September 14, 2018
Project No. 108643001

Mr. Bret McNulty
Contract Project Manager
City of Goleta, Planning & Environmental Review Department
130 Cremona Drive, Suite B
Goleta, California 93117

Subject: Third-Party Report Review
Beach House Relocation Project
Ritz-Carlton Bacara Resort & Spa
8301 Hollister Avenue
Goleta, California

Reference: Stantec, 2018, Phase I Environmental Site Assessment, Ritz-Carlton Bacara Resort Beach House, 8301 Hollister Avenue, Goleta, California: dated April 25.

Dear Mr. McNulty:

In accordance with your request and authorization to proceed, Ninyo & Moore has completed a review of the above-referenced report for the subject property (the site). The Phase I Environmental Site Assessment (ESA) report, prepared by Stantec Consulting Services, Inc. (Stantec) was reviewed for consistency with the ASTM International E 1527-13, United States Environmental Protection Agency (USEPA) 40 Code of Federal Regulations (CFR) Part 312 titled “Standards and Practices for all Appropriate Inquiries (AAI),” and for adherence to the general standard of care practiced by environmental professionals.

Our scope of services included a discussion of opinions regarding whether the conclusions and/or recommendations given in the report are supported by the findings of the Phase I ESA, and discussion of opinions regarding whether additional mitigation measures may be necessary to resolve environmental issues for the proposed Beach House Relocation Project (Project).

SITE DESCRIPTION

The site is comprised of approximately 1 acre of land within a larger approximately 39-acre parcel and approximately 73-acre Ritz-Carlton Bacara Resort & Spa (Bacara Resort). The site is located primarily along Haskell’s Beach and is surrounded by open-space portions of the Bacara Resort. For the purposes of the Phase I ESA, the site boundary included an existing beach house on the
northwestern portion of the site, proposed beach house and restroom facilities on the northeast portion, and emergency water rescue vehicle launch ramp on the southeastern portion.

**REVIEW OF PHASE I ESA**

The site is developed with a single-story 3,600 square-foot beach house building, which is used as a seasonal snack shop, restrooms, and storage and utility areas. The site building was constructed in 1999-2000. Other improvements include outdoor picnic and shower areas, and landscaped areas. Access to the site is from an unpaved path leading from the beach to a public parking lot to the north of the existing beach house. A sewer lift station vault is located on the east side of the building and pumps sewage to the Goleta Sanitation District municipal sewer system. A paved emergency fire road is located along the eastern portion of the site and extends north-northeasterly to Hollister Avenue.

According to Stantec's historical review and review of previous assessments, the 73-acre Bacara Resort property (which includes the site) was part of the Ellwood Oil Field. Oil and gas exploration and production activities began in 1928 and continued until the 1960s. The following oil field support structures were used on or near the Bacara Resort property: pipelines, nine aboveground storage tanks (ASTs), a gasoline absorption plant, electric dehydration plant, oil well piers, and two ponds for storing oily water wastes. Several environmental investigations and remediation were performed prior to the development of the Bacara Resort. Groundwater was estimated to be present at 10 to 15 feet below ground surface (bgs); however, the Phase I ESA found that there were no beneficial uses of groundwater and groundwater was not a concern at the site. Methane and hydrogen sulfide gas associated with naturally occurring seeps from oil deposits were found in some portions of the Bacara Resort property. The County of Santa Barbara required that all the resort building be equipped with subslab venting and vapor barrier membranes to prevent subsurface vapor from entering the structures through the foundation.

In 2014, the Santa Barbara County, Public Health Department (SBCPHD), Site Mitigation Unit (SMU) issued a closure letter confirming completion of the investigation and remediation at the Bacara Resort property. The closure letter required a land use covenant (LUC) and implementation of a soil management plan (SMP) (Geosyntec Consultants, 2013) during any and all soil disturbance activities. According to the closure letter, changes in the present or proposed use of the property may require further site characterization, mitigation activities, and requires notification to the SBCPHD.
According to the Phase I ESA, three areas (Areas 2, 3, and 4) of residual impacts are located at the site, where concentrations exceed unrestricted use cleanup standards. The areas contained elevated levels of petroleum (crude oil at or above 1,000 milligrams per kilograms [mg/kg]) at a depth of approximately 6 inches bgs.

During Stantec’s site reconnaissance, abandoned steel pipes were seen protruding from bluffs and embankments on the adjoining resort property. Stantec interpreted the pipes to be remnants of the former oil fields that are subject to the covenant and SMP conditions.

Stantec identified the residual contaminants from the former oil production activities that are present on or immediately adjacent to the site as a controlled recognized environmental condition (CREC). In February 2013, a LUC addressing the residual contaminants was recorded with the County of Santa Barbara. In April 2014, the SBCPHD issued a closure letter confirming the completion of the site investigation and remediation at the Bacara Resort and that no further action was required, other than compliance with the LUC and the approved SMP. Stantec noted that any future ground disturbance activity at the site could encounter residual contaminants and is subject to the requirements in the approved SMP.

No recommendations were provided in the Phase I ESA.

ASTM/STANDARD OF CARE COMPLIANCE – PHASE I ESA

It is our opinion that the 2018 Stantec report was prepared in general accordance with ASTM E 1527-13 standard and the general standard of care practiced by environmental professionals in the region in which the site is located. The following minor inconsistencies were noted during our review that would likely not affect the findings and conclusions of the report:

- In the Local/Regional Environmental Records section (Section 4.4), the City of Goleta is incorrectly identified as the Certified Unified Program Agency (CUPA). The CUPA for the region is the County of Santa Barbara. The SBCPHD regulates businesses that handle hazardous materials, generate or treat hazardous waste, or operate aboveground or underground storage tanks. In the Data Gaps section (Section 7.2), the report correctly identifies the CUPA.

- At the time of the Phase I ESA report preparation, a response to Stantec’s request for information had not been received from the City of Goleta and was considered a data gap. According to information provided by the City of Goleta, records pertaining to hazardous materials were not found. The only information available was related to the original Environmental Impact Report (EIR) provided by the County of Santa Barbara, which was conducted prior to the incorporation of the Bacara Resort property into the City (2002).
• It does not appear that records pertaining to hazardous materials handing / hazardous waste generation were reviewed at the SBCPHD. Records pertaining to the assessment and remediation were reviewed online via the State Water Resources Control Board’s GeoTacker website; however, those records do not contain compliance related inspections associated with CUPA oversight.

• The Santa Barbara County Air Pollution Control District (APCD) records were not reviewed. Review of certain local regulatory agency records are left to the judgement of the environmental professional. According to ASTM International E 1527-13, the Environmental Professional shall review records if they are: 1) reasonably ascertainable; 2) sufficiently useful, accurate, and complete; and 3) are generally obtained, pursuant to local good commercial and customary practice. In our experience, review of APCD records is the general standard of care practiced by environmental professionals in the area.

CONCLUSIONS AND RECOMMENDATIONS

It is our opinion that the 2018 Stantec Phase I ESA may be considered to be in general compliance with ASTM E1527-13, USEPA 40 CFR Part 312. Ninyo & Moore generally concurs with the findings and conclusions of the report. Based on our understanding of the proposed Project, Ninyo & Moore recommends the following changes/additions to the proposed mitigation measures (Bacara Resort and Spa Completion Phase Project EIR):

• The SBCPHD should be notified of the proposed relocation of the Beach House / change in land use.

• During soil disturbance activities, the SMP should be implemented, including:

  ▪ Preparation and implementation of a worker health and safety plan in general accordance with Federal Occupational Safety and Health Administration Hazardous Waste Operations and Emergency Response Standard (29 CFR 1910.120) and Title 8 CCR Section 5192. The plan should be reviewed and approved by a Certified Industrial Hygienist.

  ▪ During planned construction activities at areas of residual impact, storm water pollution prevention controls should be implemented by the Contractor.

  ▪ Potential exposure to methane and other flammable gases, as well as hydrogen sulfide should be evaluated prior to and during soil disturbance activities.

  ▪ Sewer odors from a sewer lift pump were noted at the existing beach house. The potential to encounter sewage-contaminated soil during soil disturbance activities should be added to the SMP.

  ▪ Implement SMP protocols and procedures including the storage, management, notifications, analytical testing, and disposal of contaminated or potentially contaminated soil during construction activities.

  ▪ Following completion of construction activities involving the removal of soil from areas with residual impact, a report summarizing the implementation and compliance with the SMP should be prepared and submitted to the SBCPHD.
For areas with documented or suspected impacts to soil and/or groundwater, appropriate worker and community health and safety measures (e.g., dust control and air monitoring) should be implemented during soil disturbance activities.

Groundwater is estimated to be found at depths of 10 to 15 feet bgs. If proposed construction activities are planned to extend to this depth, the potential for encountering petroleum-impacted groundwater should be evaluated.

If elevated levels of methane and/or hydrogen sulfide are encountered near the proposed beach house, a subslab venting system and vapor barrier should be evaluated.

If previously unknown oil support features (e.g., pipelines) are encountered during construction activities, notification to regulatory agencies may be required prior to removing the feature, particularly if there is the potential to affect public health, safety, and/or the environment. Geophysical surveys should be conducted prior to soil disturbance to evaluate the potential for unknown pipelines.

LIMITATIONS

Ninyo & Moore's opinions regarding environmental conditions, as presented in this report, are based solely on the information contained in the referenced report. No effort has been made to independently verify the accuracy of the information contained in the report. No site reconnaissance or subsurface testing was conducted as part of this limited third party review.

The third party review described in this report has been conducted in general accordance with the standard-of-care exercised by environmental consultants performing similar work in the project area. No warranty, expressed or implied, is made regarding the professional opinions presented in this report. Variations in site conditions may exist and conditions not observed or described in this report may be encountered during subsequent activities. Please also note that this study did not include an evaluation of geotechnical conditions or potential geologic hazards.

Our conclusions, recommendations, and opinions are based on the review of referenced reports for this limited assessment. It should be understood that the conditions of a site could change with time as a result of natural processes or the activities of man at the site or nearby properties. In addition, changes to the applicable laws, regulations, codes, and standards of practice may occur due to government action or the broadening of knowledge. The findings of this report may, therefore, be invalidated over time, in part or in whole, by changes over which Ninyo & Moore has no control.

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use by the client. Any use or reuse of the findings, conclusions, and/or recommendations of this report by parties other than the client is undertaken at said parties' sole risk.

We appreciate the opportunity to be of service.

Respectfully submitted,

NINYO & MOORE

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AO/SB/gg

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