

EXHIBIT 4

**City Resolution,
Mitigated Negative Declaration and
Mitigation Monitoring and Reporting Program**

EXHIBIT 4



City of Santa Barbara California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 006-02

211 & 213 STEARNS WHARF

(MODIFICATION, DEVELOPMENT PLAN, AND COASTAL DEVELOPMENT PERMIT)

JANUARY 24, 2002

APPLICATION OF THE SANTA BARBARA NATURAL HISTORY MUSEUM-SEA CENTER, AGENT FOR THE SANTA BARBARA NATURAL HISTORY MUSEUM-SEA CENTER (LESSEE) AND THE CITY OF SANTA BARBARA (PROPERTY OWNER), 211 AND 213 STEARNS WHARF, 033-120-002, HARBOR COMMERCIAL/COASTAL OVERLAY (H-C/S-D-3) ZONES, GENERAL PLAN DESIGNATION: HARBOR COMMERCIAL (MST2000-000324)

The proposed project is located on the "Wye" portion of Stearns Wharf. Currently in the project area is the Sea Center building and associated outdoor touch tank and the Nature Conservancy building.

The proposed project includes the removal of the existing Sea Center building (two-story, 2,056 sq. ft.) and the existing Nature Conservancy building (two-story, 1,059 sq. ft.), and construction of a new two-story building comprising a total of 6,327 sq. ft. (3,503 sq. ft. on the first floor and 2,824 sq. ft. on the second floor). The project would result in an increase of 3,212 sq. ft. of new non-residential square footage. The additional square footage would allow for additional educational and exhibit space, office/workroom space for Sea Center and Nature Conservancy staff, and an elevator. The proposed new Sea Center building would have a maximum building height of 29'6". The existing 659 sq. ft. outdoor touch tank would be removed and replaced with a 614 sq. ft. outdoor oceanography lab. The new building would be set back 10 feet to 18 feet from the western edge of the Wharf structure. The setback from the existing eastern edge of the Wharf would be four feet. The applicant proposes to construct a 144 linear foot platform to the east of the proposed building that would be cantilevered on top of the existing Wharf deck to project five feet beyond the existing edge of the Wharf. The northern and southern ends of the platform would join the pier deck at 45-degree angles to avoid the potential of snagging or trapping runaway boats. On the south side of the new building, the applicant is proposing public restrooms. Demolition and removal of the existing buildings and construction of the new Sea Center building is estimated to take approximately 13 months to complete. The installation of exhibits is estimated to take an additional four to five months. During certain phases of demolition and construction, access to the Wye portion of Stearns Wharf will be restricted or prohibited to protect public safety and secure the project site.

The discretionary applications required for this project are:

1. A Modification of the parking requirement to allow the proposed addition without providing the required parking spaces [Santa Barbara Municipal Code (SBMC) §28.90];
2. Development Plan review for a project that involves an increase of 3,212 square feet of non-residential floor area (SBMC §28.87.300);
3. A Recommendation to the California Coastal Commission on the Coastal Development Permit for construction in the Permit Jurisdiction of the Coastal Zone (SBMC §28.45.009); and,

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4. A Recommendation to the City Council on the Final Community Priority Designation (SBMC §28.87.300).

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 18, 2002
2. Site Plan
3. Letter received from Catherine McCammon of Citizen's Planning Association.

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Approved the subject application making the following findings and determinations:
 - A. For the Environmental Review (CEQA Guidelines 15074)
 1. The Planning Commission considered the Initial Study and Negative Declaration MST2001-00324 and comments received during the public review. In the Planning Commission's independent judgment, there is no substantial evidence in the whole record that the project would result in significant environmental impacts. Recommended mitigation measures have been incorporated as proposed conditions of approval to minimize incremental project effects on the environment. Pursuant to Section §15074 of the California Environmental Quality Act Guidelines the Planning Commission here by adopts the Final Negative Declaration MST2001-00324.
 2. The location and custodian of documents which constitute the record of proceedings on which the adoption of Negative Declaration MST2001-00324 is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, CA 93101.
 3. A Mitigation Monitoring and Reporting Plan is included in the Final Negative Declaration and has been incorporated into project conditions of approval.
 4. The California Department of Fish and Game (DFG) is a Trustee Agency with oversight over fish and wildlife resources of the State. The DFG collects a fee from project proponents of all projects potentially affecting fish and wildlife, to defray the cost of managing and protecting resources. The project has the potential to affect fish and wildlife resources. The Initial Study/ Negative Declaration for the project identified potential impacts as less than significant. The project is subject to the DFG fee (\$1,250 for a Negative Declaration). A

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condition of approval has been recommended which requires the applicant to pay the fee within five days of project approval.

B. For the Parking Modification (SBMC §28.92.026)

The modification will not be inconsistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking spaces or loading spaces in the immediate area. There are adequate parking resources in the waterfront area during peak and non-peak times and the project would not significantly impact the parking resources in the waterfront area.

C. For the Development Plan (SBMC §28.87.300)

1. The proposed development complies with all provisions of the Zoning Ordinance. The proposed use conforms with the H-C zone designation, and with the approval of the parking modification, the project would conform with the provisions of the Zoning Ordinance.
2. The proposed development is consistent with the principles of sound community planning. The proposed development is consistent with the uses envisioned for Stearns Wharf and is consistent with the City's plans and policies that pertain to new development on Stearns Wharf.
3. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk or scale of the development will be compatible with the neighborhood. The proposed project complies with the Harbor Design Guidelines that establish Coastal Maritime as the architectural style of Stearns Wharf.
4. The proposed development would not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock. The project is located in an urban area of the waterfront and would not displace existing housing units. In addition, the proposed project is not anticipated to increase the demand for new housing units.
5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources. The minor increase in water demand associated with the proposed project would not significantly impact the City's water resources. There is adequate water to meet the needs of the proposed development.
6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic. Transportation Staff has reviewed the project and determined that the project would not result in significant project or cumulative impacts to any impacted intersection.
7. Resources will be available and traffic improvements will be in place at the time of project occupancy. Based on the conclusions in the Final Negative

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Declaration, no traffic improvements are required. The existing traffic improvements in the waterfront area are adequate to serve the proposed project.

D. For the Community Priority Designation

The Planning Commission recommends that the City Council make a finding that the proposed educational use of the Sea Center meets the criteria for a Final Community Priority Designation and grant the project 3,212 square feet from the Community Priority development allocation category.

E. For the Coastal Development Permit (SBMC §28.45.009)

The Planning Commission recommends that the California Coastal Commission find the project consistent with the policies of the California Coastal Act, including policies related to public access and public recreation, and with all applicable policies of the City's Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code. The use of the Sea Center is consistent with visitor-serving/recreation policies and the new building would not significantly affect the visual resources of the project area. The project would not interfere with the public's right to access to the coast and would not significantly affect public resources related to traffic and parking.

II. Said approval is subject to the following conditions:

- A. The approval of the parking modification and development plan is contingent on the California Coastal Commission's approval of the Coastal Development Permit and the City Council's granting of a Final Community Priority designation.
- B. Pursuant to Section 21089(b) of the California Public Resources Code and Section 711.4 et. seq. of the California Fish and Game Code, the approval of this project permit shall not be considered final unless the specified Department of Fish and Game fees are paid and filed with the California Department of Fish and Game within five days of project approval. The fees required are \$1250 for projects with Negative Declarations and shall be delivered to the Planning Division immediately upon project approval in the form of a check payable to the California Department of Fish and Game. Without the appropriate fee, the Notice of Determination cannot be filed by the City as required within five days of project approval and the project approval is not operative, vested or final.
- C. The development of the Real Property approved by the Planning Commission on January 24, 2002 is limited to 6,327 sq. ft. of building area, the improvements shown on the Development Plan signed by the chairman of the Planning Commission on said date, and the level of activity on weekdays and weekends and the Transportation Demand Management strategies outlined in the applicant's project description letter dated October 15, 2001 and on file at the City of Santa Barbara.
- D. The lessee shall agree to participate in a program developed by the Waterfront Department for continued and improved shuttle service between beach area parking lots

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- and the Wharf, and a program to provide shuttle tokens free of charge to customers of the Sea Center similar to the parking validation program.
- E. Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Lighting shall be directed toward the ground.
- F. The Santa Barbara Natural History Museum shall explore the possibility of participating or establishing a bike-sharing program for the employees and volunteers of the Sea Center.
- G. The following shall be finalized and specified in written form and submitted with the application for a building permits:
1. The Sea Center shall submit to the City's Environmental Analyst a monitoring program for the project's recommended mitigation measures, as stated in the Negative Declaration. Mitigation monitors responsible for permit compliance monitoring must be hired and paid for by the Sea Center. The mitigation monitoring program shall include, but not be limited to:
 - a. A list of the project's recommended mitigation measures.
 - b. An indication of the frequency of the monitoring of these mitigation measures.
 - c. A schedule of the monitoring of the mitigation measures.
 - d. A list of reporting procedures.
 - e. A list of the mitigation monitors to be hired.
 2. The City's Transportation Engineer shall approve route(s) for all construction-related trucks, three tons or more, entering or exiting the site.
 3. A source reduction/recycling plan shall be developed for the proposed project and submitted for review and approval by the City's Environmental Analyst and the City's Solid Waste Specialist prior to building permit issuance. The plan shall focus on ongoing waste diversion activities and include a source separated collection of recyclables, employees and visitor educational component, and reporting requirements.
- H. The following information shall be specified on the construction plans submitted for building permits:
1. Construction equipment shall be maintained in tune per the manufacturer's specifications.
 2. Construction worker trips should be minimized by requiring carpooling.
 3. Catalytic converters shall be installed on gasoline-powered equipment whenever feasible.
 4. Diesel catalytic converters shall be installed, if available.

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5. All construction related debris should be disposed of properly. Any construction related debris that is deposited in the ocean shall be promptly removed.
6. The construction contract shall contain a provision that all construction equipment should be maintained and maintenance verified prior to the commencement of construction and regularly checked by the contractor for leakage of materials toxic to marine life. No fueling, washing, or maintenance of equipment shall occur next to the shore. In addition, the construction contract should contain a provision that spill containment and cleanup materials should be present at all times at the work site.
7. Exterior noise generating construction activity shall be prohibited Saturdays, Sundays, and holidays and between the hours of 5 p.m. to 7 a.m. Holidays are defined as those days that are observed by the City as legal holidays as shown below:

New Year's Day	January 1st
Martin Luther King Jr.'s Birthday.....	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Thanksgiving Day.....	3rd Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving
Christmas Day	December 25th
8. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
9. The proposed project shall provide space and/or bins for storage of recyclable material with the project site. This information shall be shown on the building plans and installed as a part of the proposed project's improvements.
10. Public bench seating shall be provided in the area of the proposed Wharf extension on the east side of the new Sea Center building.
11. The open deck area between the eastern building edge and the edge of the wharf shall be open to use by the general public at all times. Signs shall be placed near the north and south side of the proposed building to inform the general public that the area between the building and the new edge of the Wharf is a public walkway and public viewing platform.
12. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods.
13. Construction parking shall be provided as follows:

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- a. During construction, free parking spaces for construction workers shall be provided off-site in a location subject to the approval of the City's Transportation and Parking Manager.
 - b. On-site or off-site storage shall be provided for construction materials and equipment. Storage of construction materials within the public right-of-way is prohibited.
- I. The following is subject to the review and approval of the Architectural Board of Review (ABR):
1. The Architectural Board of Review (ABR) shall review the plan to provide direction to the applicant to reduce the plate height of the south wing as much as possible.
 2. ABR shall provide direction to the applicant to reduce the height and mass of the building, including the roof pitch, while working with the applicant to maintain the function of the interior space.

NOTICE OF MODIFICATION AND DEVELOPMENT PLAN TIME LIMITS:

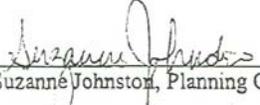
The development plan and parking modification approved, per SBMC Sections 28.87.350 and 28.87.360, shall expire four (4) years from the date of approval unless:

1. A building or grading permit for the work authorized by the development plan is issued prior to the expiration date of the approval.
2. A time extension is granted by the Planning Commission for one (1) year prior to the expiration date of the approval, only if it is found that there is due diligence to implement and complete the proposed project.

This motion was passed and adopted on the 24th day of January, 2002 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 1 (Barnwell) ABSTAIN: 0 ABSENT: 2 (House and Lowenthal)

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.


Suzanné Johnston, Planning Commission Secretary

2/7/02
Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.



CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT
PROPOSED FINAL NEGATIVE DECLARATION - MST2000-00324

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970," as amended to date, this Proposed Final Negative Declaration has been prepared for the following project:

PROJECT LOCATION: 211 and 213 Stearns Wharf

PROJECT PROPONENT: Santa Barbara Natural History Museum, Sea Center

PROJECT DESCRIPTION: The proposed physical changes consist of the removal of the existing Sea Center building (two-story, 2,056 sq.ft.) and the existing Nature Conservancy building (two-story, 1,059 sq.ft.), and construction of a new two-story building comprising a total of 6,327 sq.ft. (3,503 sq.ft. on the first floor and 2,824 on the second floor). The project would result in the increase in 3,212 square feet of new non-residential square footage. The additional square footage would allow for additional educational and exhibit space, office/workroom space for Sea Center and Nature Conservancy staff, and an elevator. The proposed new Sea Center building would have a building height of approximately 29'6". The existing 659 square foot outdoor touch tank would be removed and replaced with a 614 square foot outdoor oceanography lab. The new building would be set back 10 feet to 18 feet from the western edge of the Wharf structure. The setback from the existing eastern edge of the Wharf would be four feet. The applicant proposes to construct a 144 linear foot platform to the east of the proposed building that would be cantilevered on top of the existing Wharf deck to project five feet beyond the edge of the Wharf. The northern and southern ends of the platform would join the pier deck at 45-degree angles to avoid the potential of snagging or trapping runaway boats. On the south side of the new building, the applicant is proposing public restrooms.

Demolition and removal of the existing buildings and construction of the new Sea Center building is estimated to take approximately 13 months to complete. The installation of exhibits is estimated to take an additional four to five months. During certain phases of demolition and construction, access to the Wye portion of Stearns Wharf will be restricted or prohibited to protect public safety and secure the project site. See attached letter from the applicant for a detailed project description.

NEGATIVE DECLARATION FINDING:

Based on the attached Initial Study prepared for the proposed project, it has been determined that the proposed project will not have a significant effect on the environment.


Environmental Analyst

1-17-02
Date

CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

INITIAL STUDY/ENVIRONMENTAL CHECKLIST MST2000-00324

PROJECT TITLE: SEA CENTER REVITALIZATION (211 & 213 STEARNS WHARF)

This Initial Study has been completed for the project described below because the project is subject to review under the California Environmental Quality Act (CEQA) and was determined not to be exempt from the requirement for the preparation of an environmental document. The information, analysis and conclusions contained in this Initial Study are the basis for deciding whether a Negative Declaration (ND) or a Mitigated Negative Declaration (MND) is to be prepared, or if preparation of an Environmental Impact Report (EIR) is required to further analyze impacts. Additionally, if preparation of an EIR is required, the Initial Study is used to focus the EIR on the effects determined to be potentially significant.

PROJECT DESCRIPTION (See Exhibits 1 & 2)

The Santa Barbara Museum of Natural History operates the Sea Center that is located on Stearns Wharf. The Sea Center was built in 1984 and provides an educational opportunity for school children and the general public to learn about the marine environment and natural resources of the Santa Barbara Channel. The Nature Conservancy is located in a building to the south of the Sea Center that was constructed in the same year. The Nature Conservancy also provides a public visitor center and manages the Santa Cruz Island Preserve.

The Santa Barbara Museum of Natural History and Nature Conservancy have proposed to combine their leases. The Nature Conservancy would like to concentrate their efforts on the management of their Santa Cruz Island Preserve and allow the Sea Center to take over their visitor center function. The Sea Center would like to provide space to allow additional educational opportunities for schools and the public. In order to provide for the additional educational opportunities, the Sea Center is proposing to remove the existing buildings and construct a new facility.

The proposed physical changes consist of the removal of the existing Sea Center building (two-story, 2,056 sq.ft.) and the existing Nature Conservancy building (two-story, 1,059 sq.ft.), and construction of a new two-story building comprising a total of 6,327 sq.ft. (3,503 sq.ft. on the first floor and 2,824 on the second floor). The project would result in the increase in 3,212 square feet of new non-residential square footage. The proposed new Sea Center building would have a building height of approximately 29'6". The existing 659 square foot outdoor touch tank would be removed and replaced with a 614 square foot outdoor oceanography lab. The new building would be set back 10 feet to 18 feet from the western edge of the Wharf structure. The setback from the existing eastern edge of the Wharf would be four feet. The applicant proposes to construct a 144 linear foot platform to the east of the proposed building that would be cantilevered on top of the existing Wharf deck to project five feet beyond the edge of the Wharf. The northern and southern ends of the platform would join the pier deck at 45-degree angles to avoid the potential of snagging or trapping runaway boats. On the south side of the new building, the applicant is proposing public restrooms.

Demolition and removal of the existing buildings and construction of the new Sea Center building is estimated to take approximately 13 months to complete. The installation of exhibits is estimated to take an additional four to five months. During certain phases of demolition and construction, access to the Wye portion of Stearns Wharf will be restricted or prohibited to protect public safety and secure the project site.

APPLICANT/PROPERTY OWNER NAME AND ADDRESS

Applicant: Santa Barbara Museum of Natural History
2559 Puesta Del Sol
Santa Barbara, CA 93105

Owner:

City of Santa Barbara
P.O. Box Drawer P.P.
Santa Barbara, CA 93102

PROJECT ADDRESS/LOCATION (See Vicinity Map, Exhibit 3)

211 and 213 Stearns Wharf

ENVIRONMENTAL SETTING

Stearns Wharf is located at the foot of State Street and extends south out over the Pacific Ocean for approximately 2,300 feet (Harbor Master Plan). At approximately the mid-point of the Wharf, the main portion of the Wharf veers gently to the west, while a subcomponent of the wharf turns east back toward land to form a "Wye." The proposed project is located on the Wye portion of Stearns Wharf.

Stearns Wharf's wooden platform is used heavily by locals and tourists. The City's Harbor Master Plan indicates Stearns Wharf is the number one tourist attraction in Santa Barbara. Predominant uses of Stearns Wharf include visitor serving and recreation uses, such as fishing, walking, sightseeing, shopping and dining.

PROPERTY CHARACTERISTICS

Assessor's Parcel Number:	033-120-022	General Plan Designation:	Harbor Commercial
Zoning:	HC/SD-3, Harbor Commercial/Coastal Overlay	Parcel Size:	4.2 Acres
Existing Land Use:	Visitor Serving and Recreation	Proposed Land Use:	Visitor Serving and Recreation
Slope:	0.18		
Surrounding Land Uses:			
North:	Beach		
South:	Ocean		
East:	Ocean		
West:	Beach and Harbor		

PLANS AND POLICY DISCUSSION

Both the General Plan Land Use Designation and zoning designation for Stearns Wharf is Harbor Commercial. The existing and proposed use is consistent with this designation.

The required discretionary approvals include a modification of the parking requirement, a Final Community Priority Designation, and a recommendation to the California Coastal Commission on a Coastal Development Permit.

In order to approve the requested modification, Section 28.92.026.A.1 of the Santa Barbara Municipal Code states that it must be found that "the modification will not be inconsistent with the purposes and intent of this Title and will not cause an increase in the demand for parking space or loading space in the immediate area." In

order to grant the Community Priority status, the City Council must determine that the project meets a present or projected need directly related to public health, safety or general welfare. In order to recommend approval of the Coastal Development Permit to the California Coastal Commission, it must be found that the project is consistent with the policies of the California Coastal Act, all applicable policies of the City's Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code.

The following provides an initial Staff assessment of potential project consistency with applicable policies. The decision-makers for the discretionary permits will make a final determination of project consistency with applicable policies at the time of their review of the subject project.

Coastal Policies

Stearns Wharf is located in Component 8 of the City's Local Coastal Land Use Plan. The major coastal issues related to new development in the Waterfront Area include: water and marine environmental of the Harbor, Mission Creek and off-shore waters; hazards of flooding, tsunami, seiche; public access and recreation; visitor-serving uses; ocean dependent uses of the Harbor and Stearns Wharf; protection of visual quality; and provision of public services as they related to public access to the shoreline.

- Marine Resources

Sections 30230 and 30231 provide for the protection of water and marine resources while prohibiting significant disruption to natural systems and processes. The project is potentially consistent with marine resource policies because it would not result in wastewater discharge or increase runoff. See Section 9, Public Services, and Section 12, Water Resources discussions.

- Hazards

Section 30253 of the Coastal Act states in part that new development shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. The proposed project represents a continuation of an existing use and would not increase the level of public exposure to flooding or tsunami. The City's Master Environmental Assessment identifies an inferred fault running east/west near the project area. The proposed project would be constructed to meet the Uniform Building Code requirements for new buildings in this area. See Section 12, Water Resources, for discussion.

- Access

The project is consistent with Coastal Act policies related to public access to the coast in that the project would not interfere with the public's right to access the coast.

Policy 2.5 of the City's Local Coastal Land Use Plan states "vista points shall be provided and maintained in areas where such use by the public has been established." The public has historically been able to walk around the entire perimeter of the two existing buildings. Currently there is three to four feet between the existing buildings and the western Wharf edge. The proposed project preserves and enhances this access by proposing a platform that would cantilever over the Wharf and provide an additional five feet of public viewing area. The project is potentially consistent with this policy.

- Recreation/Visitor-Serving Uses

Coastal Act policies relating to recreation mainly require that recreational or commercial visitor serving uses be given priority over general commercial industrial or residential uses, that ocean fronting land suitable for recreational uses be reserved for recreation, that low cost recreation, open to the public is preferred; and that

recreational facilities be sited and designed to avoid adverse impacts of overcrowding or overuse [Sections 30212.5, 30213, 30220, 30221, 30222, 30223, 30250(c), and 30240(b)]. The proposed project is a visitor-serving use and provides low-cost public educational and recreational opportunities. The project is potentially consistent with these policies.

- Ocean Dependent Uses

Coastal Act Sections 30220 and 30255 gives priority to coastal-dependent, water-oriented recreational activities. The proposed facility provides research and educational opportunities to visitors to learn about the marine resources of the Santa Barbara Channel. The project is potentially consistent with these Coastal Act policies.

Policy 7.1 of the City's LCP states that "the Harbor/Wharf complex and its associated recreational facilities shall be considered as the highest priority land use in the waterfront area." The identified action to carry out this policy was to rezone the Harbor/Wharf area to Harbor Commercial. This rezone was carried out and the proposed use is consistent with the zoning and General Plan Land Use designations.

- Visual Quality

Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Policy 9.1 in the City's LCP protects existing views to, from, and along the ocean and scenic coastal areas. Policy 9.2 requires new development in the waterfront area to be consistent with the architectural design standards adopted by the Architectural Board of Review (ABR). Visual Resource goals in the City's Conservation Element state that the scenic character of the City should be protected and enhanced. Policy 3.0 in the Conservation Element states that new development shall not obstruct scenic view corridors, including those of the ocean and lower elevation of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City. As described in the Section 1 analysis of visual aesthetics in this document, the project would not substantially change views of scenic vistas from surrounding public viewpoints. The project proposes architecture compatible with the existing setting, and is subject to ABR review. The project could therefore potentially be found consistent with applicable visual policies by the decision-maker. Further discussion and a final determination of policy consistency will be performed by the decision-maker.

- Public Services

Policy 11.5 of the City's LCP states in part that "all development in the waterfront area, excepting Stearns Wharf, shall provide adequate off-street parking to fully meet their peak needs." Transportation Staff has reviewed the proposed project and, based on information contained in the WATS 2 study, has indicated that the additional demand could be accommodated in the Waterfront area parking lots during peak and non-peak times without significantly impacting the parking resources in the Waterfront area. See Section 11, Transportation/Circulation discussion in this document.

- Cultural Resources

Section 30244 of the Coastal Act requires reasonable mitigation measures if development would adversely impact archaeological or paleontological resources. Development on Stearns Wharf has no potential to affect archaeological or paleontological resources. The Stearns Wharf structure has been designated a City Landmark. The City's Conservation Element of the General Plan states that activities and developments that could damage or destroy historic resources are to be avoided. As the proposed project would not alter the Stearns Wharf structure, the project is potentially consistent with the policies contained in the Conservation Element that protect important historic resources.

- Locating New Development

Policy 12.2 of the City's Coastal Plan requires new development within the Waterfront area be evaluated as to its impact upon the area's openness, lack of congestion, naturalness, and rhythm. The project is limited in scope and could potentially be found consistent with these policies. The detailed matrix will be completed as part of the written Staff Report prepared for the public hearing that will be held before the Planning Commission on the project, and issues will be considered further.

Harbor Master Plan

The Harbor Master Plan (HMP) goal for Stearns Wharf is that Stearns Wharf shall consist of a mixture of visitor serving and ocean dependent and ocean related uses. The Harbor-Stearns Wharf area shall be developed and maintained as a resource for residents of the community and visitors pursuant to these goals while recognizing the need for economic self-sufficiency of the area. The proposed project is potentially consistent with this goal.

Ocean Dependent Activities policy 5 (DEP-5) states that ocean related and visitor serving facilities and uses shall be encouraged in order to support ocean dependent uses and activities. The proposed project is an ocean related and visitor serving use and is therefore potentially consistent with this policy.

Public Services policy 3 (SERV-3) encourages alternate modes of travel, including shuttle busses, to reduce traffic volume in the Wharf and Harbor areas. The Santa Barbara Natural History Museum provides free bus passes for employees, encourages employees to use the ride-share program, and offers a "free ride" home to employees in the case of emergencies. The museum would continue to support the shuttle system in the Waterfront area. The project is potentially consistent with this policy.

SERV-5 encourages water conservation to the maximum extent feasible. All new water consuming fixtures will be water-conserving devices. The project is potentially consistent with this policy.

SERV-7 states that recycling should continue to be encouraged. The museum will recycle as much of the existing facilities as possible, maintain recycling programs in the operation of the Sea Center, and utilize "green building" techniques. The project is potentially consistent with this policy.

Recreation policy 1 (REC-1) requires passive and active recreation areas throughout the Wharf and Harbor areas. The project provides a recreational use. The project is potentially consistent with this policy.

Visitor Serving Uses policy 1 (VISIT-1) states that visitor serving uses shall be subordinate to ocean dependent uses but shall be provided in adequate amounts to serve visitors to the area. The project is both visitor serving and ocean related and potentially consistent with this policy.

Visual Resource policy 1 (VIS-1) requires that new development protect, preserve and enhance coastal and scenic visual qualities. Policy VIS-2 specifies the architectural theme for Stearns Wharf as Coastal Marine architecture. The project is consistent with the established Historic Maritime architectural style of the Wharf.

Water and Marine Environments policy 1 (MAR-1) states that marine resources shall be maintained, enhanced, and where feasible, restored. The project would occur entirely on top of the Wharf structure and would manage both project construction and operations to avoid affecting the water and marine environment. The project is potentially consistent with this policy.

A complete analysis of the project's consistency with City General Plan Elements (including the Circulation, Conservation, and Noise Elements) and other City plans and policies will be provided in the Planning Commission Staff Report for the project.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

A Mitigation Monitoring and Reporting Program has been prepared for the subject project in compliance with Public Resources Code §21081.6. The MMRP is attached herewith as Exhibit 4.

ENVIRONMENTAL CHECKLIST

The following checklist contains questions concerning potential changes to the environment that may result if this project is implemented. If no impact would occur, NO should be checked. If the project might result in an impact, check YES indicating the potential level of significance as follows:

Known Significant: Known significant environmental impacts. Further review needed to determine if there are feasible mitigation measures and/or alternatives to reduce the impact.

Potentially Significant: Unknown, potentially significant impacts which need further review to determine significance level.

Significant, avoidable: Potentially significant impacts which can be mitigated to less than significant levels.

Less Than Significant: Impacts which are not considered significant.

1. AESTHETICS.	NO	YES
Could the project:		Level of Significance
a) Affect a public scenic vista or designated scenic highway or highway/roadway eligible for designation as a scenic highway?		Less than Significant
b) Have a demonstrable negative aesthetic effect in that it is inconsistent with Architectural Board of Review or Historic Landmarks Guidelines or guidelines/criteria adopted as part of the Local Coastal Program?	✓	
c) Create light or glare?	✓	

Discussion:

- 1.a) The measurement of aesthetic quality, whether something is visually pleasing or not, is perceived and valued differently from one person to the next and is affected by the area or context of the environment in which the project is proposed. The significance of aesthetic impacts is assessed based on considering the proposed physical change and project design, within the context of surrounding visual setting. Under CEQA, the evaluation of a project's potential visual impacts is limited to views of the project from public (as opposed to private) viewsheds.

The project site is located on the Wye portion of Stearns Wharf in the City's Waterfront area. Stearns Wharf is visible from the Harbor, East and West beaches, Cabrillo Boulevard, as well as from higher elevations in the City. Stearns Wharf provides vistas of the City's Waterfront, harbor, and of the foothills and mountains. Views from Cabrillo Boulevard to the ocean and from Stearns Wharf to the shore have been identified by visual resource policies as having high importance.

The City of Santa Barbara Local Coastal Plan and Harbor Master Plan recognize the ocean and beaches as important scenic resources. The City's Scenic Highways Element identifies Cabrillo Boulevard as a potential State scenic highway. In 1996, Cabrillo Boulevard (formerly State Route 225) was deleted from the State Highway system and its ownership was transferred to the City of Santa Barbara. However, the City still considers Cabrillo Boulevard to be an important scenic route.

Stearns Wharf is currently developed with visitor-serving commercial uses, restaurants, and parking. The footprints of the existing buildings on the Wharf encompass approximately 22,851 square feet. Existing buildings on the Wharf are one- and two-stories. Predominate land uses in the project area are the harbor, beaches, and recreational facilities.

Existing development on the project site includes the Sea Center, a two-story, 26 foot, six inch (26'6") tall, 2,056 square foot building and associated 659 square foot outdoor touch tank and the Nature Conservancy, a two-story, 23 foot, three inch (23'3") tall, 1,059 square foot building.

The proposed project includes the removal of the two existing buildings and the construction of a new two-story, 6,327 square foot building. A new 614 square foot outdoor oceanography lab is also proposed. The maximum height of the proposed building is 29 feet, six inches.

The proposed project would be visible from various areas of the Waterfront. The main view of the new building would be from locations on Stearns Wharf in the immediate vicinity of the project, from the public beachway on the shore, and from East Cabrillo Boulevard. The existing Harbor Restaurant building obstructs the view of the new building from most of West Cabrillo Boulevard. The applicant submitted photographs of views from eight representative locations in the Waterfront as described below. Some of the submitted photographs were taken with a telephoto lens and therefore, do not present the actual visual change that would occur since the picture and overlay appear larger than that which you would actually see while walking along the beachway or driving along Cabrillo Boulevard. Staff has also taken photographs of the existing project site from the same vantage points without utilizing a telephoto lens to represent the human scale view. Both sets of pictures are incorporated by reference into this document.

Discussion of Viewpoints and Visual Changes

- Vantage Point 1 – View from in front of the Harbor Restaurant

From this vantage point the existing buildings are clearly visible. The Santa Ynez mountain range is visible in the far distance to the south and between the existing buildings. The significant view from this vantage point is the Wye portion of the Wharf, the two existing buildings, and to a greater extent, the coastline, foothills, and Santa Ynez mountain to the south of the project site. The proposed building would replace the two existing two-story buildings with a larger two-story building. The proposed building would incrementally increase blockage of the existing view of the Santa Ynez mountain range in the far distance. This would represent an insignificant change in the existing view. The major existing view of the coastline, foothills, and Santa Ynez mountain range would not substantially change at this viewing distance, and would be preserved to the south of the new building. Therefore, project visual impacts from this vantage point would be adverse, but less than significant.

- Vantage Point 2 – View from the Mission Creek beachway bridge (east of Wharf)

From this vantage point, several existing buildings on the Wharf dominate the view (the Sea Center, the existing two-story building that houses existing visitor-serving uses that is located immediately north of the project site, the existing two-story Harbor Restaurant, and the Moby Dick Restaurant). The Santa Ynez mountain range is visible to the east. The existing Sea Center and Nature Conservancy buildings appear to be one building from this vantage point. From this vantage point the project would not result in a significant change in the existing visual setting. Therefore, visual impacts from this vantage point would be less than significant.

- Vantage Point 3 – View from Chase Palm Park, approximately midpoint between Garden Street and Calle Cesar Chavez

Stearns Wharf is visible from this vantage point. The main focal point is the ocean, Santa Cruz Island, and the boats moored off coast. At this distance and vantage, the existing buildings on the Wharf appear as one mass and block most of the view of the western most portion of Santa Cruz Island. The proposed project would remove a very minor section of the view of Santa Cruz Island. The proposed project would not be a visual focal point and a significant portion of the island would remain visible from this vantage point. Therefore, visual impacts from this vantage point would be less than significant.

- Vantage Point 4 – View from the Laguna Creek beachway bridge

The view that dominates this vantage point is of the ocean, Santa Cruz Island, Stearns Wharf, and the boats moored off the coast. From this vantage point, one views the existing buildings at an angle. The two existing buildings almost appear to be one large building from this vantage point. Although the new building would be visible from this vantage point, views of the ocean, Santa Cruz Island, the moored boats, and Stearns Wharf would not be significantly altered from this vantage point. Therefore, visual impacts from this vantage point would be less than significant.

- Vantage Point 5 – View from East of the Laguna Creek Beachway Bridge

The view from this vantage point is similar to that from vantage point 3. The proposed project would not significantly alter the view. Therefore, visual impacts from this vantage point would be less than significant.

- Vantage Point 6 – View from the Breakwater

The view that dominates this vantage point is the sweeping view of the shoreline, foothills, and the Santa Ynez mountain range. Stearns Wharf is visible in the foreground. The new building would be visible from this vantage point; however, the proposed building would not dominate, nor diminish the view. Therefore, visual impacts from this vantage point would be less than significant.

- Vantage Point 7 – View from the Intersection of Cabrillo Boulevard and Calle Puerto Vallarta

From this vantage point, the ocean, Santa Cruz Island, moored boats, and the City College hill dominate the view. Stearns Wharf is visible, however, given the distance, the buildings on the Wharf blend in with the existing development in the area and with City College hill. Therefore, visual impacts from this vantage point would be less than significant.

- Vantage Point 8 – View from the Wharf Valet Parking Area

From this vantage point, the existing Sea Center and Nature Conservancy buildings, shoreline, foothills, and Santa Ynez mountain range are visible. Between the two existing buildings, an incremental view of the foothills and Santa Ynez mountain range is visible. This vantage point would be the most affected by the proposed building. The proposed building would fill in the existing open space between existing buildings and would remove the minor view of the foothills from this vantage point. The Santa Ynez mountain range would continue to be visible above the proposed building and to the north and south sides of the proposed building. This loss represents an adverse, but less than significant impact to views from this vantage point.

- 1.b) The Local Coastal Plan and Harbor Master Plan contain policies and visual design guidelines for protection of scenic resources of the harbor, beaches and waterfront areas. As part of the implementation of the Local Coastal Program, Waterfront Area Design Guidelines were adopted. However, those Guidelines do not specifically address the Wharf or Harbor area. As part of the Harbor Master Plan, adopted in June 1996, Harbor Master Plan Design Guidelines were developed. These Guidelines are an expansion of the Waterfront Area Design Guidelines and specifically address the Harbor and Stearns Wharf area. The Harbor Master Plan and Waterfront Area Design Guidelines establish Historic Maritime Style as the architectural style for Stearns Wharf.

The Architectural Board of Review (ABR) has design review purview on Stearns Wharf. The ABR has reviewed the project on several occasions. The ABR has given the project positive comments to the Planning Commission, finding that the project would be consistent with visual aesthetic ABR guidelines and criteria, and would not have a significant aesthetic impact.

- 1.c) Light/ Glare.

The Harbor Master Plan Design Guidelines states that lighting should be carefully considered to minimize glare and placed to avoid impacting adjacent properties and uses. Lighting and light fixtures should be designed for pedestrian scale and public safety. The applicant has stated that the proposed lighting associated with the new building would be for nighttime safety and would be designed to avoid light pollution. The interior lighting would be dimmed at night and would also be designed to avoid light pollution. Any proposed lighting will have to be consistent with the City's Lighting Ordinance and the Harbor Master Plan Design Guidelines. Impacts due to lighting would be less than significant.

Mitigation Measure(s): No measures required.

2. AIR QUALITY.		NO	YES
Could the project:			Level of Significance
a)	Violate any air quality standard or contribute to an existing or projected air quality violation?	✓	
b)	Expose sensitive receptors to pollutants?	✓	
c)	Create objectionable odors?	✓	
Is the project consistent with the County of Santa Barbara Air Quality Attainment Plan? Yes			

Discussion:

- 2.a) The Federal Clean Air Act Amendments of 1970 established National Ambient Air Quality Standards (NAAQS) for six "criteria pollutants." These include photochemical ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, particulate matter, and lead. The California Clean Air Act of 1977 created stricter California Ambient Air Quality Standards (CAAQS) for the state. Additionally, the California Air Resources Board has designated areas of the state that are in attainment or nonattainment of the CAAQS. An area is in nonattainment for a pollutant if the applicable CAAQS for that pollutant has been exceeded more than once in three years.

For environmental review purposes, the City of Santa Barbara utilizes CAAQS, as these standards are more stringent than the NAAQS. Presently, the County of Santa Barbara is in nonattainment with CAAQS for ozone (O₃) and particulate matter (PM₁₀). There are also heavily congested intersections within the City that may approach the California 1-hour standard of 20 parts per million for carbon monoxide (CO) during peak traffic hours.

The City of Santa Barbara uses the Santa Barbara Air Pollution Control District's (APCD) thresholds of significance for air quality impacts. The APCD has determined that a proposed project will not have significant air quality impact on the environment, if:

Operation of the project will:

- Emit (from all project sources, both stationary and mobile) less than 240 pounds per day for ROC and NO_x (ozone is formed in the atmosphere through a series of photochemical reactions involving oxides of nitrogen [NO_x] and reactive organic compounds [ROC], referred to as ozone precursors, and sunlight occurring over a period of several hours), 80 pounds per day for PM₁₀ (sources of PM₁₀ include mineral quarries, grading demolition, agricultural tilling, road dust, and vehicle exhaust). For CO, the significance threshold may be triggered if the project contributes more than 800 peak hour trips to an individual intersection; and
- Emit less than 25 pounds per day of ROC or NO_x from motor vehicle trips only; and
- Not cause or contribute to a violation of any California or National Ambient Air Quality Standard (except ozone); and
- Not exceed the APCD health risks, public notification thresholds adopted by the APCD Board; and,
- Be consistent with the adopted federal and state air quality plans for Santa Barbara.

Short-Term (Construction) Impacts: The project does not involve grading, paving, and landscaping activities which could cause localized dust related impacts resulting in increases in particulate matter (PM₁₀). Therefore, no dust-related impacts are anticipated.

Construction equipment would emit NO_x and ROC. However, in order for NO_x and ROC emissions from construction equipment to be considered a significant environmental impact, a proposed project would need to be considered a major project involving extensive use of construction equipment over a long period of time. Based on the size of the proposed project, emissions of NO_x and ROC are anticipated to be less than significant. Standard APCD measures for reducing construction vehicle and equipment emissions are recommended.

Long-Term (Operational Emissions) Impacts: Long-term project emissions primarily stem from motor vehicles associated with the project and from stationary sources which may require permits from the

APCD. The proposed project does not contain any stationary sources which require permits from APCD. However, the proposed project will result in 20 new average daily trips (ADTs) and 2 p.m. peak hour trips. Because the proposed project will generate less than 800 peak hour trips to an existing congested intersection, CO impacts are considered less than significant. Utilizing the URBEMIS7G computer model, it is estimated that the proposed project will generate 0.40 pounds per day of NO_x and 0.54 pounds per day of ROC. Therefore, the proposed project is anticipated to have a less than significant effect on the environment.

- 2.b) Sensitive receptors are defined as children, elderly, or ill people which can be more adversely affected by air quality problems. Types of land uses typically associated with sensitive receptors include schools, parks, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and clinics. Stationary sources are of concern to sensitive receptors.

The proposed project site is located within and adjacent to areas frequented by individuals which may be defined as sensitive receptors. As stated above under 2.a., the proposed project does not contain any stationary sources and the proposed project will not generate PM₁₀. Therefore, no impacts from exposure of sensitive receptors to these air pollutants are anticipated.

- 2.c) The proposed project does not contain any features with the potential to emit odorous emissions from sources such as cooking equipment, combustion or evaporation of fuels, sewer systems, or solvents and surface coatings.

Consistency with the Clean Air Plan: Consistency with land use and population forecasts in local and regional plans, including the Clean Air Plan (CAP) is required under CEQA for all projects. Proposed projects subject to 1994 CAP consistency determinations include a wide range of activities such as commercial, industrial, residential, and transportation projects. By definition, consistency with the CAP, means that direct and indirect emissions associated with the project are accounted for in the CAP's emissions growth assumptions and the project is consistent with policies adopted in the CAP. The CAP relies primarily on the land use and population projections provided by the Santa Barbara County Association of Governments and Air Resources Board on-road emissions forecast as a basis for vehicle emission forecasting. If a residential project provides for an increased population growth above that forecasted in the most recently adopted CAP, then the project is inconsistent with the CAP and may have a significant impact on air quality. If a commercial or industrial project does not incorporate appropriate CAP Transportation Control Measures, does not incorporate applicable stationary source control measures, and/or is inconsistent with APCD rules and regulations, then the project is inconsistent with the CAP and may have a significant impact on air quality.

The proposed project would incorporate appropriate CAP Transportation Control Measures, identified below, consistent with APCD rules and regulations. Therefore, the proposed project is consistent with the CAP.

Recommended Mitigation Measures:

- AQ-1. The Transportation Engineer shall approve route(s) for all construction-related trucks, three tons or more, entering or exiting the site.
- AQ-2. Construction equipment shall be maintained in tune per the manufacturer's specifications.
- AQ-3. Construction worker trips should be minimized by requiring carpooling.
- AQ-4. Catalytic converters shall be installed on gasoline-powered equipment whenever feasible.
- AQ-5. Diesel catalytic converters shall be installed, if available.

Residual Impact: With implementation of Recommended Mitigation Measures AQ 1 - 5, less than significant air quality impacts would be further reduced.

3. BIOLOGICAL RESOURCES.		NO	YES
Could the project result in impacts to:			Level of Significance
a)	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?		Less than significant
b)	Locally designated historic, Landmark or specimen trees?	✓	
c)	Natural communities (e.g. oak woodland, coastal habitat, etc.).	✓	
d)	Wetland habitat (e.g. marsh, riparian, and vernal pool)?	✓	
e)	Wildlife dispersal or migration corridors?	✓	

Discussion:

Stearns Wharf is located within close proximity to a working harbor, the waterfront and recreational beaches. While the project area is urbanized, it also may contain some sensitive habitat areas and protected species.

Protected Species: Several wildlife species listed by federal and state agencies as endangered or threatened may use portions of Stearns Wharf and the nearby harbor, and shoreline areas, in most cases seasonally.

- California Brown Pelicans (*Federal, State - Endangered*), large fish-eating birds considered tolerant of human activity, are resident in the project area year-round, forage for food in the Harbor and offshore waters, and roost in the harbor and sandspit post breeding from late summer until spring.
- California Least Terns (*Federal, State - Endangered*) may use the Harbor and nearby ocean for foraging in low numbers as post-breeding visitors during July and August.
- Western Snowy Plovers (*Federal - Threatened*) forage for small crustaceans and worms along the surf line and adjacent moist sand. Plovers have not been recorded as nesting in Santa Barbara for several decades, but the Santa Barbara sandspit is described as a wintering locale. Plovers have been observed on the sandspit in 1993, 1997, and 1999, on East Beach in 1992, 1993, 1997, 1999, and 2000. The U.S. Fish and Wildlife Service designated the sandspit and West and East beaches above the mean low water line as critical habitat in December 1999.
- Southern Sea Otters (*Federal - Endangered*), marine mammals found along rocky shores in habitats with kelp, primarily reside in the Monterey area, but several have been seen south of Point Conception and infrequently in the Santa Barbara Harbor area.
- Steelhead Trout (*Federal - Endangered; State - Species of Special Concern*) are anadromous species, with adults migrating from the ocean up streams in the winter to spawning grounds, and young returning to the sea for development. Steelhead has been documented to use Mission Creek.
- Tidewater Goby (*Federal - Endangered, State - Species of Special Concern*) are small fish that live in coastal lagoons in benthic (bottom) slow-moving waters with low salinity, with spawning occurring in late

April to July. Gobies have been reported in the lagoon at the mouth of Mission Creek and Laguna Channel. A federal reassessment of remaining populations throughout California coastal areas may potentially lead to consideration of de-listing of the endangered species status.

Sensitive Species: Additional species are not officially listed as endangered or threatened but are identified by state and/ or federal agencies as species of special concern or interest. California Grunion are known to spawn in varying locations on Leadbetter, East, and West beaches, generally from March through mid-September, with peak period of May-June. Harbor Seals have been seen in the Harbor and in the water around Stearns Wharf. Bird species that can be present in the project area seasonally and variously use the water surface, harbor structures and sandspit include the Double-Crested Cormorant (late summer - spring), Elegant Tern (summer - spring), Common Loon (summer, occasionally fall - spring), California Gull (year-round), and Black Skimmer (fall - winter).

3.a-c) Project Impacts to Biological Resources

A preliminary analysis on the loads supported by the existing Wharf structure resulting from the proposed project indicate that the proposed project is not anticipated to overload the Wharf structure and that additional piles would not be necessary (Moffatt & Nichol, September 7, 2000). The analysis indicated that it may be necessary to add additional support beams or stringers to support the additional load for the new second level walkway and the new roof. A complete structural analysis would be completed and submitted with the application for a building permit. All recommendations in that report would be required by the Building Division to be incorporated into the project plans. Given that all the construction activities would occur on top of the Wharf deck, birds could avoid the project area during construction, and the project would continue its existing use, no significant impacts to biological resources are anticipated.

Recommended Mitigation Measures: See Section 6, Hazards for recommended mitigation measures.

4. CULTURAL RESOURCES.		NO	YES
Could the project:			Level of Significance
a)	Disturb archaeological resources?	✓	
b)	Affect a historic structure or site designated or eligible for designation as a National, State or City landmark?		Less than significant
c)	Have the potential to cause a physical change which would affect ethnic cultural values or restrict religious uses in the project area?	✓	

Discussion:

- 4.a) According to the City's Master Environmental Assessment (MEA), the project site is not located in any archaeological resource sensitivity zones.
- 4.b) Stearns Wharf, completed in 1872, is the oldest working wooden wharf in California. The Harbor Master Plan indicates that the Wharf is approximately 2,300 feet long and has an area of approximately 3.8 acres. The Wharf has been rebuilt several times and requires an ongoing repair and maintenance program. Although the Wharf's original fabric from 1872 is nonexistent, the Historic Landmarks

Commission (HLC) has determined that the site itself is significant due to its support of maritime ventures over the last 120 years. On August 30, 2000 the Historic Landmarks Commission held a public hearing and adopted Resolution 2000-02 recommending City Council designate the site of Stearns Wharf a City Landmark and suggested that the City should explore State Historic Landmark status. The City Landmark designation would protect the historic appearance of the Wharf. The intent of the designation would be to preserve and protect the Wharf site from major alterations such as demolition, relocation, reconfiguration, changes in size, or the use of non-wood materials. The HLC is proposing that the Landmark Designation not include the wooden Wharf structure nor the buildings upon the structure, thereby allowing continual maintenance and repair of the structure.

A public hearing before the City Council on the proposed Landmark Designation of the Stearns Wharf site has not yet been held before the City Council. As the proposed project does not alter the historic site of Stearns Wharf and is proposed to utilize compatible architecture, the project would not cause a significant effect to historic resources.

Mitigation Measure(s): No measures required

5. GEOPHYSICAL.	NO	YES
Could the project result in or expose people to:		Level of Significance
a) Seismicity: fault rupture?	✓	
b) Seismicity: ground shaking or liquefaction?	✓	
c) Seismicity: seiche or tsunami?	✓	
d) Landslides or mudslides?	✓	
e) Subsidence of the land?	✓	
f) Expansive soils?	✓	
g) Excessive grading or permanent changes in the topography?	✓	

Discussion:

- 5.a) The City's MEA indicates that an inferred fault runs east/west near the project site. The proposed building will be built to current Uniform Building Code requirements regarding seismic requirements. No impacts to fault rupture are anticipated.
- 5.b, 5d-g) According to the City's MEA, the project site is not located in an area subject to ground shaking or liquefaction, landslides, mudslides, subsidence or expansive soils. The project would not involve grading.
- 5.c) The City's MEA indicates that the project site is located in an area subject to seiche and tsunami (i.e.- earthquake-induced sea waves). The project involves continuation of an existing use and upgrading of structures. The project would not change the level of public exposure nor result in increased tsunami or seiche risks beyond existing potentials.

Mitigation Measure(s): No measures required.

6. HAZARDS.		NO	YES
Could the project involve:			Level of Significance
a)	A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?		Less than significant
b)	The creation of any health hazard or potential health hazards?	✓	
c)	Exposure of people to existing sources of potential health hazards?	✓	
d)	Increased fire hazard in areas with flammable brush, grass, or trees?	✓	

Discussion:

- 6.a) Short-term (construction) impacts: Given the proposed project is located on Stearns Wharf, there is the potential for accidental or inadvertent discharges of debris to the water. Discharges of construction debris may cause aesthetic impacts, but these would not significantly impact water quality.

The applicant anticipates that the type of construction equipment that would be utilized would include delivery trucks and a light crane. Accidental spills of fuels, lubricants, or hydraulic fluid from equipment working on the Wharf could adversely affect water quality. The level of impact would depend on the type and amount of material spilled, location, wind and wave conditions, and speed of clean up. Impacts of most spills would be local, short-term, and not significant. The Harbor has a Coast Guard approved spill response plan that would be implemented for such accidents. In addition, a recommended mitigation measure has been included which requires that construction equipment be maintained and checked regularly and that spill containment and clean-up equipment be present at the work site.

Short-term construction related impacts associated with accidental release of hazardous substances and the creation or exposure of people to existing health hazards are anticipated to be less than significant. Mitigation measures are recommended to further reduce the less than significant impacts.

- 6.b-d) The project site is not identified on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, and hazardous waste disposal sites. There are no known sources of public health or safety hazards on, or in close proximity to, the site. No significant quantities of hazardous substances would be used as part of operation of the Sea Center. The project site is not located in a high fire hazard area. No impacts pertaining to hazards would result from the proposed project.

Recommended Mitigation Measure(s):

- HAZ-1 All construction related debris should be disposed of properly. Any construction related debris that is deposited in the ocean shall be promptly removed.
- HAZ-2 The construction contract shall contain a provision that all construction equipment should be maintained and maintenance verified prior to the commencement of construction and regularly checked by the contractor for leakage of materials toxic to marine life. No fueling, washing, or maintenance of equipment shall occur next to the shore. In addition, the construction contract should contain a provision that spill containment and cleanup materials should be present at all times at the work site.

Residual Impact: With implementation of Recommended Mitigation Measures HAZ 1 & 2, less than significant impacts associated with hazardous materials would be further reduced.

7. NOISE.		NO	YES
Could the project result in:			Level of Significance
a)	Increases in existing noise levels?		Less than significant
b)	Exposure of people to severe noise levels?		Less than significant

Discussion:

7a-b) Noise guidelines are established in the City's Noise Element and in Chapter 9.16 of the Santa Barbara Municipal Code. The Noise Element states that the maximum acceptable exterior Day-Night Noise Level (L_{dn}) for residential uses is 60 dB(A) and 45 dB(A) for interior noise levels. For most commercial land uses, the maximum acceptable exterior L_{dn} is 75 dB(A) and for interior noise levels 50 dB(A) L_{dn} . For parks, the maximum acceptable exterior L_{dn} is 65 dB(A). It is important to note that these guidelines are intended for long-term, permanent land uses, and do not necessarily include short-term construction activities.

The L_{dn} averages the varying sound levels occurring over the 24-hour day and gives a 10 decibel penalty to noises occurring between the hours of 10:00 p.m. and 7:00 a.m. to take into account the greater annoyance of intrusive noise levels during nighttime hours. Since L_{dn} is a 24-hour average noise level, an area could have sporadic loud noise levels above 60 dB(A) which average out over the 24-hour period. CNEL is similar to L_{dn} but includes a separate 5 dB(A) penalty for noise occurring between the hours of 7:00 p.m. and 10:00 p.m. CNEL and L_{dn} values usually agree with one another within 1 dB(A).

The Equivalent Noise Level (L_{eq}) is a single noise level which, if held constant during the time period, would represent the same total energy as a fluctuating noise. L_{eq} values are commonly expressed for periods of one hour, but longer or shorter time periods may be specified.

Long-term (Operational) Impacts:

The long-term operation of the Sea Center is not anticipated to generate noise levels in excess of City standards. Mechanical and electrical equipment would be housed within the new building structure. No long-term noise impacts are anticipated.

Short-term (Construction) Impacts:

Construction equipment can generate noise levels in the range of 80 to 85 dBA at a distance of 50 feet, while shorter more impulsive noises from other construction equipment can be higher, to over 100 dBA. Noise levels produced by construction equipment vary substantially depending on the type of equipment used and on their operation and maintenance. While it would be difficult to estimate the exact mix of construction equipment and activities for the proposed project, it is reasonable to expect that the operation of equipment on-site would commonly generate noise levels in the range of 90 dBA at 50 feet. As with all construction projects, the noise levels would be intermittent in nature, varying in character and duration throughout the 18-month construction period. There are no residential uses in the vicinity of the proposed project. Short-term construction noise impacts on surrounding uses are less than significant. Due to the project's proximity to pedestrians, restaurants, and hotel use, Staff recommends the following mitigation measures to reduce the noise level they are exposed to.

Recommended Mitigation Measures:

N-1. Exterior noise generating construction activity shall be prohibited Saturdays, Sundays, and holidays and between the hours of 5 p.m. to 7 a.m. Holidays are defined as those days that are observed by the City as legal holidays as shown below:

- New Year's Day.....January 1st
- Martin Luther King Jr.'s Birthday.....3rd Monday in January
- President's Day.....3rd Monday in February
- Memorial Day.....Last Monday in May
- Independence Day.....July 4th
- Labor Day.....1st Monday in September
- Thanksgiving Day.....3rd Thursday in November
- Following Thanksgiving Day.....Friday following Thanksgiving
- Christmas Day.....December 25th

N-2. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

Residual Impact: With implementation of Recommended Mitigation Measures N 1 & 2, less than significant noise impacts would be further reduced.

8. POPULATION AND HOUSING.		NO	YES
Could the project:			Level of Significance
a)	Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	✓	
b)	Displace existing housing, especially affordable housing?	✓	

Discussion:

- 8a.-b) The project is located in an existing developed portion of Santa Barbara's Waterfront area where all public infrastructure is currently in place. Therefore, the project would not result in growth-inducing impacts. No housing would be displaced by the proposed project.

Mitigation Measure(s): No measures required.

9. PUBLIC SERVICES. Could the project have an effect upon, or result in a need for new or altered services in any of the following areas:	NO	YES
		Level of Significance
a) Fire protection?	✓	
b) Police protection?	✓	
c) Schools?	✓	
d) Maintenance of public facilities, including roads?	✓	
e) Other governmental services?	✓	
f) Electrical power or natural gas?	✓	
g) Water treatment or distribution facilities?	✓	
h) Sewer or septic tanks?	✓	
i) Water distribution/demand?	✓	
j) Solid waste disposal?	✓	

Discussion:

- 9.a) The Fire Code generally requires a 20-wide, unobstructed access route to within 150 feet of all exterior portions of buildings. The proposed building cannot meet this requirement due to the limited width of the Wharf structure. The Fire Department has granted a modification of this requirement provided the project provides an approved automatic fire sprinkler, an automatic fire alarm system, a deluge sprinkler system installed under the Wharf structure, and a wet standpipe at the furthest end of the Wharf by the existing pavilion. These items have been included in the project description. No impacts to fire protection are anticipated.
- 9.b,d-g) The proposed project would not result in significant additional demand for public services related to police protection, public facilities maintenance, electrical power, natural gas and water distribution and treatment. Existing City Staff and facilities (Police, Public Works) can accommodate service to the proposed project. Utilities are available at the site. No impacts to these public services are anticipated.
- 9.c) Approximately three full-time and six part-time additional Sea Center staff would be employed. In addition, there would be approximately 15 new volunteers. Commercial projects generate new elementary and secondary students to the extent that new employment could be created by the project that results in new residents to the area. Unlike a residential project which falls into a defined school

attendance area, students generated by a commercial development could live and attend a school in any area of the South Coast. It is possible that some students generated by this project would live outside the boundaries of the Santa Barbara or Hope School Districts or attend private schools.

None of the school districts in the South Coast are "overcrowded" as defined by California State law. Impact fees in accordance with State law would be required for the project. No substantial impacts to schools would result.

- 9.h) Typically, according to the Public Works Water Resources Division, sewage generation for non-residential projects is approximately 83.86% of water demand (the remaining 16.14% is used for landscaping, etc., and is not captured by the sewage system). However, given there is no landscaping associated with this project, the estimated sewage generation for this project is closer to 100%. There may be some incidental water use that is not captured by the sewer system. The project's estimated net new water demand is 0.70-acre feet/yr, or 625 gallons/day (See 9.i below). The project will produce approximately 625 net new gallons of sewage per day. The maximum capacity of the El Estero Treatment Plant is 11 million gallons per day. The daily average flow at the El Estero Treatment Plant in 1999 was approximately 8.2 million gallons per day. The Plant has adequate capacity to accommodate the project. No impacts on the City's sewer system are anticipated.
- 9.i) The City of Santa Barbara's water supply comes from the following sources, with the actual share of each determined by availability and level of customer demand: Cachuma Reservoir and Tecolote Tunnel, Gibraltar Reservoir and Mission Tunnel, 300 Acre Feet per Year (AFY) of contractual transfer from Montecito Water district, groundwater, State Water Project entitlement, desalination, and recycled water. Conservation and efficiency improvements are projected to contribute to the supply by displacing demand that would otherwise have to be supplied by additional sources. In 1994, based on the comprehensive review of the City's water supply in the Long Term Water Supply Alternatives Analysis (LTWSAA), the City Council approved the Long Term Water Supply Program (LTWSP). The LTWSP outlines a strategy to use the above sources to meet the projected demand of 17,900 AFY (including 1,500 AFY of demand projected to be met with conservation) plus a 10 percent safety margin for a total of 19,700 AFY. Therefore, the target for the amount of water the system will actually have to supply, including the safety margin, is 18,200 AFY. For the calendar year 2000, the demand as measured by the system production was 14,968 Feet (AF). Of this total system production, 14,227 AF was potable water and 741 AF was reclaimed water production.

The existing development on the site demands approximately 0.34 AFY of water (based on the City's Water Demand Factor and Conservation Study "User's Guide" Document No. 2). The proposed project is composed of two elements, the Sea Center and the public restrooms. The proposed Sea Center is estimated to demand 0.65 AFY (based on the City's Water Demand Factor and Conservation Study "User's Guide" Document No. 2). Therefore, the change in water use associated with the larger Sea Center building would be approximately 0.31 AFY. The City's Water Demand Factor and Conservation Study does not contain a water factor for public restrooms. Based on information supplied by the Waterfront Department, the existing public restrooms on Stearns Wharf (between the building which houses Char West restaurant and the building that houses Madame Rosinka's Palm Reading) are estimated to demand approximately 0.39 AFY of water. Although it is not anticipated that the water demand associated with the public restrooms would be duplicated, Staff has utilized this factor for a worse case analysis. It is anticipated that the new public restrooms would elevate some of the existing demand on the current restrooms.

There is adequate water supply to accommodate the project. The potential increase in demand of 0.70 AFY would not significantly impact the City's water supply.

- 9.j) Solid Waste: Most of the waste generated in the City is transported on a daily basis to seven landfills located around the County. The County of Santa Barbara, which operates the landfills, has developed thresholds related to the impacts of development on remaining landfill capacity. The County's thresholds are based on the projected average solid waste generation for Santa Barbara County from 1990-2005. The County assumes a 1.2% annual increase (approximately 4000 tons per year) in solid waste generation over the 15-year period.

The County's threshold for project specific impacts to the solid waste system is 196 tons per year (this figure represents 5% of the expected average annual increase in solid waste generation [4000 tons/year]). Source reduction, recycling, and composting can reduce a project's waste stream by as much as 50%. If a proposed project generates 196 or more tons per year after reduction and recycling efforts, impacts would be considered significant and unavoidable.

Proposed projects with a project specific impact as identified above (196 tons/year or more) would also be considered cumulatively significant, as the project specific threshold of significance is based on a cumulative growth scenario. However, as landfill space is already extremely limited, any increase in solid waste of 1% or more of the expected average annual increase in solid waste generation [4000 tons/year], which equates to 40 tons per year, is considered an adverse contribution to cumulative impacts.

Using methodology and factors in the County's Environmental Thresholds and Guidelines Manual (1995), the proposed project's estimated annual solid waste generation is 3.2 tons per year. This amount of solid waste is not anticipated to result in a project specific impact or cumulative impact.

As stated above, landfill space is extremely limited and all efforts should be employed to reduce solid waste. Therefore, mitigation measures are *recommended* for the proposed project which would further reduce the proposed project's solid waste stream.

The project description includes the provision that, to the greatest extent feasible, the Museum of Natural History will recycle the existing building and use "green building" techniques in the new structure. Existing building materials and fixtures in the existing Sea Center will be salvaged, as much as possible, and re-used. Additionally, the existing Nature Conservancy building would be removed and re-used in a different location.

Recommended Mitigation Measure(s):

- SW-1. A source reduction/recycling plan shall be developed for the proposed project and submitted for review and approval by the City's Environmental Analyst and the City's Solid Waste Specialist prior to building permit issuance.
- SW-2. The proposed project shall provide space and/or bins for storage of recyclable material with the project site. This information shall be shown on the building plans and installed as a part of the proposed project's improvements.

Residual Impact: With implementation of Recommended Mitigation Measures SW 1 & 2, less than significant solid waste impacts would be further reduced.

10. RECREATION		NO	YES
Could the project:			Level of Significance
a)	Increase the demand for neighborhood or regional parks or other recreational facilities?	✓	
b)	Affect existing parks or other public recreational facilities?	✓	

Discussion:

10.a & b) Stearns Wharf provides recreation uses, such as fishing, walking, sightseeing, shopping and dining.

The original Coastal Development Permit for the rehabilitation of Stearns Wharf established a public walkway around almost the entire perimeter of the Wharf. The only exception was adjacent to the major restaurants. This was because access to the Wharf edge had not historically been provided in those areas. The public perimeter walkway is intended to ensure maximum public viewing opportunities from the Wharf and to help break up the massing of the buildings. The new building is proposed to be located four feet from the existing eastern Wharf edge. The project description includes the addition of a five foot wide, 144 linear foot long Wharf extension in this area which would increase the distance from the new building to the new Wharf edge to nine feet. The site plan indicates that this area would be open to the general public.

The Harbor Master Plan recommends additional public bench seating be provided throughout Stearns Wharf. The project includes the addition of three new public benches located on the western side of the proposed building.

The proposed project would not cause an impact to recreational uses. The two mitigation measures listed below are recommended to enhance the existing public recreational opportunities on this area of the Wharf.

Recommended Mitigation Measures:

- REC-1 Public bench seating should be provided in the area of the proposed Wharf extension.
 REC-2 Signs should be placed near the north and south side of the proposed building to alert the general public that the area between the building and the new edge of the Wharf is a public walkway and public viewing platform.

Residual Impact: With implementation of Recommended Mitigation Measures REC 1 & 2, less than significant recreational impacts would be further reduced.

11. TRANSPORTATION/CIRCULATION.		NO	YES
Could the project result in:			Level of Significance
a)	Increased vehicle trips?		Less than significant
b)	Hazards to safety from design features (e.g. sharp curves, inadequate sight distance or dangerous intersections)?	✓	
c)	Inadequate emergency access or access to nearby uses?	✓	
d)	Insufficient parking capacity on-site or off-site?		Less than significant
e)	Hazards or barriers for pedestrians or bicyclists?	✓	

Discussion:

- 11.a) The City defines intersection operation in terms of Level of Service (LOS) A-F, with LOS A and a volume to capacity ratio (V/C) of 0.60 being free flowing and LOS F and V/C of 1.01 or greater being highly congested. For purposes of environmental review, the City has adopted LOS "C" and a V/C ratio of 0.77 as the point at which there is a potential for significant environmental impacts to occur. Significant project related traffic impacts may result if there is an increase of the V/C ratio by .01 or more to an intersection that already exceeds 0.77 V/C. Projects may result in significant cumulative traffic impacts if the project would add one or more peak hour trips to an approach leg of an intersection which is operating with a V/C ratio greater than 0.77.

The Institute of Traffic Engineers Trip Generation Manual and the San Diego Traffic Generators do not contain studies for museum land uses. Transportation Staff utilized the trip generation rates from the Harbor Master Plan for the Maritime Museum in estimating the potential additional trips for this project. Transportation Staff anticipates that the project would generate approximately two additional p.m. peak hours trips and 20 average daily trips. No additional a.m. peak hours trips are anticipated. The trip generation characteristics are similar for Sunny Summer Sundays and therefore result in approximately two additional p.m. peak hours trips and 20 average daily trips. No additional a.m. peak hour trips are anticipated.

The intersection of Cabrillo Boulevard and State Street is projected to operate at 0.78, level of service C, on Sunny Summer Sundays. Due to the fact the parking on Stearns Wharf is full on Sunny Summer Sundays, most people driving to the Waterfront area and looking to visit Stearns Wharf will park elsewhere. There are multiple parking resources within the Waterfront area. Additionally, a great number of the Sunny Summer Sunday patrons of the Sea Center are expected to be drawn from the visitors already on the Wharf. In accordance with City traffic thresholds, Transportation Staff has determined that the distribution of the additional two p.m. peak hours trips would not result in significant project or cumulative impacts to any impacted intersection. Therefore, Transportation Staff anticipates that no significant traffic impacts will result with the Sea Center addition.

- 11.b) The project site is located on the "Wye" of Stearns Wharf. There is no vehicle access on this portion of the wharf. The project would not result in traffic/circulation hazards from the proposed design.
- 11.c) See Section 9.a, Public Services-Fire, for discussion on emergency access.

- 11.d) Based on the Waterfront Area Transportation Study 2 (WATS 2), dated May 25, 2001, there are 3,197 parking spaces in a total of 19 public parking lots and 1,799 on-street parking spaces in the Waterfront area. In addition, there are a number of private parking lots associated with hotels/motels, restaurants, and retail establishments. The WATS 2 study indicates that on-street parking peaked at 85 percent and off-street peaked at 51 percent on a typical Sunny Summer Sunday. The peak parking occupancy in the entire study area was 63 percent indicating that parking is generally available in the Waterfront area during Sunny Summer Sunday periods.

The Waterfront area between Milpas and Castillo Streets experiences the highest parking demand. The Waterfront Department has implemented a number of services to make parking located further from the Wharf more convenient; thus, easing the demand for parking on, and in the immediate vicinity of, the Wharf. They have, through the Metropolitan Transit District, initiated a trolley service that shuttles people from the Waterfront area parking lots onto the Wharf during the summer months. In addition, this past summer, a water taxis shuttle service was implemented for a four-month trial period. The water taxi service shuttled people from the passenger-loading ramp on Stearns Wharf to the south side of the accommodation dock in the Harbor.

The Zoning Ordinance requires thirteen additional parking spaces for the proposed project. Transportation Staff has indicated that if the Sea Center were a free standing museum like the Santa Barbara Natural History Museum, then the peak demand would be five additional parking spaces during the weekend peak parking demand period and up to four parking spaces during the weekday. However, people visiting the Sea Center during peak demand times would be there because it is on Stearns Wharf, not because of the additional display areas. Additionally, there are many complementary uses on the Wharf. People who visit the Sea Center also visit the other uses on the Wharf and vice versa. Therefore, the estimated demand of five parking spaces would be a worse case demand.

City policies prohibit the development of new parking on Stearns Wharf. Policy 11.5 in the City's LCP states in part that "all development in the waterfront area, excepting Stearns Wharf, shall provide adequate off-street parking to fully meet their peak needs." Therefore, the applicant cannot provide additional parking on Stearns Wharf.

Transportation Staff has reviewed the proposed project and, based on information contained in the WATS 2 study, has indicated that the additional demand could be accommodated in the Waterfront area parking lots during peak and non-peak times without significantly impacting the parking resources in the Waterfront area.

Impacts to parking resources as a result of the implementation of the project are expected to be less than significant.

- 11.3) During construction of the new Sea Center there would be times that the Wye portion of the Wharf would be closed to the public. This would be necessary to protect the public during construction. This would result in a temporary inconvenience to the public but would not cause a significant environmental impact.

Once construction is complete, the public would continue to have free access to the outside open deck space.

Recommended Mitigation Measures:

- TC-1 The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods.

TC-2 Construction parking shall be provided as follows:

- A. During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation and Parking Manager.
- B. On-site or off-site storage shall be provided for construction materials and equipment. Storage of construction materials within the public right-of-way is prohibited.

12. WATER ENVIRONMENT.		NO	YES
Could the project result in:			Level of Significance
a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	✓	
b)	Exposure of people or property to water related hazards such as flooding?	✓	
c)	Discharge into surface waters?		Less than significant
d)	Change in the quantity, quality, direction or rate of flow of ground waters?	✓	
e)	Increased storm water drainage?	✓	

Discussion:

- 12.a, d & e) The project site is located on Stearns Wharf. The project would not change absorption rates, drainage patterns, or rate and amount of surface runoff or drainage nor would it affect ground waters.
- 12.b) The project involves continuation of an existing use and upgrading of structures. The project would not change the level of public exposure nor result in increased water related hazards beyond existing potentials.
- 12.c) Please see Hazards, discussion item 5.a.

Mitigation Measure(s): No mitigation required.

MANDATORY FINDINGS OF SIGNIFICANCE.		YES	NO
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?		✓
c)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		✓
d)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓

INITIAL STUDY CONCLUSION

On the basis of this initial evaluation it has been determined that:

The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. Recommended mitigation measures are identified that would further reduce impacts less than significant.

Case Planner/Initial Study Preparer: Anna Rumb

Environmental Analyst: Barbara L. Shelton

Date: 12/13/01

Exhibits:

1. Applicant's Letter, October 15, 2001
2. Site Plan
3. Vicinity Map
4. MMRP

LIST OF SOURCES USED IN PREPARATION OF THIS INITIAL STUDY

The following sources used in the preparation of this Initial Study are located at the Community Development Department, Planning Division, 630 Garden Street, Santa Barbara and are available for review upon request.

Architectural Board of Review Sea Center Minutes
California Environmental Quality Act (CEQA) & CEQA Guidelines
General Plan Circulation Element
General Plan Conservation Element
1995 Housing Element
General Plan Land Use Element
General Plan Noise Element w/appendices
General Plan Map
General Plan Seismic Safety/Safety Element
Geology Assessment for the City of Santa Barbara
Harbor Master Plan Design Guidelines
Historic Landmarks Commission Staff Report, August 30, 2000
Historic Landmarks Commission Resolution 2000-02
Institute of Traffic Engineers Parking Generation Manual
Institute of Traffic Engineers Trip Generation Manual
Local Coastal Plan (Main & Airport)
Master Environmental Assessment
Mitigated Negative Declaration, Marina I & IV Project (ENV96-0209)
Mitigated Negative Declaration, Waterfront Area Sediment Management Project (MST99-00329)
Moffatt & Nichol Structural Letter Report, September 7, 2000
Parking Design Standards
Santa Barbara Municipal Code & City Charter
Special District Map
Uniform Building Code as adopted by City
Waterfront Area Transportation Study 2, May 25, 2001
Zoning Ordinance & Zoning Map

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SEA CENTER REVITALIZATION (MST2000-00324)
MITIGATION MONITORING AND REPORTING PROGRAM

PURPOSE

The purpose of the Sea Center Revitalization Mitigation Monitoring and Reporting Program (MMRP) is to ensure compliance with all recommended mitigation measures identified in the Initial Study to further reduce the identified less than significant adverse environmental impacts resulting from the proposed project. The implementation of this MMRP shall be accomplished by City staff and the project developer's consultants and representatives. The program shall apply to the following phases of the project:

- Plan and specification preparation
- Pre-construction conference
- Construction of the site improvements
- Post Construction

I. RESPONSIBILITIES AND DUTIES

A qualified representative of the developer, approved by the City Planning Division and paid for by the developer, shall be designated as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of this mitigation monitoring and reporting program to the City. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in this program.

It is the responsibility of the contractor to comply with all recommended mitigation measures listed in the attached MMRP matrix. Any problems or concerns between monitors and construction personnel shall be addressed by the PEC and the contractor. The contractor shall prepare a construction schedule subject to the review and approval of the PEC. The contractor shall inform the PEC of any major revisions to the construction schedule at least 48 hours in advance. The PEC and contractor shall meet on a weekly basis in order to assess compliance and review future construction activities.

A. PRE-CONSTRUCTION BRIEFING

The PEC shall prepare a pre-construction project briefing report. The report shall include a list of all mitigation measures and a plot plan delineating all sensitive areas to be avoided. This report shall be provided to all construction personnel.

The pre-construction briefing shall be conducted by the PEC. The PEC, construction manager, necessary consultants, Planning Division Case Planner, Public Works representative and all contractors and subcontractors associated with the project, shall attend the briefing. Multiple pre-construction briefings shall be conducted as the work progresses and a change in contractor occurs.

The MMRP shall be presented to those in attendance. The briefing presentation shall include project background, the purpose of the MMRP, duties and responsibilities of each participant, communication procedures, monitoring criteria, compliance criteria, filling out of reports, and duties and responsibilities of the PEC and project consultants.

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It shall be emphasized at this briefing that the PEC and project consultants have the authority to stop construction and redirect construction equipment in order to comply with all mitigation measures.

Once construction commences, field meetings between the PEC and project consultants, and contractors shall be held on an as-needed basis in order to create feasible mitigation measures for unanticipated impacts, assess potential effects, and resolve conflicts.

II. IMPLEMENTATION PROCEDURES

There are three types of activities which require monitoring. The first type pertains to the review of the Conditions of Approval and Construction Plans and Specifications. The second type relates to construction activities and the third to ongoing monitoring activities during operation of the project.

A. MONITORING PROCEDURES

The PEC and required consultant(s) shall monitor all field activities. The authority and responsibilities of the PEC and consultant(s) are described in the previous section.

B. REPORTING PROCEDURES

The following three (3) types of reports shall be prepared:

1. Schedule

The PEC and contractor shall prepare a monthly construction schedule to be submitted to the City prior to or at the pre-construction briefing.

2. General Progress Reports

The PEC shall be responsible for preparing written progress reports submitted to the City. These reports would be expected on a weekly basis during grading, excavation and construction activities. The reports would document field activities and compliance with project mitigation measures, such as dust control and sound reduction construction.

3. Final Report

A final report shall be submitted to the Planning Division when all monitoring (other than long term operational) has been completed and shall include the following:

- a. A brief summary of all monitoring activities.
- b. The date(s) the monitoring occurred.
- c. An identification of any violations and the manner in which they were dealt with.

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- d. Any technical reports required, such as noise measurements.
- e. A list of all project mitigation monitors.

C. MMRP MATRIX

The following MMRP Matrix describes each initial study recommended mitigation measure, monitoring activities and the responsibilities of the various parties, along with the timing and frequency of monitoring and reporting activities. For complete language of each condition, the matrix should be used in conjunction with the recommended mitigation measures described in full in the Initial Study.

The MMRP Matrix is intended to be used by all parties involved in monitoring the project recommended mitigation measures, as well as project contractors and others working in the field. The Matrix should be used as a compliance checklist to aid in compliance verification and monitoring requirements. A copy of the MMRP matrix shall be kept in the project file as verification that compliance with all mitigation measures has occurred.

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 MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

MITIGATION MEASURE	MONITORING REQUIREMENT	RESPONSIBLE ENTITY	MONITOR	ACTION BY MONITOR	MITIGATION FREQUENCY	MONITORING FREQUENCY	REPORTING FREQUENCY	COMPLIANCE CHECK	VERIFICATION
AQ-1	The Transportation Engineer shall approve route(s) for all construction-related trucks, trailers or more, entering or exiting the site.	Contractor	PEC	Ensure haul routes identified on building plans and carried out on site.	At building plan check and daily throughout construction period.	Daily	Weekly	Transportation and Parking Manager and Building and Safety Division	
AQ-2	Construction equipment shall be maintained in tune per the manufacturer's specifications	Contractor	PEC	Ensure requirement shown on building plans and carried out on site.	At building plan check and throughout construction period	Daily	Weekly	Building & Safety Division and Planning Div.	
AQ-3	Construction worker trips should be minimized by requiring carpooling	Contractor	PEC	Ensure requirement shown on building plans and carried out on site.	At building plan check and throughout construction period	Daily	Weekly	Building & Safety Division and Planning Div.	
AQ-4	Catalytic converters shall be installed on gasoline-powered equipment whenever feasible	Contractor	PEC	Ensure requirement shown on building plans and carried out on site.	At building plan check and throughout construction period	Daily	Weekly	Building & Safety Division and Planning Div.	
AQ-5	Diesel catalytic converters shall be installed, if available	Contractor	PEC	Ensure requirement shown on building plans and carried out on site.	At building plan check and throughout construction period	Daily	Weekly	Building & Safety Division and Planning Div.	
HAZ-1	All construction related debris should be disposed of properly. Any construction related debris that is deposited in the ocean shall be promptly removed.	Contractor	PEC	Ensure construction related debris is handled per mitigation measure.	Daily	Twice per day	Weekly, Final Report	Waterfront Dept./Planning Division	

SEA CENTER REVITALIZATION PROJECT (MST2000-00324)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

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MITIGATION MEASURE	MONITORING REQUIREMENT	RESPONSIBLE ENTITY	MONITOR	ACTION BY MONITOR	MITIGATION FREQUENCY	MONITORING FREQUENCY	REPORTING FREQUENCY	COMPLIANCE CHECK	VERIFICATION
HAZ-2	The construction contract shall contain a provision that all construction equipment should be maintained and maintenance verified prior to the commencement of construction and regularly checked by the contractor for leakage of materials toxic to marine life. No fueling, washing, or maintenance of equipment shall occur next to the shore. In addition, the construction contract should contain a provision that spill containment and cleanup materials should be present at all times at the work site.	Contractor	PEC/Planning Division	Check contracts for inclusion of requirement.	Prior to the issuance of a building permit	Prior to the issuance of a building permit	During contract execution.	Planning Division	
N-1	Exterior noise generating construction activity shall be prohibited Saturdays, Sundays, and holidays and between the hours of 5 p.m. to 7 a.m.	Contractor	PEC	Ensure requirements shown on building plans and carried out on site.	Throughout construction period.	Throughout construction period.	Weekly; Final Report	Planning Division	
N-2	All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.	Contractor	PEC	Ensure requirement shown on building plans and carried out on site.	Throughout construction period.	Throughout construction period.	Weekly; Final Report	Planning Division	
SW-1	A source reduction/recycling plan shall be developed for the proposed project and submitted for review and approval by the City's Environmental Analyst and the City's Solid Waste Specialist prior to building permit issuance.	Owner/ Contractor	PEC	Complete and submit plan for approval; ensure plan carried out on-site	Prior to issuance of a building permit; ongoing throughout construction and life of project.	Prior to issuance of a building permit and during construction.	Prior to issuance of building permit; Final Report	Planning Division/ City's Solid Waste Specialist	

SEA CENTER REVITALIZATION PROJECT (MST2000-00324)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

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MITIGATION MEASURE	MONITORING REQUIREMENT	RESPONSIBLE ENTITY	MONITOR	ACTION BY MONITOR	MITIGATION FREQUENCY	MONITORING FREQUENCY	REPORTING FREQUENCY	COMPLIANCE CHECK	VERIFICATION
SW-2	The proposed project shall provide space and/or bins for storage of recyclable material with the project site.	Contractor	PEC/Planning Division	Ensure space is shown on the building plans and installed as a part of the proposed project's improvements	Prior to the issuance of building permit	Prior to the issuance of building permit	At plan check and final certificate of occupancy	Planning Div./Building Inspector	
REC-1	Provide public bench seating in the area of the proposed Wharf extension.	Contractor	PEC	Ensure space is shown on the building plans and installed as a part of the proposed project's improvements	Prior to the issuance of building permit	Prior to the issuance of building permit	At plan check and final certificate of occupancy	Planning Div./Building Inspector	
REC-2	Place signs near the north and south side of the proposed building to alert the general public that the area between the building and the new edge of the Wharf is a public walkway and public viewing platform.	Contractor	PEC	Ensure space is shown on the building plans and installed as a part of the proposed project's improvements	Prior to the issuance of building permit	Prior to the issuance of building permit	At plan check and final certificate of occupancy	Planning Div./Building Inspector	