials, employees, and agents (collectively "County") as follows:

- a. From any claim, action, or proceeding by third parties against the County or its agents, officers or employees to attack, set aside, void, or annul, in whole or in part, an approval of the Project Application by the County and any related development approvals or project conditions (hereinafter "Claim");
- b. From any and all sets, errors, or omissions of the Owner(s) and Applicant and their officers, employees, agents, and contractors related to the Project Application;

- c. Owner(s) and Applicant shall permit County, with County's unlimited discretion, to direct and control the County's defense of any Claim against the County. In the event of a disagreement between County and the Owner(s) or Applicant over litigation issues, County shall have the authority to control the County's litigation and make litigation decisions, including but not limited to, the manner in which the County's defense is conducted. Owner(s) and Applicant shall have the right to employ their own counsel and defense against any Claim on behalf of Owner(s) and Applicant as real parties in interest. The County may use County Counsel, outside counsel, and/or counsel common to the Owner(s) and Applicant (reasonably approved by the County), or elect to not participate in the defense of any Claim. Regardless of the form of the County's participation in the litigation, Owner(s) and Applicant remain bound by the obligation imposed by this Agreement.

22. Rules-37 Time Extension-All Projects: The Owner/Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

Other

23. EIR Compliance Mitigation and Monitoring: The project applicant and designees shall comply with all mitigation, minimization, and avoidance measure specified in the 2014 Caltrans EIR (as modified by the 2017 Revised EIR, 2018 Addendum, 2020 Addendum, 2021 Addendum, and 2022 Addendum). The applicant shall prepare a Final Mitigation Compliance, Monitoring, and Reporting Plan for all mitigation measures identified in the 2014 Caltrans EIR (as modified by the subsequent revisions and addendum mentioned above) that apply to segment 4D of the Highway 101 HOV project.

PLAN REQUIREMENTS: The Plan shall include, but not be limited to the following:

- a. Each of the projects mitigation measures.
- b. Timing and specific responsible party for implementation of each mitigation measure.
- c. Timing and party responsible for monitoring each mitigation measures and a list of monitors to be retained.
- d. Procedures, timing, and responsible party for reporting to P&D Permit Compliance staff on project mitigation compliance and monitoring.
- e. Specification of a qualified representative for the applicant to be designated as the coordinator responsible for ensuring full compliance with the provisions of the Plan. The designated coordinator shall have authority over all other monitors.

TIMING: The Plan shall be submitted to P&D staff for review and approval prior to Zoning Clearance issuance for the first phase of construction.

MONITORING: P&D staff will review the Mitigation Compliance, Monitoring, and Reporting Plan prior to issuance of the Zoning Clearance. P&D Permit Compliance staff will conduct intermittent field inspections and response to complaints.

- 24. Fire District Notification:** The Traffic Management Plan required by the 2014 Caltrans EIR (as modified by subsequent revisions and addendums) shall include notification of closures of off-ramps and/or roads by phone and email to the Montecito Fire District. Notification to Montecito Fire Protection District shall be provided to: Montecito Fire District (805-969-7762); Aaron Briner abrinер@montecitofire.com.

TIMING: The Traffic Management Plan shall be submitted to P&D staff prior to Zoning Clearance issuance for the first phase of construction. Notification closure shall be made to the fire districts a minimum of 72 hours in advance of closures and a log of notifications shall be maintained by Caltrans staff.

MONITORING: Caltrans staff shall copy P&D Permit Compliance staff on emails to the fire districts and shall provide a log of calls upon Permit Compliance staff request.

- 25. Road Encroachment Permit:** The Owner/Applicant shall obtain a road encroachment permit from the Roads Division (Public Works) for any project elements that extend into the County right-of-way prior to issuance of Zoning Clearance for each phase.

- 26. Reanalyze Sound Walls:** FEMA is conducting an ongoing effort to update the current FEMA effective maps used to govern development in the HWY 101 Segment 4D area. If the FEMA effective maps are updated and Santa Barbara County adopts the new maps prior to, or during, Segment 4D construction, and the results of the revised FEMA effective maps are that sound walls identified in the initial Coastal Development Permit application for Segment 4D are no longer located in the Flood Hazard Overlay, Caltrans shall re-analyze the feasibility of implementing each soundwall not located in the Flood Hazard Overlay for this project. The analysis shall determine whether the soundwalls are reasonable and feasible to implement, which may result in a change to the Coastal Development Permit via the appropriate application (SCD, AMD, or RVP as determined by P&D) to allow construction of soundwalls.

PLAN REQUIREMENT AND TIMING: Within six months of HWY 101 Segment 4D being fully funded for all phases of construction, Caltrans shall contact County P&D and Flood Control to determine if the triggers specified herein, which will allow the construction of the soundwalls, have been met. In the event that the triggers have been met, and it is reasonable and feasible to add the soundwalls, Caltrans shall submit the appropriate application (SCD, AMD, or RVP, as determined by P&D) and plans to modify the Development Plan to include soundwalls, for review and processing by P&D. In the event

the triggers have not been met, the project would be constructed with the design proposed at the time of project approval.

MONITORING: P&D compliance monitoring staff shall confirm construction in the field in compliance with this condition requirement.

27. Future Soundwalls Not Precluded: The project shall be designed and constructed so as to not to preclude future construction of soundwalls in the areas where soundwalls were originally proposed.

PLAN REQUIREMENTS: Caltrans shall design the final project plans so as not to preclude the future construction of soundwalls in the areas where soundwalls were originally proposed as part of this permit process.

TIMING: Project plans shall be submitted prior to final Montecito Board of Architectural Review approval.

MONITORING: P&D staff shall review project plans for conformance with this requirement.

28. Reclaimed Water for Dust Suppression: To the maximum extent feasible, reclaimed water shall be used for dust mitigation for highway construction and irrigation for landscaping.

PLAN REQUIREMENTS: Caltrans shall submit a Reclaimed Water Plan that identifies how reclaimed water for dust mitigation and irrigation will be used in the project or why it is not feasible.

TIMING: The Reclaimed Water Plan shall be reviewed and approved by P&D prior to Zoning Clearance Issuance.

MONITORING: The Caltrans Resident Engineer and Permit Compliance staff shall spot-check to ensure that the Reclaimed Water Plan is implemented throughout construction.

29. Construction Support Site Noise Complaint Process: Cell phone and text messaging numbers, as well as an e-mail address, for the on-site construction monitor responsible for the operation of the Construction Support Site (CSS) for noise complaints will be maintained and made available to P&D Permit Compliance staff prior to Coastal Development Permit issuance, and updated throughout the life of the project. The Caltrans project team will initiate a verification process and compile monitoring data to determine if noise levels from the Construction Support Site exceed 65 dBA CNEL (Community Noise Equivalent Level, which is an average over a 24 hour period) at the property lines of sensitive receptors, and will share this information with P&D Permit Compliance staff. If noise levels exceed 65 dBA CNEL at the property line, the Caltrans construction manager will address the specific noise-producing activity by changing, altering, or temporarily suspending that activity. Caltrans staff and the Caltrans Resident Engineer will be consulted if specific noise-producing activity cannot be addressed in the

field and will propose additional measures to ensure that the project is compliant with all conditions and mitigation measures. The complainant and P&D Permit Compliance staff will be advised by Caltrans staff within 3 days of the receipt of a complaint concerning the source of the noise-producing activity and any actions to be taken to address the complaint, and a record of all contacts will be provided to P&D Permit Compliance staff.

TIMING: Contact information shall be provided to P&D staff prior to Coastal Development Permit issuance.

MONITORING: Caltrans shall maintain a record of complaints and corrective actions and shall provide the records to P&D permit compliance staff upon request.

30. Construction Support Site Noise Shielding: If stationary equipment generates noise which exceeds 65 dBA CNEL at the property lines of sensitive receptors, the Construction Support Site (CSS) shall be shielded with appropriate acoustic shielding to ensure shielding of noise experienced by sensitive receptors to the south of the CSS.

PLAN REQUIREMENTS AND TIMING: Prior to installation of any acoustic shielding, Caltrans shall provide plans of the acoustic shielding design and materials for P&D review prior to installation and shall make the plans available for public review. Caltrans shall also maintain the CSS site in clean condition, including removal of graffiti within 48 hours of its occurrence.

MONITORING: The Caltrans Resident Engineer and P&D Permit Compliance staff shall confirm installation of the noise shielding at the CSS once it has been determined the shielding is necessary.

May 11, 2022

Chris Schmuckal
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Sent Via Email: cschmuckal@countyofsb.org

Re: Santa Barbara County Air Pollution Control District Suggested Conditions on Caltrans HWY 101 HOV Project – Segment 4D, 21DVP-00000-00022

Dear Chris Schmuckal:

The Santa Barbara County Air Pollution Control District (District) has reviewed the referenced project, which consists of improvements within the Highway 101 corridor associated with Segment 4D of the Highway 101: Carpinteria to Santa Barbara Project (Highway 101 Project). Improvements in Segment 4D generally include the new high occupancy vehicle (HOV) lanes, new auxiliary lanes, pavement rehabilitation across all lanes, ramp improvements, vehicle barriers, retaining walls, fences, landscaping, and creek bridge replacements. The limits of the Highway 101 Project extend from Post Mile (PM) 1.4 in the City of Carpinteria, through an unincorporated portion of the County, to the City of Santa Barbara at PM 12.3. Segment 4D is located between PM 9.2 at Sheffield Avenue to the south and PM 10.6 at Olive Mill to the north. Segment 4D is expected to include a total cut volume of approximately 86,500 cubic yards (CY), a total fill volume of approximately 1,900 CY, and a total haul volume of approximately 84,600 CY. Construction activities would primarily be supported by an existing Construction Support Site (CSS), including a concrete batch plant, located adjacent to the southbound North Padaro Lane on-ramp in Caltrans' Right-of-Way. The CSS is proposed to be used throughout construction of Segment 4D, between approximately Spring 2023 and Fall 2026.

The proposed project is subject to the following **regulatory requirements** that should be included as conditions of approval in the applicable land use permit:

1. **Portable Diesel Generators:** All portable diesel-fired construction engines rated at 50 brake horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or District permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from the District permit, provided they will be on-site for less than 12 months.
2. **Asphalt Paving:** Asphalt paving activities shall comply with District Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.
3. **Construction and Demolition Activities:** Construction/demolition activities are subject to District Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities*. This rule establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites, includes measures for minimizing fugitive dust from on-site activities, and from trucks moving on- and off-site. Please see www.ourair.org/wp-content/uploads/

[rule345.pdf](#). Activities subject to Rule 345 are also subject to Rule 302 (*Visible Emissions*) and Rule 303 (*Nuisance*).

4. **Asbestos:** The applicant is required to complete and submit an **Asbestos Demolition/Renovation Notification or an EXEMPTION** from Notification for Renovation and Demolition (District Form ENF-28 or District Form ENF-28e), which can be downloaded at www.ourair.org/compliance-forms for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed exemption or notification should be presented, mailed, or emailed to the District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. The applicant should visit www.ourair.org/asbestos to determine whether the project triggers asbestos notification requirements or whether the project qualifies for an exemption.
5. **Diesel Truck Idling:** At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:
 - Drivers of diesel-fueled commercial vehicles shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location.
 - Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
 - See www.arb.ca.gov/noidle for more information.
6. **Contaminated Soil:** If contaminated soils are found at the project site, the District must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required. District permits are required for all soil vapor extraction activities. District permits are also required for the excavation (“dig-and-haul”) of more than 1,000 cubic yards of contaminated soil.

In addition, the District recommends that the following **best practices** be considered for inclusion as conditions of approval, in the interest of reducing emissions of criteria air pollutants, toxic air contaminants, and dust:

1. **Fugitive Dust Control Measures:** To reduce the potential for violations of District Rule 345 (*Control of Fugitive Dust from Construction and Demolition Activities*), Rule 302 (*Visible Emissions*), and Rule 303 (*Nuisance*), 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 District prior to grading/building permit issuance.
2. **Diesel Particulate and NO_x Emission Measures:** The State of California considers particulate matter emitted by diesel engines carcinogenic. 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 particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible. Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building

plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

3. **Use of Low Emission Equipment:** In order to minimize public exposure to air pollution, the District recommends the use of low emission equipment, including zero to near-zero emission technology, as feasible during project construction. This includes using the cleanest technologies available and providing the necessary infrastructure to support the zero-emission vehicles and equipment that will be operating onsite.

Lastly, the District has the following **advisory** regarding onsite equipment permitted through the District:

1. **Limitation of Equipment and Operations at Construction Support Site (CSS):** The proposed project will be supported by the CSS at South Padaro Lane. Equipment and operations associated with the CSS are subject to District permit requirements and prohibitory rules as specified in District Authority to Construct (ATC) permits 15552 and ATC 15729. Pursuant to District permit conditions, the concrete batch plant and diesel generator shall not be located within the South Coast 101 HOV Lanes Project corridor for more than six (6) years from initial operations. Initial operations commenced on September 22, 2021. Therefore, the operation of equipment included in these permits is prohibited beyond September 22, 2027.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 979-8337 or via email at BarhamC@sbcapcd.org.

Sincerely,



Carly Barham
Planning Division

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

cc: David Harris, Manager, District Engineering Division [email only]
Charlotte Mountain, Air Quality Engineer, District Engineering Division [email only]
Planning Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures should be required for all projects involving earthmoving activities regardless of the project size or duration. Projects are expected to manage fugitive dust emissions such that emissions do not exceed APCD's visible emissions limit (APCD Rule 302), create a public nuisance (APCD Rule 303), and are in compliance with the APCD's requirements and standards for visible dust (APCD Rule 345).

- During construction, use water trucks, sprinkler systems, or dust suppressants in all areas of vehicle movement to prevent dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. When using water, this includes wetting down areas as needed but at least once in the late morning and after work is completed for the day. Increased watering frequency should be required when sustained 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.
- Onsite vehicle speeds shall be no greater than 15 miles per hour when traveling on unpaved surfaces.
- Install and operate a track-out prevention device where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel-washing systems.
- If importation, exportation, and stockpiling of fill material is involved, soil stockpiled for more than one day 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.
- Minimize the amount of disturbed area. After clearing, grading, earthmoving, or excavation is completed, treat the disturbed area by watering, OR using roll-compaction, OR revegetating, OR by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All roadways, driveways, sidewalks etc. to be paved should be completed as soon as possible.
- Schedule clearing, grading, earthmoving, and excavation activities during periods of low wind speed to the extent feasible. During periods of high winds (>25 mph) clearing, grading, earthmoving, and excavation operations shall be minimized to prevent fugitive dust created by onsite operations from becoming a nuisance or hazard.
- The contractor or builder shall designate a person or persons to monitor and document the dust control program requirements to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures 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 grading/building permit issuance and/or map clearance.

PLAN REQUIREMENTS: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

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



ATTACHMENT B DIESEL PARTICULATE AND NO_x EMISSION REDUCTION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is a 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 greater than 50 brake horsepower (bhp) shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of diesel-powered mobile construction equipment greater than 25 hp are subject to the California Air Resource Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation (Title 13, California Code of Regulations (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NO_x), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- Fleet owners of diesel-fueled heavy-duty trucks and buses are subject to CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NO_x and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. For more information, see www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, limiting engine idling time. Off-road vehicles subject to the State Off-Road Regulation are limited to idling no more than five minutes. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes, unless the truck engine meets the optional low-NO_x idling emission standard, the truck is labeled with a clean-idle sticker, and it is not operating within 100 feet of a restricted area.

The following measures are recommended:

- Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible. Electric auxiliary power units should be used to the maximum extent feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- 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.
- Construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions whenever feasible.
- Proposed truck routes should minimize to the extent feasible impacts to residential communities and sensitive receptors.
- Construction staging areas should be located away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows.

PLAN REQUIREMENTS AND TIMING: Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

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



Santa Barbara County Public Works Department Water Resources Division

Flood Control • Water Agency • Project Clean Water
130 E. Victoria Street, Suite 200, Santa Barbara, CA 93101
PH (805) 568-3440 FAX (805) 568-3434
<http://cosb.countyofsb.org/pwd/pwwater.aspx?id=2956>

SCOTT D. MCGOLPIN
Director Public Works

THOMAS D. FAYRAM
Deputy Director Water Resources

August 6, 2021

Nicole Lieu, Planner
County of Santa Barbara, Planning & Development Department
123 E. Anapamu Street
Santa Barbara, CA 93101

**Re: 21DVP-00000-00022, 21CDP-00000-00076; Highway 101 Widening- Segment 4D
APN: Various; Montecito**

Dear Ms. Lieu:

This project is located in two Special Flood Hazard Areas (SFHA): the FEMA Recovery Map High Hazard Area and the FEMA Regulatory Floodplain.

The Public Works Department, Water Resources Division has the following conditions for the subject project which proposes improvements to Highway 101 between post mile 1.4 and post mile 12.3, including northbound and southbound high occupancy vehicle (HOV) lanes, new creek crossings, bridges, new medians, sound walls, and landscaping.

A. Flood Control & Water Conservation District

Upon reviewing the subject project, the District concludes that no mitigation measures have been proposed to offset the adverse SFHA-wide impacts of the proposed sound walls, barriers, and other obstructions.

The District recommends that no sound walls, barriers, structures, or any aspect of design be allowed which could affect the following areas: the current FEMA Effective Flood Mapping Special Flood Hazard Areas, the new FEMA Flood Mapping Special Flood Hazard Areas (if they are released prior to project construction), AND the Current FEMA Recovery Map High Hazard Area.

Furthermore, the project must cause no impediments to Santa Barbara Flood Control maintenance operations.

B. Project Clean Water

Caltrans is a regulated Permittee under a separate NPDES Permit, and the design of this project will be in accordance with the Central Coast Regional Water Quality Control Board's Post-Construction Requirements (Resolution No. R3-2013-0032). Further, we understand that any storm water facilities will be owned and maintained by Caltrans in perpetuity. As such, the

21DVP-00000-00022, 21CDP-00000-00076, Highway 101 Widening- Segment 4D

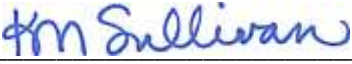
August 6, 2021

Page 2 of 2

County defers to Caltrans for implementation of the post-construction requirements; Project Clean Water has no conditions.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: 

Karen Sullivan, P.E.
Development Review Engineer

Cc: Caltrans, c/o Joe Erwin, 50 Higuera Street, San Luis Obispo, CA 93401
GPA Consulting, c/o Erinn Silva, 305 South Kalorama Street, Suite B, Ventura, CA 93001
Fred Luna; SBCAG, 260 N. San Antonio Road, Santa Barbara, CA 93110