

Conditions of Approval and Mitigation Monitoring Program

C
EXHIBIT

RESOLUTION NO. 5432

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR THE MIRAMONTE SPECIFIC PLAN PROJECT (FORMERLY MIRAVALLE III SPECIFIC PLAN PROJECT) INVOLVING APPROXIMATELY 647 ACRES

WHEREAS, the subject property is located in unincorporated Monterey County generally between San Vicente Road and Orchard Lane north and west of the current City limits, and consists of Assessor's Parcel Numbers 417-151-082, 417-151-084, 417-151-089, 417-151-090, 417-151-091, 417-151-092, and additional properties in 257-081-005 and beyond to accommodate the San Vicente Road rights of way; and

WHEREAS, the adopted City of Soledad 2005 General Plan designates certain lands outside the City limits for urban growth and development within areas designated by the General Plan as the Mirassou, San Vicente West and Northwest Expansion Areas; and

WHEREAS, the City Council of the City of Soledad received an application for a proposed Specific Plan and related vesting tentative map, along with a request for a city Sphere of Influence boundary adjustment and annexation of territory within the plan boundaries of the Specific Plan. This application was for the phased development of a 920-acre area north and west of the current boundaries of the City of Soledad, including residential, commercial, recreational and public facility uses and supporting infrastructure (Miravale III Specific Plan Project); and

WHEREAS, the City of Soledad adopted the role of lead agency for the purposes of conducting environmental review of the proposed Miravale III Project under the California Environmental Quality Act (CEQA), and, as lead agency, has caused to be prepared a draft environmental impact report for the Miravale III project in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and related Guidelines (Title 14 California Code of Regulations, Section 15000 et seq.); and

WHEREAS, on August 12, 2010, the Planning Commission, conducted a noticed public hearing to consider a recommendation to the City Council for initiating a sphere of influence amendment request, and considered the Staff Report and oral report for a proposed project in the General Plan Expansion Areas; and

WHEREAS, the Planning Commission, through adoption of Resolution 2010-15, resolved to recommend that the City Council of the City of Soledad hold a public hearing and, thereupon, provide direction for preparation of a SOI amendment application to LAFCO, contingent upon the provision of adequate funding and application fees by the Miravale III project applicant; and

WHEREAS, the City of Soledad complied with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000 et seq., the CEQA Guidelines, California Code of Regulations, Title 14 Section 15000 et seq.; and the City Council, prior to or concurrent with the approval of Resolution 4565, considered and certified the Final Environmental Impact Reports (FEIR's) for both the City of Soledad 2005 General Plan (SCN# 2005032722) and for the proposed Miravale III Specific Plan (SCN# 2006081129); and

WHEREAS, both adequately address the environmental effects of the proposed boundary change pursuant to CEQA; and

WHEREAS, prior to adoption of the Soledad General Plan on September 21, 2005, the City Council did make certain findings of fact regarding the significant environmental impacts of the General Plan and did adopt a Statement of Overriding Consideration through approval of Resolution 3678; and

WHEREAS, although the City Council certified the Miravale III FEIR by adoption of Resolution 4565 on September 1, 2010, and directed City Staff to pursue a Sphere of Influence amendment, applications were never filed with Monterey County LAFCO to request the amendment; and

WHEREAS, The Applicant resubmitted project applications on July 26, 2016 for a revised and reduced size project (647 acres vs. the original project at 920 acres) (hereinafter "Miramonte Project") in an attempt to address the City Council's direction from 2010; and

WHEREAS, the Applicant for the reduced size Miramonte project submitted application requests to the City for a General Plan Amendment, Specific Plan, Rezoning, Sphere of Influence Amendment, Annexation, Rezoning, and a Vesting Tentative Map approval that would permit development of the 647 acre area (Plan Area), consistent with the Miramonte Specific Plan (incorporated herein by reference); and

WHEREAS, the City prepared an Addendum to the Miravale III Specific Plan FEIR (hereinafter EIR Addendum), attached hereto as **Exhibit B** and incorporated herein by reference; and

WHEREAS, the City Council has determined based on the recommendation of the Planning Commission that due to the reduction in size of the project boundary by (273 acres) and density (by 2,081 residential units) that the 2010 certified FEIR is adequate to evaluate the proposed project with the addition of an Addendum, prepared in accordance with Section 15164 of the CEQA Guidelines, to describe the revised and reduced Miramonte Project and to clarify mitigations contained in the 2010 certified FEIR; and

WHEREAS, the City, based on the conclusions of the EIR Addendum, has adopted a Statement of Overriding Considerations in Resolution No. 5431 incorporated herein by reference; and

WHEREAS, the 2010 certified Miravale III FEIR and the Miramonte Addendum to that FEIR, both of which are incorporated herein by reference, identified mitigation measures to incorporate into the project that eliminate or substantially lessen all significant effects on the environment, where feasible; and

WHEREAS, certain mitigations contained in the 2010 certified Miravale III FEIR required clarification for implementation by the Applicant, developer, and City; and

WHEREAS, said clarifications are desired by the City and is being accomplished through the Addendum to the certified Miravale III FEIR and City required conditions of approval; and

WHEREAS, these clarifications to mitigations still mitigate impacts appropriately and do not reduce the effectiveness of the mitigation; and

WHEREAS, the City of Soledad Planning Commission and City Council members held a joint duly noticed public workshop on September 14, 2017, to review the previous plan area and project history, past actions, the current plan area and project description, available documentation on the project, currently proposed actions, and to hear public testimony; and

WHEREAS, notice of time and place of hearing for the Planning Commission's deliberations regarding adoption of the MMRP was given in the manner prescribed by law and by the City; and

WHEREAS, the City of Soledad Planning Commission at its regularly scheduled meetings of April 12, 2018, May 10, 2018, and June 14, 2018, during which it considered the MMRP, the Staff Report and presentation, public testimony, and documentary evidence introduced and received during the public hearing, including all environmental documentation, and recommends that the City Council adopt the MMRP; and

WHEREAS, the City of Soledad City Council held a duly noticed public workshop on July 18, 2018, to revisit the previous plan area and project history, past actions, the current plan area and project description, available documentation on the project, currently proposed actions, Planning Commission actions and to hear public testimony; and

WHEREAS, the City Council held duly noticed public hearings on August 28, 2018, October 23, 2018 and November 7, 2018 at which it considered the MMRP, the Staff Report and presentation, public testimony, and documentary evidence introduced and received during the public hearing, including all environmental documentation; and,

WHEREAS, the City Council notice of time and place of hearing for the City Council's deliberations regarding adoption of the MMRP was given in the manner prescribed by law and by the City; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Soledad adoptd the MMRP as follows:

1. All of the recitals set forth above are true and correct to the best of the council's knowledge, and are incorporated herein by reference; and

2. Adopts the MMRP for the Addendum and certified Miramonte Specific Plan FEIR, and related project actions to ensure the implementation of all identified mitigation measures and any clarification to those measures as specified in the adopted Addendum and in the MMRP (attached hereto as **Exhibit A** and incorporated herein by reference).

3. The location and custodian of records for the basis of decision of the City of Soledad as Lead Agency approving the actions described herein is the Soledad City Clerk, City Hall, 248 Main Street, Soledad, CA 93960.

PASSED AND ADOPTED by the City Council of the City of Soledad a regular meeting duly noticed and held on the 7th day of November, 2018, by the following vote:

AYES, and in favor thereof, Councilmembers: Christopher Bourke, Carla Stewart, Mayor Pro Tem Alejandro Chavez and Mayor Fred Ledesma

NOES, Councilmembers: Velazquez

ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None

ATTEST:



MICHAEL MCHATTEN, City Clerk


FRED J. LEDESMA, Mayor Chairman

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM
MIRAMONTE SPECIFIC PLAN AND VTM PROJECT
EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

MONITORING PROGRAM

The basis for this monitoring program is the mitigation measures included in the Addendum to the Miravale III Environmental Impact Report (Addendum). These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less-than-significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and after implementation of the proposed project.

The attached table is proposed for monitoring the implementation of the mitigation measures. This monitoring table contains all appropriate mitigation measures in the Addendum.

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM
MIRAMONTE SPECIFIC PLAN AND VTM PROJECT
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MONITORING PROGRAM PROCEDURES

The City of Soledad shall use the attached monitoring table for the proposed project. The monitoring program should be implemented as follows:

- The City of Soledad Community & Economic Development Department should be responsible for coordination of the monitoring program, including the monitoring checklist. The Community & Economic Development Department should be responsible for completing the monitoring checklist and distributing the checklist to the responsible individuals or agencies for their use in monitoring the mitigation measures.
- Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring table have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring checklist to the Community& Economic Development Department to be placed in the project file. If the mitigation measure has not been complied with, the monitoring checklist should not be returned to the Community & Economic Development Department.
- The Community& Economic Development Department will review the checklist to ensure that appropriate mitigation measures included in the monitoring checklist have been complied with at the appropriate time, e.g. prior to issuance of a use permit, etc. Compliance with mitigation measures is required for project approvals.
- If a responsible individual or agency determines that a non-compliance has occurred, a written notice should be delivered by certified mail to the project proponent within 10 days, with a copy to the Community& Economic Development Department, describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the City of Soledad.

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM
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ACRONYMS USED IN THIS PROGRAM

BMP	BEST MANAGEMENT PRACTICES	LID	LOW IMPACT DEVELOPMENT
CAP	CRITERIA AIR POLLUTANTS	MMRP	MITIGATION MONITORING AND REPORTING PROGRAM
CC & R	COVENANTS CODES & RESTRICTIONS	MOU	MEMORANDUM OF UNDERSTANDING
CDFW	CALIFORNIA DEPARTMENT OF FISH & WILDLIFE	NAHC	NATIVE AMERICAN HERITAGE COMMISSION
CNPS	CALIFORNIA NATIVE PLANT SOCIETY	NESHAP	NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS
CRLF	CALIFORNIA RED LEGGED FROG	NPDES	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
EIR	ENVIRONMENTAL IMPACT REPORT	SJKF	SAN JOAQUIN KIT FOX
ESA	ENVIRONMENTAL SITE ASSESSMENT	SWPPP	STORM WATER POLLUTION PREVENTION PLAN
GHG	GREENHOUSE GAS	TAMC	TRANSPORTATION AGENCY FOR MONTEREY COUNTY
ITP	INCIDENTAL TAKE PERMIT	USFWS	UNITED STATES FISH & WILDLIFE SERVICE

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM
MIRAMONTE SPECIFIC PLAN AND VTM PROJECT
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Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM
MIRAMONTE SPECIFIC PLAN AND VTM PROJECT
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Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PRIOR TO RECORDING OF FIRST FINAL MAP	4.3-3 In order to reduce greenhouse gas (GHG) and criteria air pollutants (CAP) emissions to the extent feasible, the project proponent/developer shall prepare and submit for Planning Director GHG and CAP Reduction Plan (Emissions Reduction Plan) for the entire project prior to submittal of the first final map. The Emissions Reduction Plan shall include a description of the measures that are proposed to be implemented, including one or more of the measures contained in Appendix (F-1) of the Miravale III Specific Plan Final EIR. The Emissions Reduction Plan shall be approved by the city prior to construction of structures and site improvements, including but not limited to, determination of substantial conformance, building permits, and grading permits. For each of the measures not included, the applicant shall describe why the measure was not included. The Plan shall present estimated reductions in GHGs and criteria air pollutants based on available information source.	Project Proponent/Developer	City Community & Economic Development Department Notes:
PRIOR TO RECORDING OF FIRST FINAL MAP	4.4-8 The applicant shall prepare and submit to the city for review and approval a draft conservation easement to protect all areas above the 400 foot elevation contour in perpetuity. The easement shall include the following: a) prohibit recreational off-road vehicle use; b) prohibit illegal discharge of firearms. The conservation easement shall be reviewed and approved by the City of Soledad City Council prior to approval of the first final map.	Applicant	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PRIOR TO RECORDING OF THE FIRST FINAL MAP	<p>4.5-1 Relocation of Lorentzen House. A relocation plan prepared by a qualified professional in accordance with the general recommendations of Moving Historic Buildings (National Park Service) shall be submitted to the City of Soledad for review and approval. The relocation plan shall discuss planning, research, and recording prior to the move. In addition, the relocation plan shall identify siting, foundation construction, building reassembly, and restoration work after a successful move. See John Obed Curtis, Moving Historic Buildings, Heritage Conservation and Recreation Service, Publication No. 9, US Department of Interior (1979) for further details.</p> <p>Prior to the relocation, the applicant shall provide verification of compliance with mitigation measure 4.5-2 to the City of Soledad Community Development Department Director for review and approval. The project proponent shall ensure that the design and implementation of the relocation project is consistent with the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, 1992), the California Historical Building Code.</p>	Developer	<p>City Community & Economic Development Department</p> <p>Notes:</p>
PRIOR TO RECORDING OF FIRST FINAL MAP	<p>4.5-2 Protective Measures. The project proponent shall develop and implement measures to protect the character-defining features of the Lorentzen House building from damage by the relocation project. The features include, but are not limited to scale, massing, and layout of the house, as well as siding and wood frame fenestration. Protective measures shall be prepared by a qualified professional in accordance with the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, 1992), the California Historical Building Code, Moving Historic Buildings, and the MMRP for the project.</p> <p>Prior to the relocation of the structure, the applicant shall submit evidence from a qualified professional demonstrating that protective measures have been implemented, subject to the review and approval of the City of Soledad.</p>	Developer	<p>City Community & Economic Development Department</p> <p>Chief Building Official</p> <p>Notes::</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PRIOR TO RECORDING OF FIRST FINAL MAP	4.11-3 The applicant's approved Development Agreement shall include a Housing Agreement per Program 4.3 of the City's Housing Element with the City that prescribes the parameters of the development of affordable housing consistent with the City's Housing Element, Inclusionary Housing Ordinance, and the revised Specific Plan. The Development Agreement shall be reviewed and approved by the City of Soledad City Council prior to or concurrent with recording of the first final map.	Applicant	City Community & Economic Development Department Notes:
PRIOR TO RECORDING OF FIRST FINAL MAP	4.12-4 Prior to recording of first final map, the project Developer shall submit an agreement with evidence demonstrating that two school sites of sufficient size will be dedicated within the project boundaries, subject to the review and approval of the City of Soledad and the Soledad Unified School District. The agreement shall be established between the developer and/or successors in interest and the Soledad Unified School District that establishes the sites to be dedicated.	Developer	City Community & Economic Development Department and the Soledad Unified School District Notes:
PRIOR TO RECORDING OF FIRST FINAL MAP	4.12-6 Prior to the recordation of the first final map, the project Developer shall submit a comprehensive Park Master Plan to the City of Soledad for review and approval. This plan shall address park design and development consistent with the City's adopted Parks and Recreation Master Plan, along with maintenance, operation and financing components. This plan shall also identify the appropriate types of improvements within each park parcel to meet the recreational needs of all age groups. The Park Master Plan will identify timing for concurrent park improvements for each phase of development. The Parks Master Plan is subject to review and recommendation by the Parks and Recreation Commission and approval by the City Council.	Developer	Department of Public Works Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PRIOR TO RECORDATION OF THE FIRST FINAL MAP	4.14-1 The developer shall retain an engineer to design and the water supply and distribution system for the project to be integrated with the City's water distribution system consistent with the Urban Water Management Plan and the City's Water Master Plan. Review and approval by the City of Soledad Director of Public Works and City Council is required prior to recordation of first final map.	Developer	City Department of Public Works Notes:
CONCURRENT WITH RECORDATION OF THE FIRST FINAL MAP	4.2-6. Concurrent with recordation of a final subdivision map, developers shall provide compensation for conversion of Prime Farmland or Farmland of Statewide Importance to urban uses using one of four methods, at the discretion of the city: a) provide the in-kind direct purchase/acquisition of an agricultural mitigation easement at a 1:1 ratio and dedicate the easement to an agricultural land trust or other qualifying entity; and/or b) if available, purchase agricultural banked mitigation credits at a 1:1 ratio from a qualifying entity; and/or c) pay an in-lieu mitigation fee, which amount shall be determined by the city prior to project approval. The amount of the fee should reasonably be expected to lead to the preservation of agricultural land. Said fee shall be kept by the city in a fund established specifically for agricultural land mitigation purposes; and/or d) implement other innovative approaches as approved by the city that results in the preservation of agricultural land within areas targeted by the city.	Developer	Community Development Director Notes:
CONCURRENT WITH RECORDATION OF FIRST FINAL MAP	4.4-8 The developer shall record the conservation easement for all areas above the 400 foot elevation contour concurrent with recordation of the first final map or the onset of any other site disturbance, whichever occurs first.	Developer	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

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PRIOR TO RECORDING OF FINAL MAP(S)	<p>4.2-1. Adequate buffer areas between urban and agricultural uses, including a minimum 50 foot buffer along the northern and eastern boundary of the project site and a 200 foot buffer along the western boundary, shall be incorporated into the proposed project. These buffers shall also be supplemented with physical barriers in areas where residential and commercial structures are to be located, as recommended by the Agricultural Resources Report contained in the Miravale III EIR Appendix T-1. The 200 foot buffer along the project's western boundary may be reduced upon demonstration to the satisfaction of the City Council that other measures, including those recommended in Mitigation Measure 4.2-2, will adequately protect human health and safety and minimize potential conflicts, and provided that any such reduction shall not result in a buffer width of less than 100 feet consistent with the Permanent Agricultural Edge location identified in the 2016 Monterey County/City of Soledad Memorandum of Understanding.</p> <p>Prior to the recordation of any final map, the project applicant shall submit evidence in the form of agricultural setbacks delineating buffer locations consistent with the recommendations contained in the Agricultural Resources Report contained in the Miravale III EIR Appendix T-1, subject to the review and approval of the City of Soledad . All agricultural buffers, excluding public right-of-ways, shall be maintained by the Project Proponent and/or his/her successor(s) in interest through easements dedicated to the City or other entity until such time that the adjoining agricultural operation and use no longer exists.</p>	Developer	City Community & Economic Development Department. Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PRIOR TO RECORDING OF FINAL MAP(S)	<p>4.2-2. In order to ensure the adequacy of the agricultural buffer located along the western boundary of the project site, as required by Mitigation Measure 4.2-1, the project applicant shall submit a detailed landscape plan that includes vegetative screening in addition to physical barriers, such as fences, walls, or similar structures to protect human health and safety. One or more of the following options may also be used in combination with landscaping requirements to create an adequate buffer between the agricultural parcel property line and habitable structures within the Plan area:</p> <ul style="list-style-type: none"> a. Public or private road right-of-ways; b. Landscaped islands and planting areas; c. Recreational trail corridors; and/or d. Placing dwellings in the rear portion of lots. <p>Prior to the recordation of any final map along the western project boundary, the agricultural buffer and any related easement shall be delineated on the final map in each phase, subject to the review and approval of the City of Soledad.</p>	Developer	<p>City Community & Economic Development Department.</p> <p>Notes:</p>
PRIOR TO RECORDATION OF FINAL MAP(S)	<p>4.2-5 Prior to the recordation of final map(s), the project applicant shall have recorded a right-to-farm notice on parcels adjacent to existing and ongoing agricultural uses consistent with the requirements of the City of Soledad General Plan, subject to the review and approval of the City of Soledad City Council.</p>	Property owner or Developer	<p>City Community & Economic Development Department</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PRIOR TO RECORDING OF FINAL MAP(S)	4.6-7 In order to reduce the risk of localized liquefaction and collapse, and allow for adequate foundation and structural fill support, grading plans shall be consistent with a project-specific geotechnical analysis. The project geotechnical engineer shall prepare a quantitative assessment of liquefaction and seismically-induced settlement potential for the project as part of a comprehensive site geotechnical evaluation, prior to the recordation of each final map. Measures to ensure adequate reduction of risk to standard acceptable levels in accordance with standard geotechnical practice shall be incorporated into project design and specifications, subject to the review and approval of the City of Soledad Public Works Director.	Developer	City Department of Public Works Notes:
PRIOR TO RECORDING OF FINAL MAP(S)	4.6-8 For the portions of the project located within debris flow hazard areas as described in the Geological Hazards Investigation Update prepared by Nolan Associates (September 2006, see pg. 14) the project developer shall incorporate design measures to mitigate this hazard to acceptable levels in accordance with standard engineering practices. Suitable measures include: 1) Restricting development to outside these areas; 2) Constructing artificial channels or diversion walls, designed to divert fluidized debris away from habitable structures; or Constructing impact walls, designed to withstand anticipated debris flow volumes and velocities. An engineering geologist shall be retained by the developer to provide site-specific geologic design criteria for debris flow hazard areas once the final project plans are available.	Developer	Chief Building Official Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	4.6-8 (Continued) Diversion or retaining structures shall be designed based on recommendations by a geotechnical engineer, subject to review and approval of the City of Soledad Public Works Director. Prior to the recordation of each final map, the project applicant shall submit evidence demonstrating that adequate design measures are incorporated to mitigate potential hazards to acceptable engineering standards, subject to the review and approval of the City of Soledad Public Works Director.		
PRIOR TO RECORDING OF FINAL MAP(S)	4.6-9 In order to minimize potential hazards associated with expansive soils, the expansion potential of site soils shall be evaluated as part of a site specific geotechnical study to ensure hazards are reduced to an acceptable level of geotechnical and Uniform Building Code practices. The recommendations of a geotechnical engineer for mitigating soil shrink-swell hazards shall be incorporated into project design. These measures may include replacement of soil with engineered backfill or treatment of expansive soil with lime. Prior to the recordation of each final map, the project applicant shall submit evidence demonstrating that adequate measures are incorporated to mitigate potential hazards to acceptable engineering standards, subject to the review and approval of the City of Soledad Building Official.	Developer	Chief Building Official Notes:
PRIOR TO RECORDING OF FINAL MAP(S)	4.7-1 Prior to the recordation of any final map, the applicant shall arrange for a Phase II Environmental Site Assessment to be prepared which assesses the localized environmental conditions described in the Phase I Environmental Site Assessment prepared by D&M Consulting Engineers, Inc. (September 2006) and identifies any required remedial actions for the safe handling, removal and special needs for any identified materials.	Developer	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>4.7-1 (continued)</p> <p>The Phase II Assessment shall include site specific soil sampling in order to assess the presence of potential soil contamination and to identify special needs for soil handling during construction/grading activities and possible health risks to construction workers and future users consistent with the recommendations contained in the Phase 1 Environmental Site Assessment prepared by D&M Consulting Engineers, Inc.</p>		
<p>PRIOR TO RECORDING OF FIRST FINAL MAP(S)</p>	<p>4.8-3 Submit design-level improvement plans for the project's storm drainage collection and retention system. Final design level plans shall be supported with appropriate soils and hydrologic data in accordance with City standards. All conveyance systems and retention basins shall be sized and designed in accordance with applicable City design standards and shall be appropriately sized to accommodate storm water runoff from a 100-year storm event. All design-level plans and supporting details shall be submitted to the City of Soledad Director of Public Works for review and approval prior to recording the first final map.</p>	<p>Developer</p>	<p>City Department of Public Works</p> <p>Notes:</p>
<p>PRIOR TO RECORDING OF FINAL MAP(S)</p>	<p>4.8-4 In order to reduce the extent of impervious surface coverage and potential drainage/flooding impacts, Low Impact Development (LID) strategies shall be implemented in connection with all new development within the Specific Plan area. Prior to the approval of any final map or approval of any permit for all new residential and commercial developments, the project applicant shall submit design-level site and improvement plans to the City of Soledad for review and approval that incorporate the latest approved LID strategies and best practices as applicable, and the City shall ensure that all such measures are included in the final design plans.</p>	<p>Developer</p>	<p>City Department of Public Works</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

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	<p>4.8-4 (Continued)</p> <p>Examples of various LID strategies and best practices are identified as follows:</p> <ul style="list-style-type: none">▪ Where possible, landscaped or grassy areas shall be substituted for impervious surfaces such as building entrances, traffic medians, etc.▪ Permeable pavements such as crushed aggregate, turf lock or unit pavers shall be used in place of sidewalks, walkways or overflow parking areas wherever design allows.▪ Bioretention cells, planter boxes, vegetated swales, and greenbelt buffer zones shall be implemented in landscaped areas, along streets and sidewalks wherever feasible.▪ Final roadway design and street layout shall convey surface water runoff and storm flows into bioretention cells and swales.▪ All commercial development shall integrate bioretention into parking lot islands or filter strips distributed throughout the parking area(s) to infiltrate, store and/or convey storm water flows. In addition, permeable paving materials shall be used in spillover parking that is used only for peak demand periods. <p>Alternative types of LID strategies and measures may also be approved provided evidence is submitted to the City of Soledad by a qualified engineer at the developer's expense, demonstrating that said strategies will achieve the intended result of this mitigation measure. Alternative strategies must be reviewed and approved Public Works Director.</p>		

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

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PRIOR TO RECORDING OF FINAL MAP(S)	4.10-1 Maintain a sufficient buffer distance between transportation noise sources and future sensitive land uses, or alternatively, construct noise barriers or create acoustically shielded outdoor use areas utilizing buildings to achieve noise exposures of 65 dBA CNEL or less. The specific determination of necessary mitigation measures will be included in the detailed acoustical analyses (see mitigation 4.10-2) and design of future development projects within the specific plan area. Results of the analysis shall be subject to review and approval by the City Planning Department and all recommendations shall be incorporated into the project prior to each final map and issuance of a building permit.	Developer	Chief Building Official Notes:
PRIOR TO RECORDING OF FINAL MAP(S)	<p>4.10-4 The project shall incorporate noise reduction methods into all improvement plans to reduce transportation noise, subject to the review and approval of the City of Soledad Director of Public Works or Building Official as applicable. Methods to reduce noise on the project site may include the following measures:</p> <ul style="list-style-type: none"> <p>Pave and re-pave streets with "quieter" pavement types, such as Open-Grade Rubberized Asphaltic Concrete, that would reduce noise levels by 2 to 3 dBA depending on the existing pavement type, traffic speed, traffic volumes, and other factors. All new and improved streets within the project area shall use quieter pavement types.</p> <p>▪ Implement new or larger noise barriers that may reduce noise levels by 5 dBA CNEL in areas that would not impair access requirements. Final design of such barriers, including an assessment of their feasibility and reasonableness, must be approved by the City during project-specific development applications. An increase in barrier height per foot equates to approximately 1 dBA noise reduction. However, noise barriers must be considered as a last resort to alternative noise reduction methods per the City of Soledad General Plan.</p> 	Developer	Director of Public Works; Chief Building Official Notes::

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>4.10-4 (continued)</p> <ul style="list-style-type: none"> Install traffic calming measures to slow traffic and provide qualitative improvement by smoothing out the rise and fall in noise levels caused by speeding vehicles. For each 5 mph reduction in average speed, noise generation is reduced by approximately 1 dBA. Provide affected residences with building sound insulation, such as sound rated windows and doors, to reduce interior noise levels to below the 45 dBA CNEL noise standard. 		
PRIOR TO APPROVAL OF ANY USE PERMIT	4.3-2a Prior to approval of each use permit a construction air quality report prepared by a qualified air quality consultant shall be prepared and submitted for review and approval by the City Planning Department and all recommendations shall be implemented during construction.	Developer	City Community & Economic Development Department. Chief Building Official Notes:
PRIOR TO APPROVAL OF IMPROVEMENT PLANS	4.14-13 In order to prevent the wasteful use of energy, all new residential, commercial, and hospitality oriented structures shall incorporate the principles of passive solar design. Typical passive solar design principles may include the following; 1) large south-facing windows; 2) tile, brick, or other thermal mass material used in flooring or walls to absorb natural heat; 3) improved insulation; 4) building orientation that takes advantage of the sun, shade, and wind; and 5) energy efficient building materials. Prior to the issuance of each individual building permit for new structures, the project applicant shall submit evidence, including but not limited to, site plans, proposed building materials, and landscape plans, to the City of Soledad Public Works Director and Chief Building Official for review and approval.	Developer	Public Works Director; Chief Building Official Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PRIOR TO ISSUANCE OF GRADING PERMIT IN ANY PHASE	<p>4.3-1 Grading activity shall be limited to a maximum of 2.5 acres daily, or, if grading cannot be limited to 2.5 acres daily, prior to start of construction, the project applicant or contractor shall submit to the City of Soledad Public Works Department a construction dust mitigation plan. This plan shall specify the methods of dust control that would be utilized, demonstrate the availability of needed equipment and personnel, use reclaimed water for dust control, and identify a responsible individual who, if needed, can authorize implementation of additional measures. The construction dust mitigation plan shall include the following measures as necessary to control visible dust:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to existing businesses should be kept damp at all times. If necessary, during windy periods, watering is to occur on all days of the week regardless of onsite activities. • Cover all trucks hauling dirt, sand, or loose materials. • Haul trucks shall maintain at least 2'0" of freeboard. • Plant tree windbreaks on the windward perimeter of construction project if adjacent to open land. • Install wheel washers at the entrance to construction sites for all exiting trucks. • Upon completion of mass grading, pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. • Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites. • Sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads. 	Developer	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>4.3-1 (continued)</p> <ul style="list-style-type: none"> • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). • Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles. • Limit traffic speeds on unpaved roads to 15 mph. • Replant vegetation in disturbed areas as quickly as possible. • Suspend excavation and grading activity when hourly-average winds exceed 15 mph and visible dust clouds cannot be contained within the site. 		
PRIOR TO ISSUANCE OF GRADING PERMITS	<p>4.3-2a Prior to the issuance of a grading permit in any phase, the developer shall have a construction air quality report prepared by a qualified air quality consultant. The report shall be subject to review and approval by the City Community & Economic Development Department and all recommendations shall be implemented during construction.</p>	Developer	<p>City Community & Economic Development Department.</p> <p>Notes:</p>
PRIOR TO ISSUANCE OF GRADING PERMITS	<p>4.3-2b. In addition to the construction air quality analysis required in mitigation measure 4.3-2a, during construction the following shall be implemented for all projects to reduce diesel particulate emissions from on-site construction equipment:</p> <p>The following equipment may be used without control devices or additional mitigation</p> <ul style="list-style-type: none"> • No engines greater than 750HP are used; and <p>4.3-2b (continued)</p>	Developer/ Contractor	<p>City Community & Economic Development Department.</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<ul style="list-style-type: none"> •Engines between 501 HP and 750 HP are model years 2002 and newer; and •Engines between 251 HP and 500 HP are model years 1996 or newer; and •Engines between 175 HP and 250 HP are model years 1985 or newer. <p>The following equipment may be used without causing acute adverse health effects, if retrofitted with a catalyzed diesel particulate filter (CDPF):</p> <ul style="list-style-type: none"> • Engines greater than 750 HP; if model year 2006 and newer; and • All engines less than 749 HP, regardless of model year. <p>If construction equipment uses B99 biodiesel, no acute adverse health effect would be expected in the following:</p> <ul style="list-style-type: none"> •Engines between 501 HP and 750 HP, if model years 2002 or newer; and •Engines between 250 HP and 500 HP, if model years 1996 and newer; and •Any engine less than 250 HP. 		
PRIOR TO ISSUANCE OF GRADING PERMIT	4.5-1 The historic Morris Lorentzen House on site shall be relocated in accordance with the relocation plan prior to the issuance of a grading permit for development of the storm water detention basin in the southwest corner of the Specific Plan area.	Permit Applicant	City Community & Economic Development Department Notes:
PRIOR TO ISSUANCE OF A GRADING PERMIT	4.5-7 Recordation to Historic American Building Survey standards. Prior to the start of any project work, the project proponent shall ensure that the Lorentzen House property is recorded and documented in accordance with the Level II recordation standards of the Historic American Building Survey/Historic American Engineering Record (HABS/HAER) program. 4.5-7 (continued)	Developer	City Community & Economic Development Department

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>This level of recordation shall include:</p> <ul style="list-style-type: none">• Archival reproduction of any existing historic images of the property and grounds;• Archival reproduction of any existing maps, sketches, or drawings of the house;• Production of measured architectural plans and drawings;• Production of large-format photographs of exterior and interior views of the house, and exterior views of the house and current setting, including relationship to non-eligible outbuildings; and• Narrative history and description of the property (based on the narrative provided in the Seavey (2006) evaluation of the property, and the Monterey County survey(s) of similar properties. <p>The original archival set of recordation documents and photograph prints will be submitted to the Soledad Historical Society (or its designee), and archival quality photocopies of the documentation set will be provided to the following interested parties and local repositories: the Monterey County Historical Society; the Monterey County Libraries (Soledad and Salinas branches), and the UC Santa Cruz Library Special Collections Department. The project proponent would ensure that this recordation documentation was prepared prior to carrying out any other treatment and would make the content of the document available for other mitigation measures, such as the preparation of interpretive material.</p>		
PRIOR TO	4.1-4. Final design plans for proposed development shall utilize natural	Developer	Community and

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
ISSUANCE OF GRADING / BUILDING PERMIT	landforms and vegetation for screening structures, access roads, building foundations, cut and fill slopes, and exterior lighting. Roads, parking, and utilities shall be designed to minimize visual impacts. Prior to the issuance of any grading and/or building permit, the project applicant shall submit design-level drawings demonstrating compliance with this measure, subject to the review and approval of the City of Soledad Community and Economic Development Director.		Economic Development Director Notes:
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT	4.1-5. The applicant shall provide landscape screening appropriate to the surrounding area in order to integrate the development with the existing natural landscape. Landscaping plans shall be submitted to the City of Soledad for review and approval prior to the issuance of any building or grading permit.	Developer	City Community & Economic Development Department Notes:
PRIOR TO ISSUANCE OF BUILDING PERMIT	4.1-6 All buildings shall be designed with colors and materials that effectively blend the structures with the surrounding landscape. Building applications for new structures shall include color and material sample photo sheets and shall be approved by the City of Soledad, prior to the issuance of any building permit.	Developer	City Community & Economic Development Department
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT	4.1-9. In order to minimize tree removal and associated visual impacts, final design-level improvements plans shall retain existing mature eucalyptus and other tree species to the greatest extent possible. Final design-level plans shall be prepared in consultation with a registered arborist/forester to minimize tree removal and ensure the health of remaining trees. Prior to the issuance of any grading and/or building permits, final plans shall be subject to the review and approval of the City of Soledad Director of Public Works. If the removal of existing mature eucalyptus is required the applicant shall submit evidence demonstrating that there are no feasible design alternatives to avoid tree removal. In the event that tree removal is required, the project proponent shall prepare a tree removal and replacement plan for each phase of construction, subject to the review and approval of the City of Soledad Community Development Director. The tree removal and replacement plan shall identify specific grading limits that minimize tree removal, as well as appropriate tree replacement ratios and replanting locations.	Developer	Director of Public Works; Community & Economic Development Department Director Notes:
PRIOR TO	4.1-13 Final design plans for proposed development shall include a tree	Developer	Community Development

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
ISSUANCE OF GRADING / BUILDING PERMIT	planting plan in order to increase the number and density of tree cover within new development areas. Prior to the issuance of any grading and/or building permit, the project applicant shall submit a detailed tree planting plan, subject to the review and approval of the City of Soledad Community Development Director.		Director Notes:
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT	4.1-14. All buildings shall be designed so that exterior lighting is down-lit and illuminates the intended area only. Building applications for new structures shall include an exterior lighting plan subject to approval of the Soledad Planning Department that includes the following requirements: 1) exterior lighting shall be directional; 2) glare from exterior lighting shall be adequately minimized; 3) the source of directional lighting shall not be directly visible; and 4) vegetative screening shall be considered, where appropriate, as a means of reducing development-related light and glare. The project applicant shall submit an exterior lighting plan to the City of Soledad Community Development Director prior to the issuance of any building permit.	Developer	Community Development Director Notes:
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT(S)	4.4-3 Following construction, the disturbed areas that are proposed as parks and landscaping areas shall be restored to pre-project contours and revegetated by the contractor using locally-occurring native species and native erosion control seed mix. Landscape plans for all such areas adjoining natural open space, including landscaped strips within right-of-ways, shall be reviewed by a qualified biologist to ensure that only native and non-invasive species are included in the planting palette and shall include a supplemental note and/or report by said biologist documenting compliance with this requirement. Landscape plans for other disturbed areas or for designated parks shall utilize native species and avoid the use of all invasive species; such plans shall include a note from the licensed professional who prepared the plan(s) or from a qualified biologist retained by the developer documenting Applicant compliance with this requirement. Prior to the issuance of any grading and/or building permit, the project applicant shall submit landscape plans prepared by a licensed landscape architect for review and approval by the City of Soledad Community Development Director.	Contractor	Community Development Director Notes:
PRIOR TO	4.4-7 A qualified botanist shall be retained by the developer to	Developer	City Community &

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
ISSUANCE OF GRADING / BUILDING PERMIT(S)	<p>conduct preconstruction surveys for Lemmon's jewelflower during the typical flowering season of this species (March-May), to determine the presence/absence of this species. If no Lemmon's jewelflower is present, no additional mitigation is required. If Lemmon's jewelflower is present, a qualified biologist shall prepare a mitigation plan to be approved by CDFW prior to initiation of construction. The mitigation plan shall include a description of the special-status plant population(s), map depicting the location(s), and size of the population(s). If feasible, disturbance of the population(s) of Lemmon's jewelflower shall be avoided and its habitat protected utilizing methods developed in coordination with the CNPS and CDFW.</p> <p>Avoidance shall be confirmed by the City prior to approval of the first final map for any phase of the project. If impacts to the Lemmon's jewelflower population(s) cannot be avoided, mitigation shall include preservation on- or off-site at a minimum 1:1 ratio (one plant preserved for each plant impacted), or restoration on- or off-site at a minimum 3:1 ratio (three plants planted for each plant impacted).</p>		<p>Economic Development Department</p> <p>Notes:</p>
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT(S)	<p>4.4-9 The applicants shall enter into consultation with USFWS and CDFW and shall provide evidence of their compliance with applicable requirements of the federal Endangered Species Act and California Endangered Species Act to the City.</p>	Developer	<p>City Community & Economic Development Department</p> <p>Notes:</p>
PRIOR TO ISSUANCE OF	<p>4.4-10 Pre-construction surveys for kit fox dens shall be required for all development phases of the future project. Pre-construction</p>	Developer	<p>City Community & Economic Development</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
GRADING / BUILDING PERMIT(S)	<p>surveys shall be conducted by a qualified biologist retained by the developer no less than 14 days and no more than 30 days prior to the start of any ground disturbing activities to locate kit fox den sites.</p> <p>The preconstruction surveys shall be conducted per Standardized Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 1999b), as updated. Potential dens (including man-made structures) and known dens shall be protected by minimum buffers of 50 feet and 100 feet, respectively. If an occupied or unoccupied natal den is detected, no construction shall occur for the Phase until the USFWS and CDFW have been contacted and authorization to proceed has been obtained by the applicant.</p>		<p>Department</p> <p>Notes:</p>
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT(S)	<p>4.4-11 The applicant shall retain a qualified biologist to conduct focused preconstruction surveys for potential American badger dens. These surveys shall be conducted no sooner than 2 weeks prior to the start of construction. Surveys for badger dens may be conducted at the same time as burrowing owl surveys. The results of the survey shall be submitted to the City prior to issuance of grading permit or initiation of grading for that phase of development on the site. Based on the results of these surveys, one or more of the following additional measures shall be implemented:</p> <ul style="list-style-type: none"> •If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent badgers from re-using them during construction. If hand excavation is not practical, careful excavation with an excavator may occur provided that the biologist is onsite to monitor these activities. <p>4.4-11 (Continued)</p> <ul style="list-style-type: none"> • If the qualified biologist determines the presence of active dens, the location of these dens shall be documented and reported to CDFW. 	Developer	<p>City Community & Economic Development Department</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>Avoidance of active dens, particularly natal dens, is the preferred approach; Impacts to active badger dens shall be avoided by establishing a 100-meter exclusion zones around all active badger dens, within which construction related activities shall be prohibited until denning is complete and/or the den is abandoned. A qualified biologist shall monitor each den once per week in order to track the status and inform the project sponsor of when a den area has been abandoned.</p> <ul style="list-style-type: none">• If the biologist determines that avoidance of an active badger den is not feasible, the biologist shall coordinate with CDFW on the appropriate way to evict/exclude badgers from their dens. Please note that special consideration of natal dens is required given the low likelihood that excluded young would survive; a CDFW depredation permit would be required to disrupt a natal den. <p>For non-natal dens, CDFW has permitted badgers to be gradually excluded from their dens by placement of soil, sticks, and debris at den entrances, incrementally increasing the degree of blockage over a period of three to five days (please note that blockage cannot trap/entomb badgers). After the monitoring biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction. If hand excavation is not practical, careful excavation with an excavator may occur provided that the biologist is onsite to monitor these activities. Please note that eviction of onsite badgers will reduce construction phase impacts to this species, but given the large home ranges and territoriality of this species, emigration to alternative habitats may not be feasible without inter/intra specific competition (energetic stress possibly resulting in mortality). CDFW may require that appropriate onsite or adjacent habitat be conserved to allow relocation of excluded animals within their home range.</p>		
PRIOR TO ISSUANCE OF A GRADING / BUILDING	4.4-12 A qualified bat specialist retained by the developer shall conduct site surveys to characterize bat utilization of the site and species composition present (techniques utilized to be determined	Developer	City Community & Economic Development Department

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PERMIT	<p>by the biologist). The results of the survey shall be submitted to the City prior to issuance of grading permit or initiation of grading for that phase of development on the site. Based on the results of these surveys, one or more of the following additional measures shall be implemented:</p> <ul style="list-style-type: none">• If it is determined that bats are not present at the site, no additional mitigation is required.• If it is determined that bats are utilizing the site and would likely be impacted by the proposed project, preconstruction surveys shall be conducted no more than 30 days prior to modification, demolition, or removal of onsite buildings and/or any other occupied habitat. If no bat or bat sign are observed in the course of preconstruction surveys, then demolition/removal of buildings and/or construction initiation may proceed. If bat and/or bat sign are observed during the preconstruction surveys, the biologists shall determine if disturbance will jeopardize a maternity roost, or another type of roost (foraging, day, night).• If a single bat and/or only adult bats are roosting, demolition or removal of the structure can proceed after the bats have been safely excluded from the roost. Exclusion techniques shall be determined by the biologist and depend on the type utilization; the biologist shall prepare a mitigation plan for provision of alternative habitat to be approved by CDFW and the City. <p>4.4-12 (continued)</p> <ul style="list-style-type: none">• If an active maternity roost is detected, work in the vicinity of the roost (and/or demolition of the structure) shall be postponed until		Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	the qualified biologist monitoring the roost(s) determines that the young have fledged and are no longer dependent on the roost. The monitor shall ensure that all bats have left the building and or area of disturbance prior to initiation of construction and/or demolition activities. If the biologist determines that disruption of a maternity roost cannot be avoided, a depredation permit would be required.		
PRIOR TO THE ISSUANCE OF A GRADING / BUILDING PERMIT	4.4-13 The applicant shall contract with a qualified biologist to coordinate with CDFW and prepare a mitigation and monitoring plan for Salinas pocket mouse. The mitigation and monitoring plan shall include a description of the population and locations of known and potential habitat within the project site, mitigation to avoid and reduce impacts to the species, monitoring actions, success criteria, and adaptive management measures if success criteria are not met. Verification of CDFW concurrence/approval shall be submitted to the City of Soledad prior to issuance of a grading permit for that phase of development of the site.	Developer	City Community & Economic Development Department Notes:
PRIOR TO THE ISSUANCE OF A GRADING / BUILDING PERMIT	4.4-14 Burrowing owls are known to occupy burrows in mixed grassland, active agricultural, and fallow agricultural portions of the Miramonte site during the non-breeding season (breeding season utilization not observed in the course of protocol-level surveys). A qualified biologist retained by the developer shall conduct preconstruction surveys to locate active breeding and/or wintering burrowing owls (depending on season) no more than 30 days prior to the start of construction. 4.4-14 (continued) If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. The	Developer	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	survey shall conform to the CDFW 1995 Staff Report protocol. Wherever burrows are identified, impact avoidance and mitigation measures shall be implemented (previously mapped burrow locations may not be occupied and/or new burrows may be occupied). Please refer to the mitigation measures regarding burrowing owl in the Preliminary BA (June, 2008) for avoidance and mitigation measures that may be implemented based on the results of these surveys.		
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT	4.4-15 If project activities will initiate during the typical avian nesting season (February 15– August 1), a qualified biologist retained by the developer shall conduct focused preconstruction surveys no more than 14 days prior to initiation of construction activities for nesting birds, including (but not limited to) white-tailed kite, northern harrier, loggerhead shrike, and horned lark, in all areas that may provide suitable nesting habitat within 300 feet of the construction area. If active nests are found, a suitable construction buffer shall be established by a qualified biologist, and no work shall occur within that buffer until August 1 when young are assumed fledged. Alternatively, a qualified biologist can conduct weekly nest checks to gauge nestling/fledgling status, and construction may proceed once fledglings have dispersed from the nest provided written concurrence from CDFW. No active nest shall be impacted or removed without a depredation permit from CDFW, and a depredation permit will not be issued for impacts to Fully Protected Species such as the white-tailed kite. For activities that occur outside of the nesting season (generally September 1 through February 14), preconstruction surveys are not required. If construction is initiated outside of the nesting season and continues into the nesting season, preconstruction surveys are required if construction will occur in areas not previously accessed and/or disturbed (>300 feet from previous construction activities).	Developer	City Community & Economic Development Department Notes:
PRIOR TO ISSUANCE OF GRADING / BUILDING	4.4-17 Protocol-level CRLF surveys (USFWS, August 2005) shall be completed by a qualified biologist retained by the developer at each aquatic resource present within project boundaries. Protocol-level CRLF surveys would likely detect Western spadefoot, if present	Developer	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PERMIT NEAR AQUATIC RESOURCES	<p>(Western spadefoot toad surveys are also conducted at night during winter months, preferably January through March, and therefore, overlap CRLF survey protocol requirements). The results of the survey shall be submitted for the review and approval of the City, USFWS, and CDFW.</p> <p>If it is determined that CRLF are present, the applicant shall coordinate with the USFWS to determine the appropriate course of action per the requirements of the federal ESA (e.g., applying for an Incidental Take Permit [Section 10]) and implementing the permit requirements prior to issuance of a grading permit. Any mitigation and avoidance measures required by USFWS for potential impacts to CRLF (if applicable) would likewise reduce impacts to Western spadefoot given their overlapping habitat characteristics. If CRLF is not found on-site and USFWS concurs with a negative finding, no further mitigation is required. If it is determined that spadefoot are present, but CRLF are not, coordination with CDFW regarding appropriate mitigation to reduce impacts to this species shall be required prior to issuance of a grading permit. If the Western spadefoot toad is not found on-site, no further mitigation is required.</p>		
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT	<p>4.4-20 A representative shall be appointed by the City who will be the contact source for any employee or contractor who may inadvertently kill or injure a special-status species or find one dead, injured, or trapped. The representative shall be legally responsible to notify USFWS and CDFW immediately in the event that “take”</p>	<p>Developer</p>	<p>City Community & Economic Development Department Notes: This is part of the Employee Education</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	of any special-status wildlife species occurs. The representative shall be identified during the Employee Education Program and his/her contact information shall be provided to USFWS and CDFW. The representative will be present onsite every day and will be accessible to regulatory agency personnel.		Program
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT	4.4-22 The applicant shall enter into consultation with CDFW to determine the appropriate course of action per the requirements of the state ESA regarding the protection of hybridized California tiger salamander populations and to determine if requirements include applying for an Incidental Take Permit (Section 2081). If an ITP is required, implement all corresponding permit requirements. No approval or issuance of a grading permit shall occur until such time as the consultation process is complete.	Permit Applicant	CDFW/ City Community & Economic Development Department Notes:
PRIOR TO ISSUANCE OF GRADING/ BUILDING PERMIT	4.1-7 A site-specific geotechnical report shall be prepared for new development on hillsides in order to ensure that the development will not cause or worsen natural hazards, such as erosion and sedimentation, and will minimize risk to life and property from slope failure, landslides, and flooding. The report shall include erosion and sediment control measures, such as temporary vegetation sufficient to stabilize disturbed areas. Prior to the issuance of any grading and/or building permit for new development within the hillside portions of the project site, the project applicant shall submit a geotechnical report prepared by a qualified professional to the City of Soledad Department of Public Works for review and approval. The site-specific geotechnical report shall identify feasible recommendations and avoidance measures to minimize potential impacts.	Developer	Public Works Director Notes:
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMIT	4.4-2 Prior to the onset of construction, trees and vegetation not planned for removal is identified on the improvement plans shall be protected during construction. This shall include the use of exclusionary fencing of herbaceous and shrubby vegetation, such as hay bales and protective wood barriers for trees. Only certified weed-free straw shall be used to avoid the introduction of non-native, invasive species. A qualified biological	Developer	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	monitor retained by the developer shall verify that adequate protective measures are in place prior to construction and remain intact throughout the construction phase.		
PRIOR TO ISSUANCE OF GRADING PERMIT IN ANY PHASE	4.4-4 Prior to the onset of construction, protective fencing shall be placed so as to keep construction vehicles and personnel from impacting vegetation adjacent to the project site outside of work limits. A qualified biological monitor shall verify protection is in place prior to construction and remains intact throughout the construction phase.	Developer	City Community & Economic Development Department Notes:
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMITS FOR IMPROVEMENTS ABOVE 400-FOOT CONTOUR LINE	4.4-7 A qualified botanist shall be retained to conduct preconstruction surveys for Lemmon's jewelflower during the typical flowering season of this species (March-May), to determine the presence/absence of this species. If no Lemmon's jewelflower is present, no additional mitigation is required. If Lemmon's jewelflower is present, a qualified biologist shall prepare a mitigation plan to be approved by CDFW prior to initiation of construction. The mitigation plan shall include a description of the special-status plant population(s), map depicting the location(s), and size of the population(s). Disturbance of the population(s) of Lemmon's jewelflower shall be avoided and its habitat protected utilizing methods developed in coordination with the CNPS and CDFW. Avoidance shall be confirmed by the City prior to the time of tentative map approval for this phase of the project. If the project biologist determines impacts to the Lemmon's jewelflower population(s) cannot be avoided, mitigation shall include preservation on- or off-site at a minimum 1:1 ratio (one plant preserved for each plant impacted), or restoration on- or off-site at a minimum 3:1 ratio (three plants planted for each plant impacted).	Developer	City Community & Economic Development Department Notes:
PRIOR TO ISSUANCE OF GRADING / BUILDING PERMITS	4.4-10 Pre-construction surveys for kit fox dens shall be required for all development phases of the future project. Pre-construction surveys shall be conducted by a qualified biologist retained by the developer no less than 14 days and no more than 30 days prior to the start of any ground disturbing activities to locate kit fox den sites. The preconstruction surveys shall be conducted per Standardized	Developer	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 1999b), as updated. Potential dens (including man-made structures) and known dens shall be protected by minimum buffers of 50 feet and 100 feet, respectively. If an occupied or unoccupied natal den is detected, no construction shall occur for the Phase until the USFWS and CDFW have been contacted and authorization to proceed has been obtained by the applicant.		
PRIOR TO ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.5-8.The project proponent shall provide the City of Soledad with documentation identifying construction personnel that will be responsible for on-site monitoring to ensure that project-impacts to potentially unknown archaeological resources are avoided.	Developer	Chief Building Official Notes:
PRIOR TO THE ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.6-1 To minimize the potential effects from strong seismic ground shaking on project components, a project-specific geotechnical analysis shall be performed by a registered professional engineer with geotechnical expertise, and all recommendations shall be incorporated into final design plans. Prior to the issuance of any building and/or grading permit, the project applicant shall submit a project-specific geotechnical analysis to the City of Soledad Public Works Director for review and approval. The project engineer shall develop project-level plans based upon and in response to the observations and recommendations made in the project specific geotechnical analysis.	Developer	City Department of Public Works Notes:
PRIOR TO ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.6-2 In order to minimize potential seismic-related hazards, the project engineer shall incorporate the seismic shaking analysis contained within the Geologic Hazards Investigation Update prepared by Nolan Associates (September 2006) into project design. Prior to the issuance of any building and/or grading permits, the project applicant shall submit design level plans demonstrating that	Developer	Director of Public Works; Chief Building Official Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	the recommendations of the Geologic Hazards Investigation Update are incorporated into project design, subject to the review and approval of the City of Soledad Public Works Director and Building Official as applicable. In addition, all structures shall be designed to the most current standards of the California Building Code, at a minimum.		
PRIOR TO THE ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.6-3 In order to minimize seismic-related hazards to new public facilities, a site-specific probabilistic seismic hazards assessment shall be incorporated into the design of any schools, hospitals, fire or police stations, or any other critical facilities planned for the project site. An individual assessment shall be performed for each site by an engineering geologist. Prior to the issuance of any grading and/or building permit for new public facilities, including but not limited to new schools, hospitals, and fire or police stations, a probabilistic seismic hazards assessments shall be prepared and submitted to the Soledad Unified School District and City of Soledad Building Official for review and approval.	Developer	Public Works Director; Chief Building Official Notes:
PRIOR TO ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.6-4 In order to reduce wind and water erosion on the project site, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods. The erosion control plan shall incorporate best management practices consistent with the 4.6-4 (continued) requirements of the National Pollution Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of SWPPP required by the California State Water Resources Control Board. If earth disturbing activities are proposed between October 15 and April 15, these activities shall be restricted	Developer	City Department of Public Works Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	per the requirements of Soledad Municipal Code Chapter 15.08. Prior to the issuance of any permit, the project proponent shall submit detailed plans to the satisfaction of the City of Soledad Public Works Director. The components of the erosion control plan and SWPPP shall be monitored for effectiveness by City of Soledad Public Works.		
PRIOR TO THE ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.6-6 All drainage from improved surfaces shall be captured by closed pipe or lined ditches and carried to neighborhood storm sewers or natural drainages. At no time shall any concentrated discharge be allowed to spill directly onto the ground adjacent to structures or to fall directly onto steep slopes. The control of runoff is essential for erosion control and prevention of water ponding against foundations and other improvements. The project shall implement Low Impact Development (LID) strategies, as determined appropriate by the City of Soledad, consistent with the requirements of Mitigation Measure 4.8-4. LID strategies shall be implemented in connection with the proposed project to the satisfaction of the City of Soledad. Prior to the issuance of any building or grading permit project applicant shall submit an erosion control plan and storm water pollution prevention plan consistent with this measure, subject to the review and approval of the City of Soledad Public Works Director.	Developer	Public Works Director Notes:
PRIOR TO THE ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.7-1 If results of the Phase II Environmental Site Assessment indicates the presence of contaminated soil in excess of screening levels for residential, educational, or commercial uses, a Remediation Plan shall be prepared and implemented to reduce contamination to acceptable levels, maintain the safety of construction workers and future site users, and assure proper management of contaminated materials in accordance with state and	Developer	Chief Building Official Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	local regulatory requirements. This plan shall be subject to review and approval by the Monterey County Division of Environmental Health. Prior to the issuance of any building and/or grading permit, the project applicant shall submit evidence to the City of Soledad Building Official for review and approval demonstrating compliance with this measure.		
PRIOR TO THE ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.10-14 The contractor shall prepare a detailed construction management plan identifying the schedule for major noise-generating construction activities. The construction management plan shall identify a procedure for coordination with the adjacent noise sensitive facilities so that construction activities can be scheduled to minimize noise disturbance. Prior to the issuance of any grading and/or building permit, the project applicant shall submit a detailed construction management plan to the City of Soledad Community Development Director for review and approval.	Contractor	Community Development Director Notes:
PRIOR TO THE ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.10-15 The project applicant shall designate a "disturbance coordinator" who shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem are implemented. Prior to the issuance of any grading and/or building permit, the project	Permit Applicant Or Contractor	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	proponent shall provide the City of Soledad Community Development Department Director with the contact information for the designated “disturbance coordinator.”		
PRIOR TO THE ISSUANCE OF GRADING / BUILDING PERMITS	4.12-3 Prior to the issuance of building permits, the applicant/developer shall pay a City Public Facilities Development Impact Fee for each type of new development in accordance with the adjusted impact fee in effect at the time of building permit issuance. All fees shall be subject to the review and approval of the City of Soledad Community Development Director.	Permit Applicant / developer	City Community & Economic Development Department Notes:
PRIOR TO THE ISSUANCE OF ANY GRADING / BUILDING PERMITS	4.12-5 In addition to the dedication of land, the developer(s) will pay school impact fees as prescribed by the law in effect at the time of payment. The applicant/developer shall pay a school impact fee for each type of development pursuant to the criteria set forth within California Government Code Section 65995. Prior to the issuance of building permits, the applicant shall pay required school mitigation fees and provide evidence of payment to the city.	Permit Applicant / developer	City Community & Economic Development Department Notes:
PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS	4.12-7 Prior to the issuance of any building permit, the applicant/developer shall submit payment of a Park Facilities Impact Fee in accordance with the adjusted impact fee in effect at the time of building permit issuance.	Permit Applicant / developer	City Community & Economic Development Department Notes:
PRIOR TO THE	4.10-14 The contractor shall prepare a detailed construction	Contractor	Public Works Director

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
ISSUANCE OF ANY GRADING / BUILDING PERMIT	management plan identifying the schedule for major noise-generating construction activities. The construction management plan shall identify a procedure for coordination with the adjacent noise sensitive facilities so that construction activities can be scheduled to minimize noise disturbance. Prior to the issuance of any grading and/or building permit, the project applicant shall submit a detailed construction management plan to the City of Soledad Public Works Director for review and approval.		Notes:
PRIOR TO THE ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.8-1 In order to ensure that impacts are minimized to the greatest extent feasible, the project shall be designed to meet the BMP standards for operational phase storm water runoff and to maintain the onsite BMPs. The project shall implement BMPs to manage water quality by providing onsite runoff treatment in line with the onsite infiltration system. Prior to the issuance of any grading and/or building permit, the project applicant shall prepare a Construction Management Plan that identifies a designated construction supervisor responsible for the continued implementation of all construction BMPs throughout the duration of project construction. Moreover, the Construction Management Plan shall also identify BMPs to be implemented as part of the project and associated monitoring activities. The Construction Management Plan shall be reviewed by the City of Soledad Public Works Director prior to the issuance of any permit.	Developer	City Department of Public Works Notes:
PRIOR TO THE ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.8-2 In order to prevent excess sediment buildup and ensure that all percolation basins are functioning in accordance with project-level plans, the project applicant and/or his/her successor in interest, shall be responsible for the long-term maintenance of all percolation basins and related private on-site drainage improvements and shall enter into a maintenance agreement with the City to provide for such. Bi-annually a basin maintenance report shall be submitted to	Developer	Department of Public Works Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	the City of Soledad, subject to the review and approval of the Public Works Director, demonstrating that the basins have been properly maintained and cleaned in accordance with City standards. Prior to the issuance of any building and/or grading permit, the project applicant shall enter into a maintenance agreement with the City of Soledad.		
PRIOR TO ISSUANCE OF ANY GRADING / BUILDING PERMIT	4.10-1 Maintain a sufficient buffer distance between transportation noise sources and future sensitive land uses, or alternatively, construct noise barriers or create acoustically shielded outdoor use areas utilizing buildings to achieve noise exposures of 65 dBA CNEL or less. The specific determination of necessary mitigation measures will be included in the detailed acoustical analyses (see mitigation 4.10-2) and design of future development projects within the specific plan area. Results of the analysis shall be subject to review and approval by the City Planning Department and all approved recommendations shall be incorporated into the improvement plans prior to each final map and issuance of a building permit.	Developer	Community Development Director and Chief Building Official Notes:
PRIOR TO ISSUANCE OF DEMOLITION / BUILDING PERMIT	4.4-16 A preconstruction nesting bird survey shall be conducted by a qualified biologist retained by the developer no more than 14 days prior to modification, demolition, or removal of onsite buildings. If no owls or other nesting birds are observed, then demolition or removal may proceed. 4.4-16 (continued) If barn owls (or any other nesting birds) are observed during the preconstruction survey, a determination shall be made on whether birds are roosting or nesting. If a single owl is roosting, demolition or removal of the structure can proceed after the owl has been persuaded to move from the roost area. Non-invasive techniques include light shining into the roost space for one or two nights and days.	Developer	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>If barn owls (or other nesting avian species) are found to be actively nesting in the barn, work on or demolition of the structure shall be postponed until one of the following conditions have been met: 1) a qualified biologist monitoring the nest determines that the owls have abandoned the nest without any outside interference or 2) a qualified biologist monitoring the nest has determined that the young have fledged and are capable of relocating and using another roost site.</p> <p>Once the young have fledged, non-invasive techniques may be used to encourage the owls to leave the barn. Under either scenario, the monitor shall ensure that all owls have left the building prior to construction or demolition activities. The barn owl nesting period is typically between February 15 and July 15.</p>		
PRIOR TO ISSUANCE OF DEMOLITION PERMIT	<p>4.7-3 In order to reduce human health risks to construction personnel and future site occupants, the project proponent shall retain a qualified consultant to survey all buildings to be demolished for asbestos under the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to demolition activities. If asbestos containing material is documented within existing on-site structures, all potentially friable asbestos shall be removed prior to building demolition in accordance with NESHAP guidelines. Prior to the issuance of a grading permit, the project proponent shall submit written evidence to the City of Soledad Chief Building Official from a qualified consultant demonstrating that all asbestos containing material, if present, has been properly removed and demolition activities may proceed without exposing construction personnel to asbestos related-hazards.</p>	Developer	Chief Building Official Notes:
PRIOR TO THE ISSUANCE OF DEMOLITION PERMIT	<p>4.7-4 In order to reduce human health risks to construction personnel and future site occupants, the project proponent shall retain a qualified consultant to conduct a lead-based paint survey to evaluate the presence of lead-based paint residues in site soils adjacent to existing structures. If lead contamination is documented on-site, all peeling and flaking lead-based paint shall be removed and properly disposed of separately from building debris, in accordance with</p>	Developer	Chief Building Official Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>current Department of Toxic Substances Control policies.</p> <p>In addition, all existing structures within the Specific Plan area that were constructed prior to 1978 shall be surveyed for lead-based paint prior to any demolition activities. Prior to the issuance of any permit for each phase of development, the project proponent shall submit written evidence from a qualified consultant documenting that all lead-based paint hazards have been appropriately removed and disposed of in accordance with industry standards, subject to the review and approval of the City of Soledad Chief Building Official.</p>		
PRIOR TO THE ISSUANCE OF BUILDING PERMIT	4.1-1. Building heights of all new structures shall adhere to the limits set forth in adopted Miramonte Specific Plan. Additionally, all new structures shall adhere to the applicable Development Standards as established in Section 2.4 of the Specific Plan. Prior to the issuance of any building permit for development within the Specific Plan area, the project applicant shall submit detailed plans, including elevations, site plans, and/or other documentation detailing compliance with applicable development standards, subject to the review and approval of the City of Soledad Chief Building Official.	Developer	Chief Building Official Notes:
PRIOR TO THE ISSUANCE OF BUILDING PERMIT	4.1-10 Final design plans for the proposed gateways shall include elements, such as signage, landscaping and landscaped center medians, and appropriate architectural detailing consistent with the adopted Miramonte Specific Plan. Prior to issuance of any permit for the construction of any of the four gateways, the project applicant shall submit detailed plans that include the above referenced elements, subject to the review and approval of the City	Developer	Community Development Director Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	of Soledad Community Development Director.		
PRIOR TO THE ISSUANCE OF BUILDING PERMIT FOR ANY RESIDENTIAL DEVELOPMENT	4.1-11. Final design plans for proposed residential development shall include form, scale, and character elements which emulate the best characteristics of the existing residential neighborhoods, such as single and two-story dwellings with adequate off-street parking, landscaped front yards with trees, and sidewalks. Prior to the issuance of any building permit for residential development within the Specific Plan area, the project applicant shall submit design-level drawings consistent with the intent of this measure, subject to the review and approval of the City of Soledad. All residential development within the Specific Plan area shall be subject to a conditional use or design-review process as administered by the City of Soledad Community Development Director.	Applicant	City Community & Economic Development Department Notes:
PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT FOR MULTI-FAMILY DEVELOPMENT	4.1-12 Final design plans for proposed multi-family development shall include useable open space for each dwelling and shall be designed to be integrated with the surrounding neighborhood. Prior to the issuance of any building permit for multi-family development within the Specific Plan area, the project applicant shall submit design-level drawings consistent with the intent of this measure, subject to the review and approval of the City of Soledad Community Development Director.	Applicant	City Community & Economic Development Department Notes:
PRIOR TO ISSUANCE OF BUILDING PERMIT	4.1-15. Ornamental lighting use for streets, parks, public open spaces, trails, bike paths, parking lots, and walkways shall utilize fixtures consisting of metal halide with full cut-off luminaries or other form of similar fixtures in order to control light and glare. Prior to the issuance of any building permit, the project applicant shall provide documentation as part of the exterior lighting plan described in Mitigation Measure 4.1- 14 demonstrating that these measures are	Developer	Community Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	incorporated into site lighting, subject to the review and approval of the Soledad Community Development Director.		
PRIOR TO ISSUANCE OF BUILDING PERMIT	4.1-16. Light reduction and screening measures shall be required in order to reduce nighttime ambient light increases in the area. Lighting levels in commercial areas shall be kept as low as feasible and controlled to minimize operating time. Light sources shall be installed, so there is no light radiation above the horizontal plane (i.e., dark sky). Lighting shall be focused downward to prevent the splay of ambient light to other areas. Prior to the issuance of any building permit, the project applicant shall provide documentation as part of the exterior lighting plan described in Mitigation Measure 4.1-12 demonstrating that these measures are incorporated into site lighting, subject to the review and approval of the Soledad Community Development Director.	Developer	Community Development Director Notes:
PRIOR TO ISSUANCE OF BUILDING PERMIT	4.3-4 Fireplaces and stoves shall be gas-fired and meet U.S. Environmental Protection Agency certification requirements. The installation or operation of a wood-burning fireplace or a wood-burning stove shall be prohibited in perpetuity on all residential properties in the Miramonte I Specific Plan Development. This restrictive covenant shall be recorded on the title of all parcels in the Miramonte I Specific Plan area and shall run with the land.	Developer	City Community & Economic Development Department Notes:
PRIOR TO ISSUANCE OF BUILDING PERMIT	4.10-2 Developer shall retain a qualified Acoustical Specialist to prepare for City review and approval a detailed acoustical analysis of interior noise reduction requirements and specifications for all projects proposed within the 60 dBA CNEL contours of area roadways, in accordance with State and City standards. Interior noise levels must be maintained at or below 45 dBA CNEL. Building sound insulation requirements will include forced air mechanical ventilation in noise environments exceeding 60 dBA CNEL. Special building construction techniques (e.g., sound-rated	Developer	Chief Building Official Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	windows and building facade treatments) may be required where exterior noise levels exceed 65 dBA CNEL. These treatments include, but are not limited to, sound rated windows and doors, sound rated exterior wall assemblies, and acoustical caulking. The specific determination of required treatments will be made on a unit-by-unit basis during project design. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City Chief Building Official along with the building plans prior to issuance of a building permit.		
PRIOR TO ISSUANCE OF BUILDING PERMIT	<p>4.10-3 Non-residential development will comply with the noise standards established in the Zoning Code at existing or planned residential properties in the vicinity. Further, efforts will be made to reduce noise impacts through the following planning and equipment requirements:</p> <ul style="list-style-type: none"> Development site planning will be utilized in a fashion that reduces noise impacts for nearby sensitive receptors, such as by not locating loading docks near residences. ▪ Equipment screens, fan silencers, and engine mufflers will be used to mitigate noise from mechanical equipment. ▪ Noise barriers will be used to control noise from parking and vehicle circulation. <p>For recreational uses, proposed development must consider impacts upon the adjacent residential development in terms of the location of active sports areas, their orientation on the site, whether or not lights are included, and speech amplification systems.</p>	Developer	<p>City Community & Economic Development Department</p> <p>Notes:</p>
PRIOR TO ISSUANCE OF THE FIRST BUILDING PERMIT	<p>4.13-2 Intersection of Moranda Road and Front Street. Signalize and add a second northbound through lane, and eastbound free-right-turn lane. This improvement is necessary with or without the project. The intersection of Moranda Road and Front Street would operate at LOS A with construction of this improvement or with construction of an extension of Market Street extension between San Vicente Road and the intersection of Moranda Road / Front</p>	Developer	<p>City Department of Public Works</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>Street (see Mitigation Measure 4.13-16) or an extension of Gabilan Drive from San Vicente Road to the U.S. Highway 101 northbound ramps (Mitigation Measure 4.13-17).</p> <p>The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. Prior to the issuance of any building permit for each phase of development, the project developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the project's fair share costs of construction of the improvements described in this measure. All required traffic impact fees shall be subject to the review by the Director of Public Works and approval of the City Council. These fees may be used, at the discretion of the City Council, to instead acquire land and construct either or both extensions of Market Street and Gabilan Drive identified above.</p> <p>If the extension of Market Street and/or Gabilan Drive is undertaken either by the City or by the developer (see Mitigation Measure 4.13-16 and Mitigation Measure 4.13-17), the intersection improvements listed in this measure would not be required unless the monitoring results (Mitigation Measure 4.13-15) indicate they are necessary to maintain acceptable levels of service at the intersection of Moranda Road and Front Street until the roadway extensions are complete. No certificate of occupancy shall be issued if the monitoring demonstrates that levels of service at this intersection degrade to an unacceptable level of service, determined by the Director of Public Works, until either the intersection improvements listed in this measure or an extension of Market Street or Gabilan Drive is complete.</p>		
<p>PRIOR TO ISSUANCE OF THE FIRST BUILDING PERMIT</p>	<p>4.13-3 Intersection of San Vicente Road and Front Street. Widen northbound San Vicente Road to three lanes, add two eastbound left-turn lanes and one southbound free-right turn lane. The intersection of San Vicente Road and Front Street would operate at LOS B with the construction of these improvements or with construction of a Market Street extension between San Vicente Road and the intersection of Moranda Road / Front Street (see Mitigation Measure 4.13-16) or an extension of Gabilan Drive from</p>	<p>Developer</p>	<p>City Department of Public Works</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>San Vicente Road to the U.S. Highway 101 northbound ramps (Mitigation Measure 4.13-17).</p> <p>The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. Prior to the issuance of any building permit for each phase of development, the project developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the project's fair share costs of construction of the improvements described in this measure. All required traffic impact fees shall be subject to the review by the Director of Public Works and approval of the City Council. These fees may be used at the discretion of the City Council, to instead acquire land and construct an extension of Market Street or Gabilan Drive as described above.</p> <p>If the extension of Market Street or Gabilan Drive are implemented (see Mitigation Measure 4.13-16 and Mitigation Measure 4.13-17), the intersection improvements listed in this measure would not be required unless the monitoring results (Mitigation Measure 4.13-15) indicate they are necessary to maintain acceptable levels of service at the intersection of San Vicente Road and Front Street until the roadway extensions are complete. No certificate of occupancy shall be issued if the monitoring demonstrates that levels of service at this intersection degrade to an unacceptable level of service, determined by the Director of Public Works, until either the intersection improvements listed in this measure or an extension of Market Street or Gabilan Drive is complete.</p>		
<p>PRIOR TO ISSUANCE OF THE FIRST BUILDING PERMIT</p>	<p>4.13-4 Intersection of San Vicente Road and Gabilan Drive. Signalize and add a second westbound left turn lane, and widen southbound San Vicente Road to accommodate the two left-turn lanes. The intersection would operate at an acceptable LOS A with the construction of these improvements or with construction of the Gabilan Drive extension from San Vicente Road to the U.S. Highway 101 northbound ramps (Mitigation Measure 4.13-17).</p>	<p>Developer</p>	<p>City Department of Public Works Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. Prior to the issuance of any building permit for each phase of development, the project developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the project's fair share costs of construction of the improvements described in this measure. All required traffic impact fees shall be subject to the review by the Director of Public Works and approval of the City Council. These fees may be used by the city, at the discretion of the City Council, to instead acquire land and construct an extension of Gabilan Drive as described above.</p> <p>If the extension of Gabilan Drive is implemented (see Mitigation Measure 4.13-17), the intersection improvements listed in this measure would not be required unless the monitoring results (Mitigation Measure 4.13-15) indicate they are necessary to maintain acceptable levels of service at the intersection of San Vicente Road and Gabilan Drive until the roadway extension improvement is complete. No certificate of occupancy shall be issued if the monitoring demonstrates that levels of service at this intersection degrade to an unacceptable level of service, determined by the Director of Public Works, until either the intersection improvements listed in this measure or an extension of Gabilan Drive is complete.</p>		
<p>PRIOR TO ISSUANCE OF THE FIRST BUILDING PERMIT</p>	<p>4.13-6 Intersection of Main Street and Gabilan Drive. The intersection of Main Street and Gabilan Drive will operate at LOS A with signalization and protected left-turn phasing along Gabilan Drive. With the construction of the Gabilan Drive extension to U.S. Highway 101, signalization of this intersection would not be necessary.</p> <p>The project developer is responsible for the project's fair share</p>	<p>Developer</p>	<p>Director of Public Works Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>contribution of costs to mitigate the project's impact to this intersection. Prior to the issuance of any building permit for each phase of development, the project developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the project's fair share costs of construction of the improvements described in this measure. All required traffic impact fees shall be subject to the review by the Director of Public Works and approval of the City Council. These fees may be used by the city, at the discretion of the City Council, to instead acquire land and construct an extension of Gabilan Drive as described above.</p> <p>If the extension of Gabilan Drive is implemented (see Mitigation Measure 4.13-17), the intersection improvements listed in this measure would not be required unless the monitoring results (Mitigation Measure 4.13-15) indicate they are necessary to maintain acceptable levels of service at the intersection of Main Street and Gabilan Drive until the roadway extension improvement is complete. No certificate of occupancy shall be issued if the monitoring demonstrates that levels of service at this intersection degrade to an unacceptable level of service, determined by the Director of Public Works, until either the intersection improvements listed in this measure or an extension of Gabilan Drive is complete.</p>		
PRIOR TO THE ISSUANCE BUILDING PERMIT FOR EACH PHASE OF DEVELOPMENT	4.13-9 Intersections of Oak Street and Front Street and Front Street and Nestles Road. The project developer is responsible for the project's fair share contribution of costs to mitigate the impact to this intersection; however, construction of the Pinnacles Parkway project , funded by Measure X revenues, would improve intersection operations to acceptable levels of service. If the development of the project precedes completion of the Pinnacles Parkway, the project developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit	Developer	City Department of Public Works Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>issuance. All fees shall be paid prior to the issuance of any building permits for each phase of development and shall be subject to the review by the Director of Public Works and approval of the City Council.</p>		
<p>PRIOR TO ISSUANCE OF BUILDING PERMIT FOR EACH PHASE OF DEVELOPMENT</p>	<p>4.13-10 Moranda Road and U.S. Highway 101 Northbound Ramps: Signalize the intersection and widen the Northbound US 101 on ramp to add a second NB left-turn lane. This improvement requires coordination and approval by Caltrans.</p> <p>The project developer is responsible for a fair share contribution of costs towards the construction of this improvement. Prior to the issuance of any building permit for each phase of development, the project developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the project's proportionate share of costs to construct this improvement and shall also pay the TAMC Regional Development Transportation Impact Fees.</p> <p>The payment of fees is considered mitigation for project impacts to freeway highway and regional facilities. All required traffic impact fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the review by the Director of Public Works and approval of the City Council.</p> <p>4.13-10 (continued)</p> <p>Subject to the review and approval by the Director of Public Works, the City Council may exercise its discretion and instead use the project's payment of city fees for the project's proportionate share of costs for construction of the Market Street Extension to Moranda Road and/or an extension of Gabilan Drive to U.S. Highway 101.</p> <p>Improvements to this interchange are within the jurisdiction of</p>	<p>Developer</p>	<p>City Department of Public Works</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	Caltrans and not under the control of the city. Should the improvement of the interchange not be implemented by Caltrans the impact would be considered significant and unavoidable.		
PRIOR TO ISSUANCE OF BUILDING PERMITS FOR ANY PHASE	<p>4.13-11. U.S. Highway 101 Interchange at Moranda Road/Front Street. Prior to the issuance of any building permit the project developer shall pay the project's fair share of TAMC Regional Development Transportation Impact fees. These fees may be used by TAMC for the construction of interchange improvements that may include signalizing the intersection and adding a second lane on the off-ramp and/or reconfiguration and/or reconstruction of the U.S. Highway 101 interchange at Moranda Road/Front Street.</p> <p>However, improvements to the interchange are within the jurisdiction of Caltrans and not under the control of the city. Should the improvement of the interchange not be implemented by Caltrans the impact would be considered significant and unavoidable.</p> <p>All required traffic impact fees shall be subject to the review by the Director of Public Works and approval of the City Council.</p>	Developer	<p>City Department of Public Works</p> <p>Notes:</p>
PRIOR TO THE ISSUANCE OF BUILDING PERMITS IN ANY PHASE	<p>4.13-12 U.S. Highway 101 Freeway Segments. Prior to the issuance of any building permit for each phase of development, the project developer shall submit payment of the TAMC Regional Development Transportation Impact Fee and City of Soledad traffic impact fees in effect at the time of building permit issuance in order to mitigate the project's impacts to the identified freeway segments. The payment of fees is considered mitigation for project impacts to freeway highway and regional facilities. All required traffic impact fees shall be subject to the review by the Director of Public Works</p>	Developer	<p>City Department of Public Works</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	and approval of the City Council.		
PRIOR TO THE ISSUANCE OF BUILDING PERMITS IN ANY PHASE	4.13-13 Moranda Road and Front Street: Addition of an east leg to the intersection to serve the Soledad Plaza project site. In order to mitigate potential impacts at this intersection, the project applicant shall submit payment of the City's adopted traffic impact fee in effect at the time of building permit issuance for each phase of development, subject to the review and approval of the City of Soledad Director of Public Works. All fees shall be paid prior to the issuance of any building permit for each phase of development. All required traffic impact fees shall be subject to the review by the Director of Public Works and approval of the City Council. The fees collected for this improvement may instead be used by the City, at the discretion of the City Council, for the project's proportionate share of costs associated with the construction of an extension of Market Street from San Vicente Road to the Moranda Road/Front Street intersection. Construction of the Market Street extension would mitigate the project's cumulative impact at the intersection of Moranda Road and Front Street.	Developer	City Department of Public Works Notes:
PRIOR TO THE ISSUANCE OF BUILDING PERMITS IN ANY PHASE	4.13-14 San Vicente Road and Gabilan Drive: Addition of a west leg to the intersection to serve the Soledad Plaza project site. In order to mitigate potential impacts at this intersection, the project applicant shall submit payment of the City's adopted traffic impact fee in effect at the time of building permit issuance for each phase of development, subject to the review by the Director of Public Works and approval of the City Council.. All fees shall be paid prior to the issuance of any building permit for each phase of development. The fees collected for this improvement may instead be used by the City,	Developer	City Department of Public Works Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>at the discretion of the City Council, for the project's proportionate share of costs associated with the construction of an extension of Gabilan Drive from San Vicente Road to the northbound U.S. Highway 101 northbound ramps. Construction of the Gabilan Drive extension would mitigate the project's cumulative impact at the intersection of San Vicente Road and Gabilan Drive.</p>		
<p>PRIOR TO ISSUANCE OF THE FIRST RESIDENTIAL BUILDING PERMIT AND ROUTINELY THEREAFTER IN INCREMENTS OF 200 RESIDENTIAL BUILDING PERMITS.</p>	<p>4.13-15 Traffic Level of Service Monitoring Program. The following intersections shall be monitored by the city at the developer's expense to ensure that acceptable levels of service are maintained in accordance with the City of Soledad's adopted standards throughout development of the specific plan area:</p> <ul style="list-style-type: none"> • Moranda Road / Front Street; • U.S. Highway 101 Northbound Ramps and Moranda Road / Front Street; • San Vicente Road / Front Street; • San Vicente Road / Gabilan Drive; and • Main Street / Gabilan Drive. <p>4.13-15 (continued)</p> <p>Monitoring shall be conducted by a qualified transportation engineer retained by the applicant and shall commence at issuance of the first residential building permit and routinely thereafter in increments of 200 residential building permits until the intersection improvements identified in Mitigation Measures 4.13-2, 4.13-3, 4.13-4, 4.13-6, and 4.13-10, or the Market Street and Gabilan Drive extensions are complete.</p>	<p>Developer</p>	<p>Director of Public Works</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>The Monitoring Program shall include the following:</p> <ul style="list-style-type: none"> a. Conduct analyses of all applicable traffic operations based on field-measured data; b. Study prevailing traffic and roadway conditions; c. Report the results to the City of Soledad Director of Public Works, who shall determine if and when the improvement is identified above is necessary. <p>No building permit shall be issued for any phase of the project unless intersection levels of service are operating at the City's adopted acceptable threshold LOS D.</p>		
<p>PRIOR TO ISSUANCE OF THE FIRST RESIDENTIAL BUILDING PERMIT AND ROUTINELY THEREAFTER IN INCREMENTS OF 200 RESIDENTIAL BUILDING PERMITS.</p>	<p>4.13-16 Market Street Extension Alternative Mitigation. Payment of the project's proportionate share of fees to mitigate project contributions to cumulative impacts to the three intersections identified in Mitigation Measures 4.13-2, 4.13-3, and 4.13-10, may be used, at the discretion of the City Council, to instead acquire land and construct an extension of Market Street between San Vicente Road and the intersection of Moranda Road / Front Street.</p> <p>This improvement would mitigate the project's impacts to the following intersections:</p> <p>4.13-16 (continued)</p> <ul style="list-style-type: none"> • Moranda Road / Front Street; • U.S. Highway 101 Northbound Ramps and Moranda Road / Front Street; and • San Vicente Road / Front Street. <p>The project developer may choose to design and construct the Market</p>	Developer	<p>Director of Public Works</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>Street Extension in exchange for a potential credit in traffic impact fees for future development within the specific plan area, and would be eligible for entering into a reimbursement agreement with the City. The developer's costs associated with this improvement may be subject to partial reimbursement subject to a reimbursement agreement with the City.</p> <p>If the developer chooses to construct this improvement, the developer shall retain a qualified engineer to design the improvement in conformance with the City's performance thresholds and design criteria. The engineered plans shall be submitted to the Director of Public Works prior to issuance of the 200th residential building permit, and shall be constructed prior to issuance of the 400th residential building permit. This timeframe may be modified by the Director of Public Works if the results of traffic monitoring (Mitigation Measure 4.13-15) indicate that a shorter or lengthier time frame is warranted. All traffic facility improvement plans or traffic impact fees shall be subject to the review and approval by the Director of Public Works. If the Market Street Extension is constructed, the improvements identified in mitigation measures 4.13-2, 4.13-3, and 4.13-10 would not be required.</p>		
<p>PRIOR TO ISSUANCE OF THE FIRST RESIDENTIAL BUILDING PERMIT AND ROUTINELY THEREAFTER IN INCREMENTS OF 200 RESIDENTIAL</p>	<p>4.13-17 Gabilan Drive Extension Alternative Mitigation. Payment of the project's proportionate share of fees to mitigate project contributions to cumulative impacts to the five intersections identified in Mitigation Measures 4.13-2, 4.13-3, 4.13-4, 4.13-6, and 4.13-10, may be used, at the discretion of the City Council, to instead acquire land and construct an extension of Gabilan Drive between San Vicente Road and the U.S. Highway 101 Northbound ramps. This improvement requires coordination with Caltrans for modification of the northbound ramps.</p>	<p>Developer</p>	<p>Director of Public Works Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
BUILDING PERMITS.	<p>This improvement, if constructed in lieu of the Market Street extension or the intersection improvements identified in mitigation measures 4.13-2, 4.13-3, and 4.13-10, would mitigate the project's impacts to the following intersections:</p> <ul style="list-style-type: none">• Moranda Road / Front Street;• U.S. Highway 101 Northbound Ramps and Moranda Road / Front Street;• San Vicente Road / Front Street;• San Vicente Road / Gabilan Drive; and• Main Street / Gabilan Drive. <p>The project developer may choose to design and construct the Gabilan Drive Extension in exchange for a potential credit in traffic impact fees for future development within the specific plan area, and would be eligible for entering into a reimbursement agreement with the City. The developer's costs associated with this improvement may be subject to partial reimbursement subject to a reimbursement agreement with the City.</p> <p>If the developer chooses to construct the Gabilan Drive extension improvement the developer shall retain a qualified engineer to design the improvement in conformance with the City's performance thresholds and design criteria.</p> <p>4.13-17 (continued)</p> <p>The engineered plans shall be submitted to the Director of Public Works prior to issuance of the 200th residential building permit, and shall be constructed prior to issuance of the 400th residential building permit. This timeframe may be modified by the Director of Public Works if the Market Street extension is operational and the results of traffic monitoring (Mitigation Measure 4.13-15) indicate that a shorter or lengthier time frame is warranted. All traffic facility improvement plans and traffic impact fees shall be subject to the review and approval by the Director of</p>		

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>Public Works.</p> <p>If the Market Street Extension and the Gabilan Drive Extension are constructed, the improvements identified in Mitigation Measures 4.13-4, 4.13-6, and 4.13-10 are not required. If only the Gabilan Drive Extension is constructed, the improvements identified in Mitigation Measures 4.13-2, 4.13-3, 4.13-4, 4.13-6 and 4.13-10 are not required.</p>		
PRIOR TO ISSUANCE OF BUILDING PERMITS IN ANY PHASE	4.14-1 Prior to issuance of any building permits in any phase the developer shall construct the water supply and distribution system for the project based upon the performance standards in the Water Master Plan and city design criteria in accordance with the approved design-level infrastructure plans in accordance with this measure, subject to the review and approval of the City of Soledad Director of Public Works.	Developer	<p>Department of Public Works</p> <p>Notes:</p>
PRIOR TO ISSUANCE OF BUILDING PERMITS IN ANY PHASE	4.14-2 All water facilities and infrastructure shall be designed with sufficient capacity to accommodate the project and be required to adhere to all applicable City standards in terms of infrastructure sizing, design and construction. Prior to the issuance of any building permit, the project applicant shall submit detailed design-level infrastructure plans in accordance with this measure, subject to the approval of the Director of Public Works.	Developer	<p>City Department of Public Works</p> <p>Notes:</p>
PRIOR TO ISSUANCE OF BUILDING PERMITS IN ANY PHASE	4.14-3 All water pipelines shall be placed underground and in the utilities right-of-way and constructed to comply with all applicable state and local standards. Prior to the issuance of any building permit, the project applicant shall submit detailed design-level infrastructure plans in accordance with this measure, subject to the review and approval of the City of Soledad Director of Public Works.	Developer	<p>City Department of Public Works</p> <p>Notes:</p>
PRIOR TO	4.14-4 The project shall be required to construct new infrastructure	Developer	City Department of Public

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
ISSUANCE OF BUILDING PERMITS IN ANY PHASE	that is of adequate capacity to serve the project's projected water and fire flow demand in addition to the city's existing commitments. Prior to the issuance of any building permit, the project applicant shall submit detailed design-level infrastructure plans in accordance with this measure, subject to the approval of the Director of Public Works.		Works Notes:
PRIOR TO ISSUANCE OF BUILDING PERMITS IN ANY PHASE	4.14-8 Prior to the issuance of any building permit, the applicant/developer shall submit payment of the current City Development Impact Fee for each type of land use in accordance with the adjusted impact fee in effect at the time of building permit issuance subject to the review and approval of the Director of Public Works.	Developer	City Department of Public Works Notes:
PRIOR TO ISSUANCE OF BUILDING PERMITS IN ANY PHASE	4.14-9 All wastewater infrastructure shall be designed with sufficient capacity to accommodate the project and be required to adhere to all applicable City standards in terms of infrastructure sizing, design and construction. Prior to the issuance of any building and/or grading plan, the project applicant shall submit detailed design-level infrastructure plans, consistent with the requirements of this mitigation, subject to the approval of the Director of Public Works.	Developer	City Department of Public Works Notes:
PRIOR TO ISSUANCE OF BUILDING PERMITS IN ANY PHASE	4.14-10 All wastewater pipelines shall be placed underground and in the utilities right-of-way. Prior to the issuance of any building permit, the project applicant shall submit detailed design-level infrastructure plans in accordance with this measure, subject to the review and approval of the City of Soledad Director of Public Works.	Developer	City Department of Public Works Notes:
PRIOR TO ISSUANCE OF BUILDING PERMITS IN ANY PHASE	4.14-11 Prior to issuance of any building permit, the project applicant shall submit detailed design-level documentation, in addition to written documentation from the City of Soledad, documenting that	Applicant/developer	City Department of Public Works

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PERMITS IN ANY PHASE	design level plans are in accordance with City standards and requirements, as well as documenting that the City has sufficient capacity to accommodate project demands in addition to existing commitments, subject to the approval of the Director of Public Works.		Notes:
PRIOR TO DEMOLITION OF ON-SITE BUILDINGS	<p>4.4-12 A qualified bat specialist retained by the developer shall conduct site surveys to characterize bat utilization of the site and species composition present (techniques utilized to be determined by the biologist). The results of the survey shall be submitted to the City prior to issuance of grading permit or initiation of grading for that phase of development on the site. Based on the results of these surveys, one or more of the following additional measures shall be implemented:</p> <ul style="list-style-type: none"> • If it is determined that bats are not present at the site, no additional mitigation is required; <p>4.4-12 (Continued)</p> <ul style="list-style-type: none"> • If it is determined that bats are utilizing the site and would likely be impacted by the proposed project, preconstruction surveys shall be conducted no more than 30 days prior to modification, demolition, or removal of onsite buildings and/or any other occupied habitat. If no bat or bat sign are observed in the course of preconstruction surveys, then demolition/removal of buildings and/or construction initiation may proceed. If bat and/or bat sign are observed during the preconstruction surveys, the biologists shall determine if disturbance will jeopardize a maternity roost, or another type of roost (foraging, day, night). • If a single bat and/or only adult bats are roosting, demolition or removal of the structure can proceed after the bats have been safely excluded from 	Developer	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>the roost. Exclusion techniques shall be determined by the biologist and depend on the type utilization; the biologist shall prepare a mitigation plan for provision of alternative habitat to be approved by CDFW and the City.</p> <ul style="list-style-type: none"> • If an active maternity roost is detected, work in the vicinity of the roost (and/or demolition of the structure) shall be postponed until the qualified biologist monitoring the roost(s) determines that the young have fledged and are no longer dependent on the roost. The monitor shall ensure that all bats have left the building and or area of disturbance prior to initiation of construction and/or demolition activities. If disruption of a maternity roost cannot be avoided, a depredation permit would be required. 		
PRIOR TO DEMOLITION OF ON-SITE BUILDINGS	<p>4.4-16 A preconstruction survey shall be conducted by a qualified biologist retained by the developer no more than 14 days prior to modification, demolition, or removal of onsite buildings. If no owls or other nesting birds are observed, then demolition or removal may proceed. If barn owls (or any other nesting birds) are observed during the preconstruction survey, a determination shall be made on whether birds are roosting or nesting. If a single owl is roosting, demolition or removal of the structure can proceed after the owl has been persuaded to move from the roost area.</p> <p>4.4-16 (continued)</p> <p>Non-invasive techniques include light shining into the roost space for one or two nights and days.</p> <p>If barn owls (or other nesting avian species) are found to be actively nesting in the barn, work on or demolition of the structure shall be postponed until one of the following conditions have been met: 1) a qualified biologist monitoring the nest determines that the owls have abandoned the nest without any outside interference or 2) a qualified biologist monitoring the nest has determined that the young have fledged and are capable of relocating and using another</p>	Developer	<p>City Community & Economic Development Department</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	<p>roost site. Once the young have fledged, non-invasive techniques may be used to encourage the owls to leave the barn. Under either scenario, the monitor shall ensure that all owls have left the building prior to construction or demolition activities. The barn owl nesting period is typically between February 15 and July 15.</p>		
<p>PRIOR TO ISSUANCE OF GRADING OR DEMOLITION PERMITS</p>	<p>4.7-2 Prior to commencement of new development, the applicant shall obtain approval of a Soil Management Plan from the Monterey County Division of Environmental Health, which establishes management practices for handling potentially contaminated soil, if encountered, during construction/grading activities.</p> <p>In order to reduce human health risks to construction personnel and future site occupants, the project proponent shall retain a qualified consultant to survey all buildings to be demolished for asbestos under the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to demolition activities.</p> <p>4.7-2 (Continued)</p> <p>If asbestos containing material is documented within existing on-site structures, all potentially friable asbestos shall be removed prior to building demolition in accordance with NESHAP guidelines. Prior to the issuance of a grading permit, the project proponent shall submit written evidence to the City of Soledad Building Official from a qualified consultant demonstrating that all asbestos containing material, if present, has been properly removed and demolition activities may proceed without exposing construction personnel to asbestos related-hazards.</p>	<p>Developer</p>	<p>Chief Building Official</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
PRIOR TO ISSUANCE OF DEMOLITION PERMITS	4.7-3 In order to reduce human health risks to construction personnel and future site occupants, the project proponent shall retain a qualified consultant to survey all buildings to be demolished for asbestos under the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to demolition activities. If asbestos containing material is documented within existing on-site structures, all potentially friable asbestos shall be removed prior to building demolition in accordance with NESHAP guidelines. Prior to the issuance of a grading permit, the project proponent shall submit written evidence to the City of Soledad Director of Public Works from a qualified consultant demonstrating that all asbestos containing material, if present, has been properly removed and demolition activities may proceed without exposing construction personnel to asbestos related-hazards.	Contractor	Chief Building Official Notes:
DURING GRADING/CONSTRUCTION	4.4-2 During construction, trees and vegetation not planned for removal as identified on the improvement plans shall be protected during construction to the maximum extent feasible. This shall include the use of exclusionary fencing of herbaceous and shrubby vegetation, such as hay bales and protective wood barriers for trees. Only certified weed-free straw shall be used to avoid the introduction of non-native, invasive species. A qualified biological monitor retained by the developer shall verify that adequate protective measures are in place prior to construction and remain intact throughout the construction phase.	Contractor	City Community & Economic Development Department Notes:
DURING	4.4-5 Grading, excavating, and other activities that involve substantial	Contractor	Department of Public

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
GRADING/ CONSTRUCTION	soil disturbance shall be planned and carried out in consultation with a qualified hydrologist, engineer, or erosion control specialist, and shall utilize standard erosion control techniques to minimize erosion and sedimentation to native vegetation. Only natural-fiber, biodegradable meshes shall be used in erosion control mats, blankets, and straw or fiber wattles. "Photodegradable" and other plastic mesh products will not be used as these materials are known to persist in the environment, ensnaring and killing a variety of terrestrial wildlife species. A qualified biological monitor retained by the developer shall verify that erosion control measures are implemented and materials used are consistent with this measure and remain intact throughout the construction phase.		Works Notes:
DURING GRADING/ CONSTRUCTION	4.4-6 No construction equipment shall be serviced or fueled outside of designated staging areas. A qualified biological monitor retained by the developer shall verify that this measure is being implemented throughout the construction phase.	Contractor	Chief Building Official Notes:
DURING GRADING/ CONSTRUCTION	4.4-17 The applicant shall retain a qualified biologist to conduct a construction monitoring program for black legless lizards, coast horned lizards, and San Joaquin coachwip which shall include procedures for capture and release. The biologist shall remain on-site during initial grading activities to salvage and relocate these species that may be uncovered during earthmoving activities. Recovered individuals shall be placed in appropriate habitat outside of the project site in accordance with the MOU with CDFW. The biologist shall walk alongside the grading equipment in each new area of disturbance and shall have the authority to halt construction temporarily if necessary to capture and relocate an individual. Any individual captured in the grading zone shall be relocated as soon as possible to	Contractor	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

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	adjacent suitable habitat outside of the area of impact, pursuant to the MOU.		
DURING GRADING/ CONSTRUCTION	<p>4.4-10 In addition to pre-construction surveys, a qualified biologist retained by the developer, meeting the required qualifications described in the U.S. Fish and Wildlife Service Standardized Recommendations for the Protection of the San Joaquin Kit Fox Prior to Ground Disturbance, June 1999 (USFWS Recommendations for SJKF), shall be on-site to monitor construction activities for the San Joaquin kit fox. In the event that an active kit fox den is found, then the standard mitigation actions outlined in the USFWS Recommendations for SJKF, are recommended to avoid possible take of kit fox during future construction activities. These actions are general in nature; therefore, site specific strategies for the project site shall be based upon consultation with USFWS and CDFW (refer to Mitigation Measure 4.4-9).</p> <p>To reduce the risk of impacts during construction, the applicant shall, at a minimum, implement the following measures, unless directed otherwise through consultation with the USFWS and CDFW:</p> <p>4.4-10 (continued)</p> <p>a) Restrict project-related vehicle speed to 20 mph on project roads.</p> <p>b) Cover all excavated, steep-walled holes or construction trenches more than 2 feet deep at the close of each working day by plywood or similar materials or provide such holes or trenches with one or more escape ramps constructed of earth fill or wooden planks, inspect such holes or trenches for trapped San Joaquin kit fox prior to filling.</p> <p>c) Inspect all construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one</p>	Contractor	<p>City Community & Economic Development Department</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

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	<p>or more overnight periods for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way.</p> <p>d) Contain all food-related trash items in closed containers and remove food related trash at least once a week from the project site.</p> <p>e) No firearms shall be allowed on the project site.</p> <p>f) No pets shall be permitted on the project site.</p> <p>g) Use of rodenticides and herbicides on the project site shall be restricted to the use of zinc phosphide, in cases where it is necessary to protect public health and safety.</p> <p>h) A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped individual. The representative will be identified during the employee education program. The representative's name and telephone number shall be provided to the Service.</p> <p>i) An employee education program shall be conducted and shall consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and agency personnel involved in the project. The program shall include the following:</p> <p>4.4-10 (continued)</p> <ul style="list-style-type: none">• a description of the San Joaquin kit fox and its habitat needs;• a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and• a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to the above-mentioned people and anyone else who may enter the project site. <p>j) In the case of trapped animals, escape ramps or structures shall be</p>		

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

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	<p>installed immediately to allow the animal(s) to escape, or the Service shall be contacted for advice.</p> <p>k) To the extent feasible, nighttime construction shall be avoided.</p> <p>l) Include kit fox mitigation measures on project plans If active kit fox den sites are found and/or kit fox individuals are observed during the survey, the applicant will be required to comply with all mitigation actions required by USFWS and CDFW and the City shall monitor implementation of those actions. Examples of mitigation actions that may be required by the regulatory agencies may include, but are not limited to:</p> <ul style="list-style-type: none">• To the extent feasible, lot placement shall be situated to create wildlife corridors in protected open space to allow for kit fox and other wildlife movement through the site.• Fencing shall surround the site to restrict kit fox movement into the development area; types of fencing (e.g. exclusionary or kit fox friendly) shall depend on the density of the development area.• Speed bumps, rolls, or reduced speed limits shall be employed along project roads in or near open space areas to reduced likelihood of kit fox mortality by vehicle strikes.• Street lighting shall be situated as to not spill into adjacent open space areas. The height and intensity of street lighting shall be designed to minimize indirect impacts to open space. Outdoor lighting for residential uses adjacent to open space and large lots shall also be restricted to CC&Rs to be low wattage (150 watts or less) and directed toward the residences to reduce effects on kit fox nocturnal activities.		

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
DURING GRADING/ CONSTRUCTION	4.4-20 A representative appointed by the City who will be the contact source for any employee or contractor who may inadvertently kill or injure a special-status species or find one dead, injured, or trapped will be present onsite every day and will be accessible to regulatory agency personnel. The representative shall be legally responsible to notify USFWS and CDFW immediately in the event that “take” of any special-status wildlife species occurs.	Developer	City Community & Economic Development Department Notes: this is part of the employee education program
DURING GRADING/ CONSTRUCTION	4.4-21 All food-related and other trash shall be disposed of in closed containers and removed from the project area at least once a week during the construction period or more often if trash is attracting avian or mammalian predators. Construction personnel shall not feed or otherwise attract wildlife to the area. These instructions to the construction crew shall be reiterated during the employee education program and during update meetings with construction crews. The instructions shall also be posted conspicuously on the site.	Contractor	City Community & Economic Development Department Notes:
DURING GRADING/ CONSTRUCTION	4.6-4 Per the approved SWPPP, the following measures shall be implemented, where deemed appropriate by the Director of Public Works, to control erosion: 1) Keep construction machinery off of established vegetation as much as possible, especially the vegetation on the upwind side of the construction site; 2) Establish specific access routes at the planning phase of the project, and limits of grading prior to development, which should be strictly observed; 3) Utilize mechanical measures (i.e. walls from sand bags and/or wooden slat or fabric fences) to reduce sand movement; 4) Immediate revegetation (plus the use of temporary stabilizing sprays),	Contractor	City of Soledad Public Works Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
	to keep sand movement to a minimum; and 5) For larger-scale construction, fabric or wooden slat fences should be placed around the construction location to reduce sand movement.		
DURING CONSTRUCTION	4.8-2 The designated construction supervisor shall implement construction BMPs identified in the Construction Management Plan for the duration of project construction.	Contractor	City Department of Public Works Notes:
DURING CONSTRUCTION/ GRADING	4.10-5 Noise-generating activities at the construction site or in areas adjacent to the construction site associated with the project in any way should be restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays, unless otherwise approved by the City. No construction activities should occur on Sundays or holidays, including New Years and 4th of July.	Contractor	City Community & Economic Development Department Notes:
DURING GRADING/ CONSTRUCTION	4.10-6 Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.	Contractor	Chief Building Official Notes:
DURING GRADING/ CONSTRUCTION	4.10-7 Locate stationary noise generating equipment (e.g., portable concrete crusher) as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise generating equipment when located near adjoining sensitive land uses.	Contractor	Chief Building Official Notes:
DURING	4.10-8 Utilize "quiet" air compressors and other stationery noise	Contractor	Chief Building Official

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

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GRADING/ CONSTRUCTION	sources where technology exists.		Notes:
DURING GRADING/ CONSTRUCTION	4.10-9 Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction related heavy truck traffic in residential areas where feasible.	Contractor	Chief Building Official Notes:
DURING GRADING/ CONSTRUCTION	4.10-10 Control noise from construction workers' radios to a point that they are not audible at existing residences bordering the project site.	Contractor	Chief Building Official Notes:
DURING GRADING/ CONSTRUCTION	4.10-11 Consider the use of multiple-pile drivers to expedite construction where pile driving is required. (Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving activities would be reduced.	Contractor	Chief Building Official Notes:
DURING GRADING/ CONSTRUCTION	4.10-12 Use temporary noise control blanket barriers to shroud pile drivers or erect in a manner to shield the adjacent land uses. Such noise control blanket barriers can be rented and quickly erected.	Contractor	Chief Building Official Notes:
DURING GRADING/ CONSTRUCTION	4.10-13 Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. Pre-drilling reduces the number of blows required to seat the pile and is a standard construction noise control technique.	Contractor	Chief Building Official Notes:
DURING GRADING/ CONSTRUCTION	4.10-14 The contractor shall implement the construction management plan identifying the schedule for major noise-generating construction activities.	Contractor	Chief Building Official Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
DURING GRADING/ CONSTRUCTION	4.10-15 The designated disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem are implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.	Designated disturbance coordinator	City Community & Economic Development Department Notes:
DURING GRADING OR TRENCHING FOR UTILITIES	4.5-8. If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 150 feet (50 meters) of the find until a qualified professional archaeologist can evaluate it. Work shall not recommence until the project archaeologist has submitted documentation to the City indicating that discovered resources have been adequately salvaged and no further resources have been identified within the area of disturbance.	Contractor	City Community & Economic Development Department Notes:
DURING GRADING OR TRENCHING FOR UTILITIES	4.5-9 If buried human remains are encountered during construction, work in that area must halt and the archaeologist and the coroner immediately notified. If the remains are determined to be Native American, then the NAHC must be notified within 24 hours as required by Public Resources Code 5097. The NAHC will notify designated Most Likely Descendants who will provide recommendations for the treatment of the remains within 48 hours. The NAHC will mediate any disputes regarding treatment of remains. Work shall not recommence until the project archaeologist, coroner, and NAHC, submit documentation to the City indicating that buried human remains have been adequately salvaged and no further remains have been identified within the area of disturbance.	Contractor	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

Timeline	Mitigation Measure	Party Responsible for Implementation	Party Responsible for Verification, and notes.
DURING GRADING OR TRENCHING FOR UTILITIES	4.6-5. Areas disturbed by grading shall be stabilized with adequate landscaping vegetative cover. A re-vegetation and landscaping plan shall be prepared by a landscape architect with experience in working with the type of soils that are characteristic of the site, subject to the review and approval of the City of Soledad. Prior to the issuance of any certificate of occupancy and concurrent with project construction, disturbed areas shall be re-vegetated consistent with the City approved landscaping plan. All project replanting shall be continually monitored by the landscape architect for a duration of three years. The landscape architect shall submit annual monitoring reports to the City of Soledad after each successive year detailing the success of landscaping. Success shall be based on an 80% survival rate. If it is determined that the replanting has not been successful, additional replanting shall be required by the City of Soledad.	Contractor	City Community & Economic Development Department Notes:
PRIOR TO FINAL APPROVAL OF FIRST BUILDING PERMIT	4.5-3 Repair of Inadvertent Damage. The project proponent shall ensure that any inadvertent damage to the character-defining features of the Morris Lorentzen House resulting from the rehabilitation project is repaired in accordance with the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, 1992) and California Historical Building Code. A qualified professional shall be consulted prior to any repairs. The condition of the building shall be photographed as part of the proposed recordation document and/or video documentation, prior to the start of the relocation, and this will help to establish the baseline condition for assessing inadvertent damage. The project developer shall submit detailed documentation prepared	Developer And Contractor	Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

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	by a qualified professional demonstrating that all repairs have been completed in accordance with applicable standards prior to the issuance of the first certificate of occupancy.		
PRIOR TO FINAL APPROVAL OF FIRST BUILDING PERMIT	4.5-6 Coordination. The project proponent shall coordinate with and inform interested parties, including, but not limited to the Soledad Historical Society and the Monterey County Historical Society, regarding the status of its compliance with the mitigation measures set forth in the MMRP.	Permit Applicant	City Community & Economic Development Department Notes:
PRIOR TO CERTIFICATE OF OCCUPANCY	4.3-3 No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until all of the measures included in the approved Emissions Reduction Plan have been implemented by the applicant/project proponent. The proponent shall demonstrate that measures that must be implemented throughout the life of the project are included in all applicable CC&Rs, property deeds, commercial center rules and regulations, and draft tenant lease agreements.	Applicant	City Community & Economic Development Department Chief Building Official Notes:
PRIOR TO CERTIFICATE OF OCCUPANCY	4.2-3 Prior to the issuance of any certificate of occupancy for residences adjacent or in close proximity to the agricultural buffer along the western project boundary, the project applicant shall provide documentation demonstrating that adequate screening, landscaping and structural have been installed and/or constructed within the buffer, subject to the review and approval of the City of Soledad Community Development Director.	Applicant	City Community & Economic Development Department Notes:
PRIOR TO CERTIFICATE OF OCCUPANCY	4.4-3 Following construction, the disturbed areas that are proposed as parks and landscaping areas shall be restored to pre-project contours and revegetated by the contractor using locally-occurring native species and native erosion control seed mix.	Contractor	City Community & Economic Development Department Notes:

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM

MIRAMONTE SPECIFIC PLAN AND VTM PROJECT

EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)

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PRIOR TO CERTIFICATE OF OCCUPANCY	<p>4.6-5 Areas disturbed by grading shall be stabilized with adequate landscaping vegetative cover. A re-vegetation and landscaping plan shall be prepared by a landscape architect with experience in working with the type of soils that are characteristic of the site, subject to the review and approval of the City of Soledad. Prior to the issuance of any certificate of occupancy and concurrent with project construction, disturbed areas shall be re-vegetated consistent with the City approved landscaping plan.</p> <p>All project replanting shall be continually monitored by the landscape architect for a duration of three years. The landscape architect shall submit annual monitoring reports to the City of Soledad after each successive year detailing the success of landscaping. Success shall be based on an 80% survival rate. If it is determined that the replanting has not been successful, additional replanting shall be required by the City of Soledad Community Development Director.</p>	Contractor	<p>City Community & Economic Development Department</p> <p>Notes:</p>
PRIOR TO THE OCCUPANCY OF MEDIUM DENSITY RESIDENTIAL NORTH OF THE LINEAR PARK OR OCCUPANCY OF LOW DENSITY RESIDENTIAL NORTH OF BOTH ORCHARD LANE AND THE LINEAR PARK	<p>4.12-1 Prior to the occupancy of medium density residential north of the linear park or occupancy of low density residential north of both Orchard Lane and the linear park, the proposed fire and police facilities located on Orchard Lane shall be constructed and operational.</p> <p>The project applicant shall also be responsible for providing the necessary funding to the City of Soledad or establishing the appropriate funding mechanism to ensure the provision of adequate police and fire staffing to meet the demands of the proposed project, as determined by the City of Soledad.</p> <p>Prior to the issuance of any building permit for new medium density residential development north of linear park or low density residential north of both Orchard Lane and the linear park, the project applicant shall obtain written documentation from the Soledad Fire and Police Departments indicating that the fire and police substations are operational</p>	Applicant	<p>Chief Building Official, Soledad Fire and Police Departments, City Community & Economic Development Department</p> <p>Notes:</p>

Resolution 5432 Exhibit A - MITIGATION MONITORING PROGRAM**MIRAMONTE SPECIFIC PLAN AND VTM PROJECT****EIR Addendum to the Miravale III Specific Plan EIR (SCH# 2006081129)**

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	and adequately staffed to meet the needs of the proposed project, subject to the review and approval of the City of Soledad. This mitigation measure shall not be construed as prohibiting the implementation of infrastructure necessary to serve the proposed facility or facilities.		
PRIOR TO CERTIFICATE OF OCCUPANCY	4.13-7 The intersection of Andalucia Drive and Gabilan Drive will operate at an acceptable level of service with protected left-turn phasing along Gabilan Drive. The project developer is responsible for the construction of this improvement. No certificate of occupancy shall be issued for new residential or commercial buildings requiring the implementation of this improvement until said improvements have been fully constructed, subject to the review and approval of the Director of Public Works.	Developer	City Department of Public Works Notes:
PRIOR TO CERTIFICATE OF OCCUPANCY	4.13-8 The intersection of Orchard Lane and Metz Road will operate at an acceptable level of service with signalization and protected left-turn phasing on Metz Road and split phasing on Orchard Lane. The project developer is responsible for the construction of the improvement. No certificate of occupancy shall be issued for new residential or commercial buildings requiring the implementation of these improvements until said improvements have been fully constructed, subject to the review and approval of the Director of Public Works.	Developer	City Department of Public Works Notes:

RESOLUTION NO. 5436

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING A VESTING TENTATIVE MAP FOR THE MIRAMONTE SUBDIVISION, INVOLVING APPROXIMATELY 647 ACRES

WHEREAS, the adopted City of Soledad 2005 General Plan designates certain lands for urban growth and development within areas designated by the General Plan as the Mirassou, San Vicente West and Northwest Expansion Areas; and

WHEREAS, Soledad General Plan (Program 2.1) does direct the City to pursue an application to the Monterey County Local Agency Formation Commission (LAFCO) for an amendment of its sphere of influence consistent with the General Plan; and

WHEREAS, the City of Soledad and the County of Monterey developed, adopted, and signed a memorandum of agreement (MOU) in 2016, incorporated herein by reference, to cooperate on common planning, growth, and development issues; and

WHEREAS, the MOU established planning principles for both parties to promote logical and orderly development, direct development away from the best agricultural lands, stay within the urban growth boundary established by the City's General Plan and the MOU, encourage "City Center" growth, and provide compact urban form development through the use of specific plans; and

WHEREAS, through adoption of Resolution 2018-04, the Planning Commission recommended that the City Council of the City of Soledad initiate proceedings with LAFCO for an amendment to its sphere of influence (SOI) and for Reorganization, including Annexation, to include approximately 647 acres of property ("Subject Property") to the city, which property currently falls within the Mirassou, San Vicente West, the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area, and Northwest Expansion Areas as set forth in the City of Soledad's General Plan; and

WHEREAS, the subject property is located in unincorporated Monterey County generally between San Vicente Road and Orchard Lane north and west of the current City limits, and consists of Assessor's Parcel Numbers 417-151-082, 417-151-084, 417-151-089, 417-151-090, 417-151-091, 417-151-092, and additional properties in 257-081-005 and beyond to accommodate the San Vicente Road rights of way; and

WHEREAS, the the City Council of the City of Soledad adopted a General Plan Amendment and Specific Plan for the subject properties known as the Miramonte Plan Area through Resolution 5433; and

WHEREAS, the City Council of the City of Soledad adopted Ordinance 718, Pre-zoning the subject properties to be consistent with the Miramonte Specific Plan; and

WHEREAS, the City Council adopted Resolution 4565 in 2010 directing City Staff to pursue a SOI amendment, but those applications were never filed with Monterey County LAFCO to request the amendment; and

WHEREAS, the City of Soledad did, however, comply with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000 et seq., the CEQA Guidelines, California Code of Regulations, Title 14 Section 15000 et seq.; and the City Council, prior to or concurrent with the approval of Resolution 4565, considered and certified the Final Environmental Impact Reports for both the City of Soledad 2005 General Plan (SCN# 2005032722) and for the proposed 2010 Miravale III Specific Plan (SCN# 2006081129); and

WHEREAS, both adequately address the environmental effects of the proposed Specific Plan and boundary change pursuant to CEQA, and with the adoption of the Soledad General Plan on September 21, 2005 the City Council did make certain findings of fact regarding the significant environmental impacts of the General Plan and did adopt a Statement of Overriding Consideration through approval of Resolution 3678; and

WHEREAS, the Applicant for the Miravale III project resubmitted project applications on July 26, 2017, under the name Miramonte, for a reduced size project; and

WHEREAS, in an attempt to address the 2010 City Council concerns, the Applicant reduced the project planning boundary from 920 acres to 647 acres (a 273 acre project reduction) and the project residential density from 4,200 to 2,392 (a 2,081 residential unit reduction), as well as removing residential lots from above the 400 foot contour consistent with the City's General Plan; and

WHEREAS, the City Council finds that due to the reduction in size of the project boundary (by 273 acres) and density (by 2,081 residential units) that the 2010 certified Miravale III FEIR is adequate to evaluate the proposed project with the addition of an Addendum, prepared in accordance with Section 15164 of the CEQA guidelines, to describe the revised and reduced project and to clarify mitigations contained in the 2010 certified FEIR; and

WHEREAS, the City of Soledad City Council adopted the Addendum to and Mitigation Monitoring and Reporting Program for the 2010 certified Miravale III FEIR through Resolution 5431 and Resolution 5432; and

WHEREAS, the principal reasons for the City Council to approve the Miramonte Vesting Tentative Subdivision Map are as follows:

1. The City Council finds that it is appropriate to request LAFCO amend the City's SOI and Reorganize boundaries (including Annexation) for this 647 acre territory, including the San Vicente Road corridor, and that this action is consistent with the MOU by directing growth within the Urban Growth Boundary, directing development away from the best agricultural lands, meeting "City-Centered" growth principles, preparing a specific plan that includes residential densities that ensure a compact urban form and help to preserve and buffer agricultural uses from premature conversion, and provide a substantial public benefit in public parks, open space, and the preservation of hillside views and natural resources; and

2. The City Council finds and recognizes that a LAFCO amendment to the SOI and annexation of the subject properties and adjoining roadways to the City is a prerequisite to implementation of the Miramonte Specific Plan and the effective date of the Vesting Tentative Subdivision Map; and

3. The City Council finds that the amendment to the City's General Plan and adoption of the Miramonte Specific Plan is consistent with and facilitates the fulfillment of the goals, policies and objectives set forth in the City of Soledad General Plan, as the plan area and subject properties are proposed for future development in the 2005 Soledad General Plan; and

4. The City Council finds that the Specific Plan has been revised in accordance with the 2010 City Council direction and/or mitigation measures identified in the certified Miravale III Specific Plan FEIR or the Addendum to that FEIR; and

5. The City Council amended the City's General Plan Land Use Map to include a designation of the "Miramonte Specific Plan" area, noted as "MM-SP" on the map, over the subject properties and adopted the Miramonte Specific Plan through Resolution 5433; and

6. The City Council approved Ordinance 718 Pre-zoning the subject properties known as the Miramonte Specific Plan Area to "MM-SP"; and

7. The City, as a part of their consideration of the SOI Amendment and Reorganization request, General Plan Amendment, adoption of the Specific Plan, and Pre-zoning of the subject properties, reviewed and considered the CEQA and Project Findings, attached to the SOI Amendment Resolution and incorporated herein by reference; and

8. The City Council further finds that the approval of this Vesting Tentative Subdivision Map will promote the general health, safety and welfare of the community; and

WHEREAS, the City of Soledad Planning Commission and City Council members held a joint duly noticed public workshop on September 14, 2017 to review the previous plan area and project history, past actions, the current plan area and project description, available documentation on the project, currently proposed actions, and to hear public testimony; and

WHEREAS, notice of time and place of hearing for the City Council's deliberations regarding consideration of the Miramonte Vesting Tentative Subdivision Map was given in the manner prescribed by law and by the City; and

WHEREAS, the City Council, at public hearings held August 28, 2018, October 23, 2018 and November 7, 2018 it considered the Miramonte Vesting Tentative Subdivision Map, the Staff Report and presentation, public testimony, documentary evidence introduced and received during the public hearing along with the entire public record, weighed the evidence before it and made CEQA and Project Findings, approved the Miramonte Vesting Tentative Subdivision Map, subject to conditions and to LAFCO approval of the SOI Amendment and Reorganization/Annexation.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Soledad approves the Miramonte Vesting Tentative Map, subject to conditions and LAFCO action to amend the City SOI and Reorganize/Annex the subject properties into the City of Soledad as follows:

1. All of the recitals set forth above are true and correct to the best of the City Council's knowledge, and are incorporated herein by reference and made part of this resolution by this reference; and

2. That the City Council finds that it has been provided with and reviewed all evidence available in the administrative record to support the findings of project consideration, as well as the Staff Report, presentation by staff, written and oral testimony (collectively, the "Record of Proceedings"), and hereby provides notification that the Record of Proceedings is on file with the clerk of the City of Soledad; and

3. The City Council finds it has reviewed and considered the 2010 certified Miravale III FEIR, the Addendum to that document, the Mitigation Monitoring and Reporting Program, the CEQA Findings, including the Statement of Overriding Considerations, and the Project Findings, all of which is incorporated herein by reference; and

4. Based upon the City Council's review of the evidence in the record, it finds that the statement of Overriding Considerations provides substantial evidence that the environmental risks of approving the Miramonte Vesting Tentative Subdivision Map have been balanced against the benefits to the community; and

5. Finds that, after reviewing the Record of Proceedings, findings supported by evidence in the record provide cause for recommending approval of the Miramonte Vesting Tentative Subdivision Map subject to conditions and LAFCO actions to amend the SOI and Reorganize/Annex the territory into the City of Soledad; and

6. The City Council finds by adoption of this Resolution that they have approved the Miramonte Vesting Tentative Subdivision Map for the subject properties (Miramonte Specific Plan Area), illustrated on the map in Exhibit A, incorporated herein by reference, subject to conditions of approval contained in Exhibit B attached hereto and incorporated herein by reference, and further subject to LAFCO actions to amend the SOI and Reorganize/Annex the territory to the City of Soledad, and adopt the CEQA and Project Findings, attached to the SOI Amendment Resolution and incorporated herein by reference.

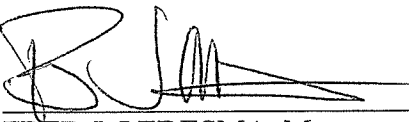
PASSED AND ADOPTED this 7th day of November, 2018, by the City Council of Soledad, by the following vote:

AYES, and in favor thereof, Councilmembers: Christopher Bourke, Mayor Fred Ledesma, Carla Stewart and Mayor Pro Tem Alejandro Chavez

NOES, Councilmembers: Velazquez

ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None


FRED J. LEDESMA, Mayor

ATTEST:


MICHAEL MCHATTEN, City Clerk

VICINITY MAP
NOT TO SCALE

PROJECT TEAM

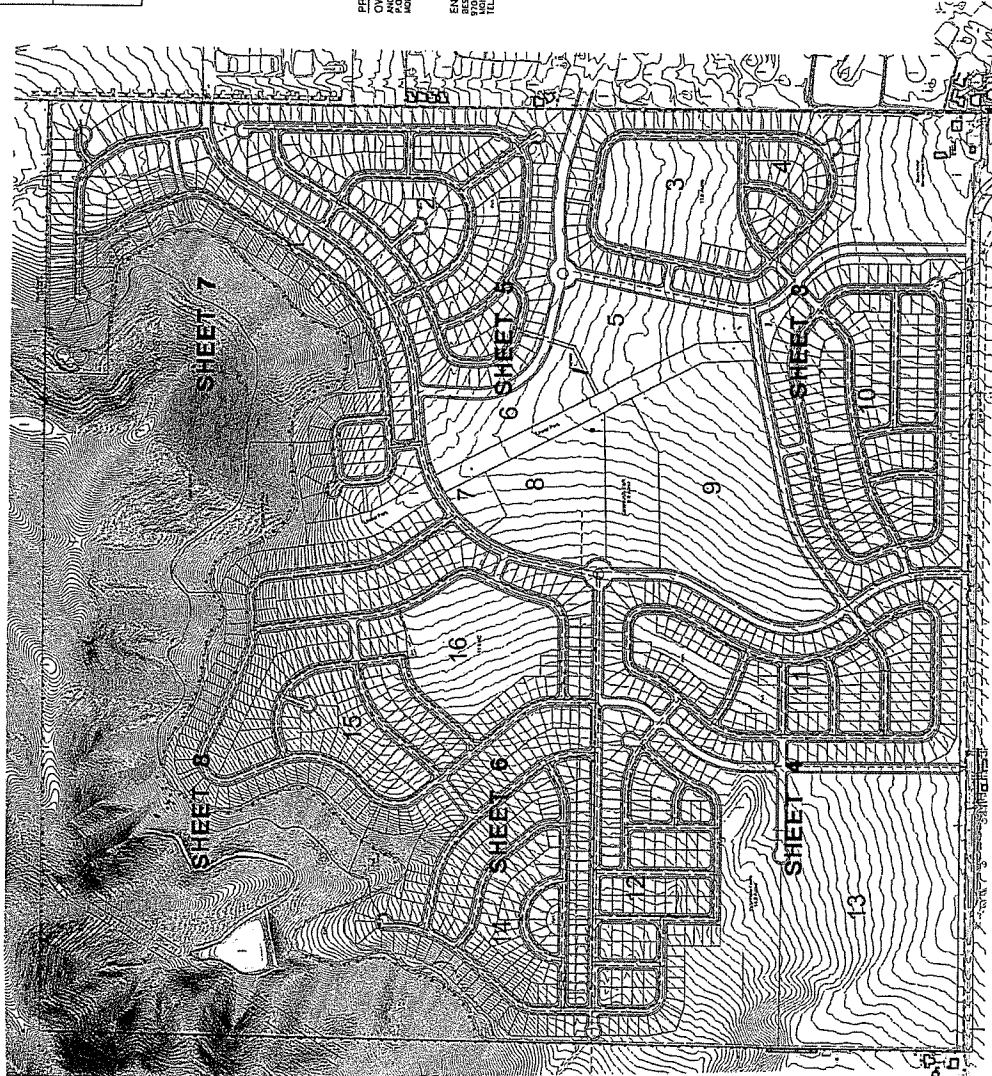
OWNERS:
ANOLUCA LTD.
P.O. BOX 3016
MONROVIA, CA 93942

HAUST, LP
P.O. BOX 3016
MONROVIA, CA 93942

ENGINEERS & PLANNERS:
BESTOR ENGINEERS, INC.
1000 E. 10TH AVE.
MONROVIA, CA 93940
TEL (931) 271-2341

DEVELOPER & SUBDIVIDER:
HAGER ASHA
400 AVENUE STREET
MONROVIA, CA 93940
TEL (931) 816-2030

ENGINEERS & PLANNERS:
BESTOR ENGINEERS, INC.
9701 BLUE LAKEVIEW LANE
MONTEREY, CA 93940
TEL# (831) 373-2941

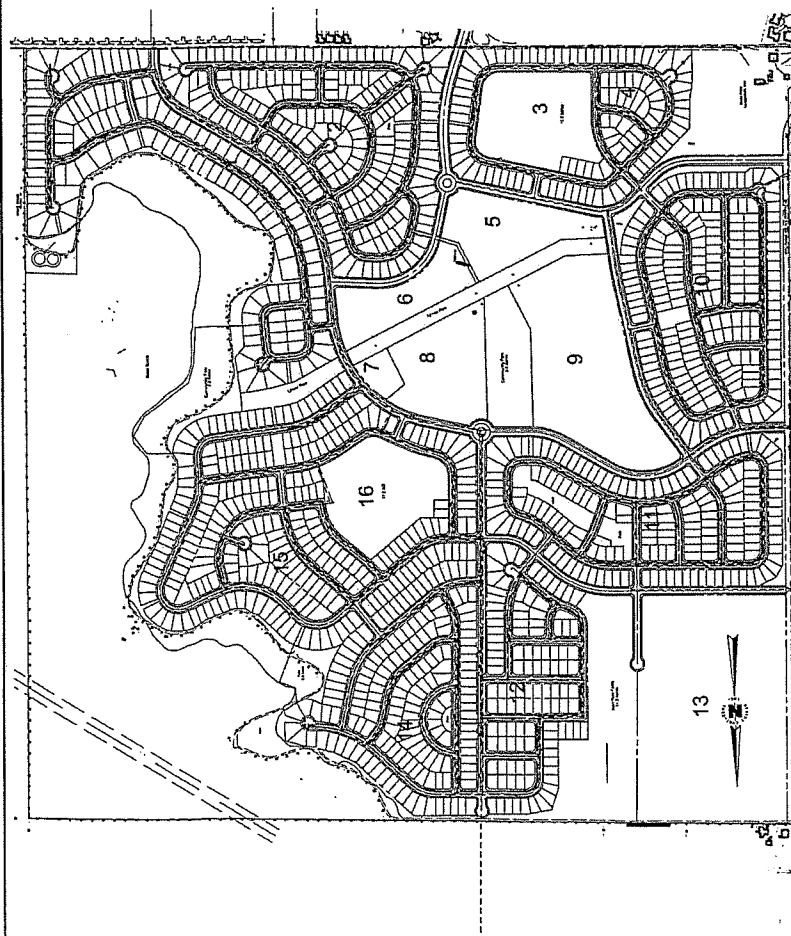


NOTES

THE PROPERTY IS TO BE SUBDIVIDED CONSISTS OF SECTIONS 18, 4PM
417-151-032, 417-151-064, 417-151-067, 417-151-068, 417-151-071
AND 417-151-092. THE PROPERTIES HAVE PRICED ON \$44 ACRES ROAD

EXISTING ZONING:
HUNTERDON COUNTY F/18 (FARMLAND), 40-ACRE MINIMUM FOR ALL PARCELS.
417-151-032, 417-151-064, 417-151-067, 417-151-068, 417-151-071
(FARMLAND), 40-ACRE MINIMUM AND FARMHOUSE GRADING 40-ACRE MINIMUM.
417-151-092, 40-ACRE MINIMUM

PROPOSED UTILITY SUPPLIES



PRELIMINARY PHASING PLAN

[illegible]

RESIDENTIAL DEVELOPMENT OF UP TO 314 LOW TO MEDIUM DENSITY RESIDENTIAL UNITS.

NOTES: (TO BE UPDATED)

TO TREES EXIST EXCEPT THOSE AT HOUSES WHICH MUST BE REMOVED FOR DIRECT CONSTRUCTION. EUCALYPTUS TREES ONE SIDE OF SAN VICENTE ROAD

[illegible][illegible]

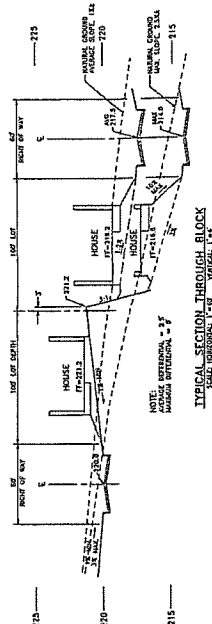
NOTE:

TOPOGRAPHIC MAPPING FOR SECTION 16, APN 417-151-082, 084, 089, 090, 091 AND 092 IS BASED ON 14 JANUARY 1995 PHOTOS BY JAMAHON, JENSEN, WALLEN & ASSOCIATES. CONTROL WAS DONE BY BESTOR ENGINEERS, INC. BASED ON NGVD 1929.

TOPOGRAPHIC MAPPING FOR THE MARTINEZ PROPERTY (NOT INCLUDED IN PROJECT). NPN 257-081-003, 027 026 & 032 IS BASED ON A SEPTEMBER 2003 PHOTOS BY HJW GEOSPATIAL, INC. CONTROL WAS DONE BY BESTOR ENGINEERS, INC. AND ELEVATIONS ARE BASED ON NOV0 1989.

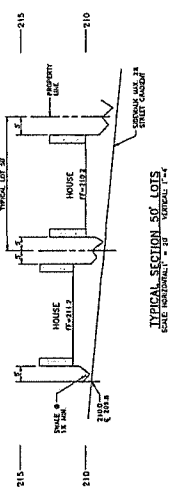
LEGAL DESCRIPTION:

1. APN 417-151-082, 084, 083, 090, 091 AND 092 PARCELS 1, 2 AND 4 AS SAID PARCELS ARE SHOWN AND SO DESIGNATED ON THAT CERTAIN RECORD OF SURVEY MAP ENTITLED "AS AG-004 RECORD OF SURVEY SHOWING MAJOR SUBDIVISION OF 633.829 ACRES PARCEL IN SECTION 16, T17S, R6E, M30N, ETC." FILED FOR RECORD ON JUNE 29, 1995 IN VOLUME 18 OF SURVEYS AT PAGE 76, RECORDS OF MONTEREY COUNTY, CALIFORNIA.

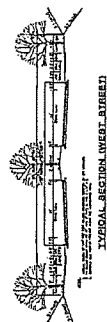


TYPICAL SECTION THROUGH BLOCK

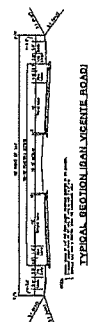
NOTE:



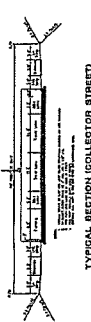
TYPICAL SECTION 50' LOIS
SCALE HORIZONTAL: 1" = 20' VERTICAL: 1" = 4'



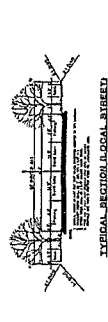
TYPICAL SECTION (WEST BYREY)



TYPICAL SECTION SAN VICENTE ROAD



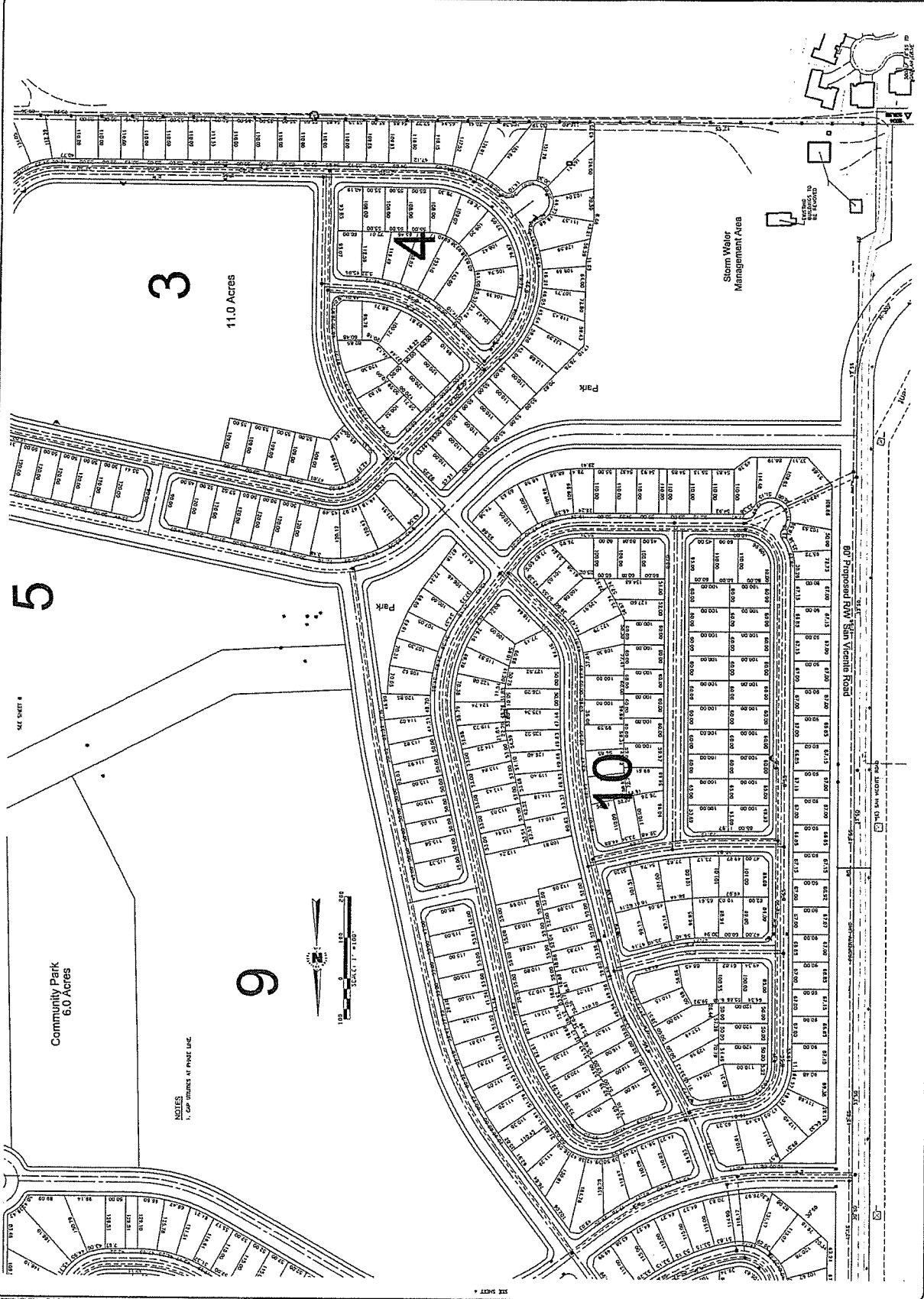
PHYSICAL SECTION (COLLECTOR STREET)



TYPICAL SECTION (LOCAL SYREED)



TYPICAL PATHWAY SECTION



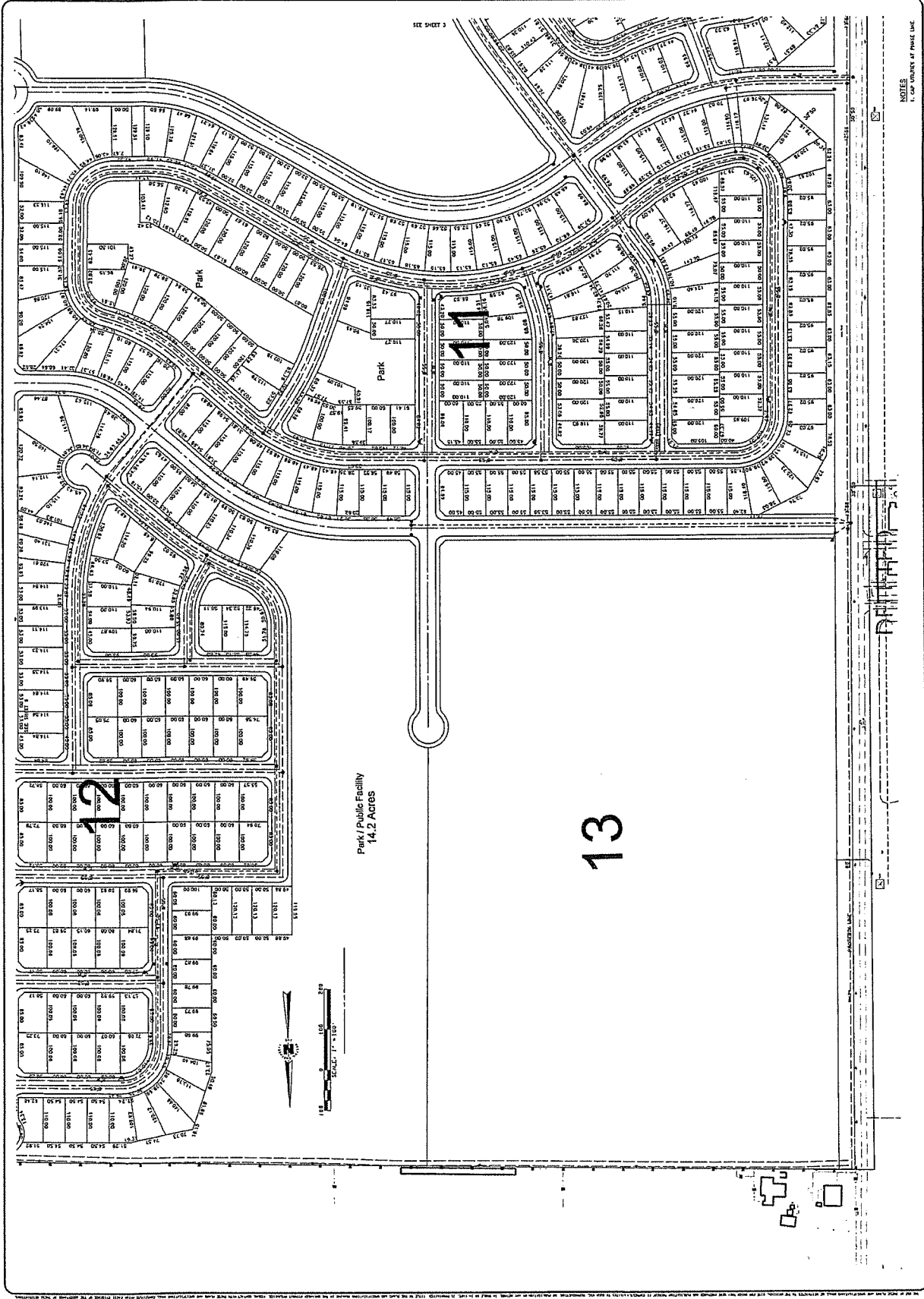
DATE	8/17/18
DRAWN BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE

PRELIMINARY
NOT FOR CONSTRUCTION

BESTOR ENGINEERS, INC.
CIVIL ENGINEERING - SURVEYING - LAND PLANNING
8001 BLUE MOUNTAIN LANE, MONTEREY, CALIFORNIA 93940

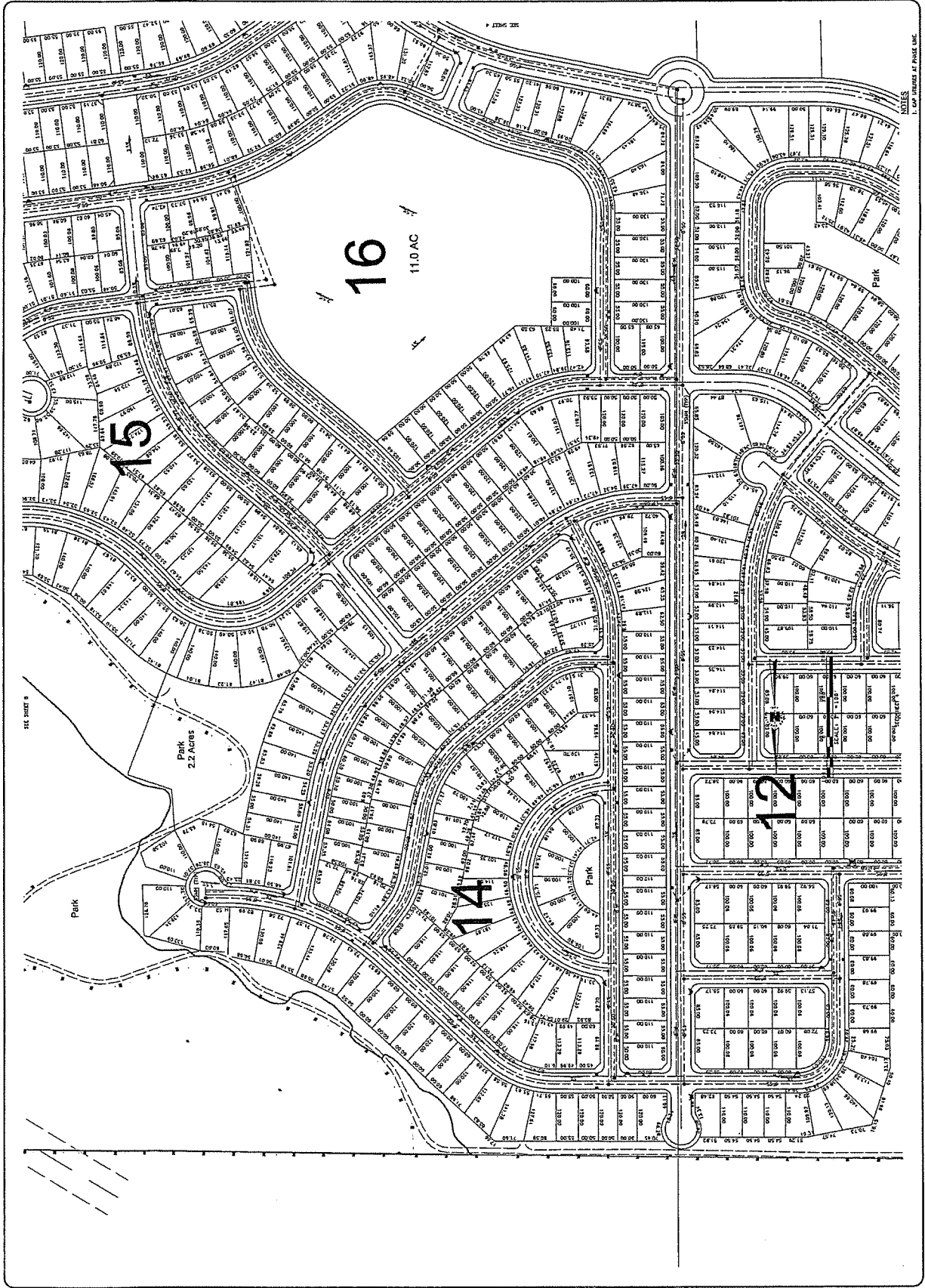
MIRAMONTE SUBDIVISION
VESTING TENTATIVE MAP
SOLICITING, CALIFORNIA
COUNTY OF MONTEREY

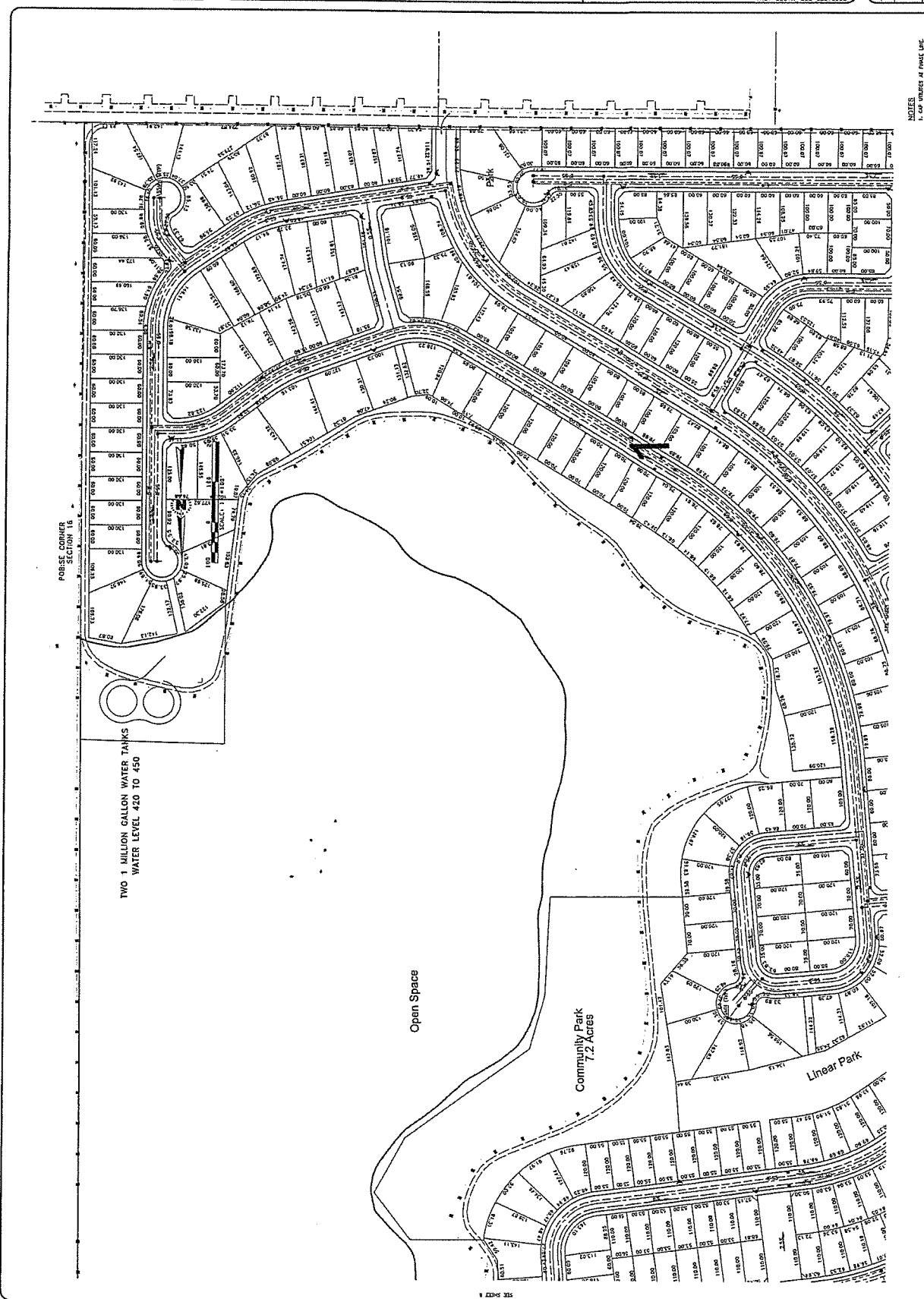
DATE	8/17/18
DRAWN BY	DATE
CHECKED BY	DATE
APPROVED BY	DATE



NOTES
1. CAP UNITS AT PHASE LINE

PRELIMINARY
NOT FOR CONSTRUCTION





NOTES
1. CAP VOUCHERS AT FINANCIAL

Exhibit B
City Council Resolution # 5436
Miramonte – Vesting Tentative Map

Standard Conditions

1. Approval of this vesting tentative map (VTM) is conditional upon adoption by the City Council of related amendments to the Soledad 2005 General Plan and rezoning of the site, and upon completion by the Local Agency Formation Commission of annexation of the subject property to the City of Soledad, after which date the vesting map shall be effective and time limits begin to run. Note: The zone classification established through the rezoning procedure shall become effective and enforceable at the time annexation of the territory to the City becomes effective. The expiration of the VTM, unless formally extended, shall terminate all proceedings and no final map on all, or any portion, of the real property shall be filed without first processing a new VTM. Extensions of time shall be considered pursuant to the City of Soledad Subdivision Ordinance and the State Map Act.
2. Prior to expiration of the approved VTM, a final map(s) shall be prepared in compliance with this conditional map approval and all applicable City and State regulations. The final map(s) shall be submitted for the review and approval of the Public Works Director/City Engineer and Community Development Director. Improvement plans shall accompany submittal of the final map(s).
3. All improvements as described in Chapter 16.24 of the Soledad Municipal Code and as required in these conditions and any subsequent improvement agreement, development agreement, and all mitigation measures shall be designed and/or installed to the satisfaction of the Public Works Director/City Engineer and Community Development Director. Unless otherwise noted, all improvements shall be designed by a Civil Engineer licensed in the State of California.
4. All structures shall be designed and constructed to resist a major earthquake, as required by the latest edition of the Uniform Building Code. All recommendations regarding seismic concerns identified in a geotechnical investigation prepared for the site, as well as all such recommendations set forth in any required hydrology report shall be incorporated into the final building and improvement plans for the project. A qualified professional geotechnical engineer shall perform on-site monitoring of all grading and excavation activities on the project site. Evidence of an agreement with a geotechnical engineer shall be submitted for review and approval of the City Engineer prior to recordation of a final subdivision map for each phase of the project. Said engineer will submit evidence that grading and excavation were performed consistent with the recommendations of the geotechnical investigation.
5. The developer shall obtain encroachment permits from the State Department of Transportation (Caltrans) and/or the City of Soledad for any work performed in the public rights-of-way and a contractor licensed in the State of California, having a City of Soledad Business License, shall construct the work.

6. Any offers of dedication, bonding or other financial security, or development agreements, as specified in the special conditions below, shall be prepared by the developer and reviewed as to form, accuracy and sufficiency by the City attorney and City staff, and shall be presented to the City Council for acceptance prior to completion and recordation of any final map.
7. A development agreement shall be established between the developer and the City, which shall incorporate and provide for implementation of the VTM and the conditions of approval set forth herein. The development agreement shall contain the subdivision phasing plan, comprehensive financing plan required by these conditions, and shall address other issues of concern to the parties including, but not limited to, defining responsibilities of the developer and the City (e.g. dedication of land, utility and roadway infrastructure, water, wastewater, and storm water improvements, affordable housing requirements, timing for commercial development, definition of the Residential Study Area, definition of the conservation easement over the open space area, establishment of and payment provisions for development impact fees (which may vary from those applicable city-wide both in terms of improvements and amount of fees), responsibilities for school district improvements, police/fire substation, etc.). The development agreement shall be approved by both parties and submitted for consideration and approval by the City Council prior to acceptance of the first final map.
8. The developer shall prepare separate subdivision improvement agreements for each phase of the project requiring submittal of a separate final map. Said agreements shall set forth the necessary public service improvements to serve any phase of the project, including transportation, water service, sewer service and storm water improvements, and shall require performance, materials, and labor bonds to cover such improvements. The subdivision improvement agreements shall be submitted for consideration and approval by the City Council prior to or concurrent with requests for approval of final maps.
9. Unless otherwise specified, developer shall be responsible for and agrees to pay all land costs and related legal fees should it be necessary for the City to use its condemnation powers to obtain land that is under separate ownership or leasehold in order to implement the conditions of project approval contained herein.
10. Developer agrees that the improvements shown on the VTM are only conceptual, and that the final configuration of the improvements will be determined during review and approval of the final map(s), improvement plans and supporting design calculations reviewed by the City Engineer and Public Works Director prior to recordation of the final map(s).
11. Developer shall reimburse the City of Soledad for all engineering, inspection, legal and administrative expenses, included or to be incurred by the City in connection with the project, including expenses incurred through the use of outside consultants and additional inspectors, where necessary. An account with the City for costs associated with the processing of the project has previously been established by the developer. At the time of submission of improvement plans for the project, the developer shall deposit funds sufficient to raise said account to the total of \$50,000. The City shall account to the developer for all expenses for which reimbursement is claimed, providing copies of all back-up materials in a timely manner, and shall return any portion of said deposit in

excess of the actual amount of expenses incurred. If, in the judgment of the City Manager, it appears that the amount deposited is insufficient to cover all expenses, developer shall, within fifteen (15) days after written request for City, make an additional deposit of funds in an amount determined by the City Manager to be sufficient to make up the deficiency. At no time after submission of improvement plans for each phase shall the balance of the deposit fund be less than \$25,000. The need for the maintenance of this account shall cease upon: 1) compliance with all tentative map conditions, and 2) compliance with all of the provisions of subdivision improvement agreements for all phases of the project, and 3) compliance with all mitigation measures set forth in the Mitigation, Monitoring and/or Reporting plan, and 4) acceptance of all phases of the subdivision depicted on the VTM. Developer's failure to maintain the balances set forth in this paragraph shall entitle City and all employees and agents thereof to terminate all work on the project until compliance is achieved.

12. The conditions of approval contained herein shall be perpetual and it is the intention of the City that the conditions of approval run with the land and bind the landowner, successors and assigns in interest of the subject property to all of the conditions of approval.
13. Developer(s) shall be responsible for carrying out all duties assigned to developer in the Mitigation, Monitoring and/or Reporting Program adopted for the project. To the extent necessary, developer's compliance with said Program shall be subject to review and approval by those agencies and officials designated in the Program.
14. Developer shall submit a subdivision guarantee disclosing any and all easements, deed restrictions, dedications, and changes in ownership in a form acceptable to the City. The subdivision guarantee shall be submitted prior to approval of any final subdivision map(s).
15. Developer shall provide evidence of commitment to serve from utilities, including, but not limited to, electrical service, natural gas service, telephone service, cable television service, internet service, and postal service. Said evidence shall be reviewed and approved by the City Public Works Director prior to approval of any final subdivision map(s) by the City Council.
16. Developer shall prepare a Covenant of Codes and Restrictions for all units within the project which shall be reviewed and approved by City prior to approval of the final map for each phase, and recorded against each residential unit on the project. The CC&Rs shall include a provision requiring review and approval by the City prior to any future revisions to each unit.
17. Failure to comply with any conditions specified herein as the basis for approval of this application shall render the VTM invalid.

Project Specific Conditions

18. Conditions Precedent: Approval of this VTM is conditional upon completion of Conditions Precedent. Approval of this VTM is also conditional upon adoption by the City Council of related amendments to the Soledad 2005 General Plan and rezoning of

the site, and upon completion of annexation of the subject property to the City of Soledad. Note: The zone classification established through the rezoning procedure shall become effective and enforceable at the time annexation of the territory to the City becomes effective.

- a. The applicant/developer(s) are responsible for the preparation of all maps, payment of all processing and impact fees, and costs of City application processing and administrative costs throughout project implementation, including immediate staff and consultant costs for the LAFCO sphere amendment and annexation requests. Prior to City initiation of the sphere of influence amendment and reorganization (annexation) requests, the applicant shall provide at their expense, all engineered base maps necessary for the LAFCO applications, and payment of fees.
19. Consistency with Specific Plan: Final tract maps shall be prepared to be in substantial conformance with Figure 1-4, Miramonte Specific Plan Land Use Diagram, and Figure 2-3, Miramonte Specific Plan Land Use Diagram and Conceptual Lotting Program, which require revisions to the VTM, implemented through final map(s), showing that specific plan policies have been met prior to acceptance of any final map(s) and subject to review and approval by the City Community Development Director (CDD) and City Council.
 20. Agricultural Mitigation: Concurrent with recordation of the first final subdivision map, developer(s) shall provide mitigation for conversion of Prime Farmland by entering into a contractual agreement with the City and/or a non-profit to provide agricultural mitigation to compensate for the conversion and loss of Prime Farmland or Farmland of statewide importance to urban uses, as required by the Miramonte Specific Plan Policy LU – J, by one of the following methods:
 - a. Provide the in-kind direct purchase/acquisition of an agricultural mitigation easement at a 1:1 ratio and dedicate the easement to an agricultural land trust or other qualifying entity; and/or
 - b. If available, purchase agricultural banked mitigation credits at a 1:1 ratio from a qualifying entity; and/or
 - c. Pay an in-lieu mitigation fee, which amount shall be determined by the City prior to approval by the City Council of the first final map. The amount of the fee should reasonably be expected to lead to the reservation of agricultural land. Said fee shall be kept by the City in a fund established specifically for agricultural land mitigation purposes; and/or
 - d. Implement other innovative approaches as approved by the City that results in the preservation of agricultural land within areas targeted by the City.

This requirement shall also be reflected in the development agreement (DA).

21. Deed Restriction – Right-to-Farm: Developer shall prepare a deed restriction for each new lot in the proposed project indicating the right-to-farm for adjacent agricultural operations. The deed restriction shall only be enforced as long as the adjacent

agricultural/vinticultural operations continue and are not converted to urban uses. The deed restriction shall be recorded concurrently with the final subdivision map(s) for each phase and evidence of said recordation shall be submitted to the Community Development Director and Public Works Director concurrent with the recording of the final subdivision map for each phase.

22. Residential Study Area:

- a. The land subdivision, street layout, drainage and utility infrastructure, including a minimum 100-foot wide agricultural buffer on the northern boundary for the Residential Study Area, noted as Sub-area 13 on the Specific Plan Land Use Diagram, shall be included on the final map prior to its acceptance by the City.
- b. The final map within Sub-area 13 shall include a minimum of two acres for the Soledad High School Future Farmers of America program facility prior to acceptance of the final map by the City Council.

23. Affordable Housing:

- a. The developer(s) shall have prepared, at their expense, and enter into an Affordable Housing Agreement with the City, subject to review, discussion, and revision by City Staff and City Council approval prior to or concurrent with City Council approval of the first final map and improvement plans.
- b. The Affordable Housing Agreement shall be subject to the City requirements and include, but not be limited to, affordable housing unit types, numbers, level of affordability, restrictions, financing (if known), and timing/trigger mechanisms for when units are required to be built.

24. Multi-Family Development: Development of multi-family dwellings shall be limited to two story structures, with no more than twenty (20) units allowed per building within a residential multi-family development.

25. Multi-Family and Affordable Housing:

- a. The developer shall enter into a Development Agreement with the City that shall require that at least 12 percent of the total project units are available to very low and low income households; 8 percent of the total units are available to moderate income residents; and 30 percent of medium density housing units are available as rentals. These ratios shall apply to each residential development phase, and affordable housing units shall be constructed concurrently with the market rate housing units consistent with specific plan Policy LU – C, and the terms of the Development Agreement.
- b. Housing types for low and very low income residents may be multi-family units or single-family units, such as zero lot line, at not less than 20 du/net acre. For moderate income units, a density of up to 19 du/net acre is required which may be designed as attached single-family and multi-family dwellings.

- c. City design review, shall be required for each separate phase of multi-family development.
- 26. Police/Fire Site Dedication: The developer(s) shall, at their expense, prepare an offer to dedicate the police/fire substation site identified in the Miramonte Specific Plan to the City, at no cost to the City, prior to City Council approval of the first final map; and shall record the dedication concurrent with recordation of the first final subdivision map or as specified in the developmental agreement.
- 27. Police/Fire Improvements Operations Maintenance: The property owner or developer(s) shall be required to pay public safety impact fees at the time of issuance of a building permit, which may be off-set by designing, funding and constructing police/fire capital facilities (or facility). The Community Facilities District (CFD) for the plan area shall include public safety long-term operations and maintenance costs in the CFD to provide service to the plan area, and may include public safety capital improvement costs.
- 28. Police and Fire Mutual Aid Agreements: The property owner or developer(s) shall, at their expense, work with the City Fire and Police Departments and supporting agencies to expand current mutual aid agreements to service the Plan Area boundaries prior to issuance of the first building permit.
- 29. Cal Fire Service: The property owner or developer(s) shall, at their expense, work with the City and Cal Fire to revise any contract between the said parties to extend fire service to the plan area boundaries prior to issuance of the first building permit.
- 30. Schools:
 - a. The developer(s) shall prepare, at their expense, an offer to dedicate two elementary school sites and one two-acre site for the Soledad High School Future Farmers of America program, at no cost to the City or the Soledad Unified School District, as identified in the Miramonte Specific Plan, prior to City Council approval of the first final map; and shall record the dedication concurrent with recordation of the first final subdivision map or as specified in the development agreement.
 - b. The developer(s) shall pay school impact fees prior to issuance of building permits, which may be off-set by school facility capital improvements that are designed, funded, and constructed by the developer.
- 31. School Site Dedications, Fees and Improvements:
 - a. Two elementary school sites of approximately 11 acres each, as shown on the specific plan Land Use Diagram, and an additional two acres of Sub-area 13 shall be offered for dedication to the Soledad Unified School District, and included on the final map prior to recordation of the first final map. Proof of the offer of dedication shall be submitted to the City Planning Director prior to acceptance of the first final map.

- b. School Impact Fees shall be submitted to the Soledad Unified School District prior to the time of issuance of building permits for the first phase of development, unless otherwise agreed to by the Soledad Unified School District. School impact fees shall include those fees required by State law, as well as any additional amount agreed upon by the developer and the District for each residential lot created by the project. Evidence shall be submitted to the City CCC by the developer that the developer and District have met in good faith in an attempt to agree upon the amount of school impact fees to be paid by developer prior to the recordation of the first final map. Evidence of payment shall be submitted to the City Community Development Department prior to issuance of the first building permit.

32. Library Service:

- a. The property owner or developer(s) shall pay development impact fees, including library fees, to support the increase in library service within the City created by the demand from the plan area's increased population growth, prior to recordation of final map(s). These fees will be identified in the required comprehensive financing plan and included in the development agreement approved by the City Council and can be off-set by the developer(s) designing, funding, and constructing library capital facilities (or a facility).
- b. The developer(s) shall include in the Plan Area CFD library capital facilities to be designed, financed, and constructed within the plan area boundary. These facilities shall be determined by the City in consultation with the County Library Service and Soledad Union School District, prior to City Council approval of the CFD. The CFD shall also include designated expenditures for on-going costs related to long-term operations and maintenance for those facilities (or facility).

33. Water Supply and Distribution:

- a. Prior to acceptance of any final map for development of the uses consistent with the Specific Plan, the developer(s) shall, at their expense, engage an Engineer licensed by the State of California to prepare a Miramonte Hydraulic Analysis and Water Master Plan outlining the required water system improvements for the Specific Plan area and necessary connections to existing infrastructure consistent with City design and performance standards. The Miramonte Specific Plan water supply system shall be designed, financed, and constructed by the developer(s), subject to review and approval of the City Public Works Director and the City Council.
- b. The Hydraulic Analysis and Water Master Plan shall at minimum include the following information:
 - Location of project;
 - Identification of and location of infrastructure improvements including a minimum of two (2) new domestic water wells and a one million gallon

storage tank, or equivalent storage/pumping capacity infrastructure improvements, that provide sufficient water supply to serve the buildout of the Miramonte Specific Plan Area;

- Geological verification is required for any proposed new wells;
 - Use of lower zone storage in any upper zone is not allowed;
 - Proposed Point(s) of Connection: the plan shall clearly identify the proposed tie-ins to the existing City system. Show proposed connection points to future adjacent development areas, based on best available information;
 - Proposed System Layout: Indicate the size and route of proposed dedicated infrastructure including:
 - Elevation data and indicate maximum and minimum elevations of service and anticipated pressures; and
 - Show pressure zone boundaries and additional pressure zones if required. Zones are defined by elevations where water storage can provide gravity water pressures from 45-90 PSI to all water services in that Zone;
 - The location(s) of all proposed new pump stations, wells, or reservoir facilities and hydraulic data (as available at this point in the project); and
 - Calculations of average day, maximum day, and peak hour demand for the proposed development using demand factors approved by the City Engineer.
- c. Use of lower zone storage in any upper zone is not allowed;
- d.
- e. Geological verification is required for any proposed new wells;
- f. Adequate fire flows shall include calculations demonstrating minimum fire flow requirements of 1,500 gpm for 2 hours in residential areas and 2,500 gpm for 3 hours for commercial and industrial developments; and fire hydrant residual pressure of 20 PSI must be clarified to be over 20 PSI during required fire flow and during the Peak Hour of the Max Day.
- g. Backbone water supply and distribution facilities improvements shall be constructed by the developer(s) of the subdivisions first phase.

34. Existing Wells - Non-Potable Water Use:

- a. Existing agricultural wells on the site shall not be used for potable water.
- b. The use of the existing wells on the site for non-potable water use is subject to approval by the Monterey County Health Department and the City Engineer.

- c. If existing wells are utilized for non-potable use, the developer shall identify this use and as part of the Miramonte Hydraulic Analysis and Water Master Plan and shall conduct sufficient testing that demonstrates that the use of on-site wells will not jeopardize the water quality of the City's groundwater supply.
 - d. All non-potable water generated within the Plan Area for irrigation use shall meet California Regional Water Quality Control Board (RWQCB), Central Coast Region (RWQCB) regulations to adequately treat domestic wastewater to the point that the recycled water (effluent) meets the requirements of existing Title 22, Chapter 3 regulations of the California Code of Regulations.
- 35. Recycled Water: If utilized, all purple pipe recycled water lines shall be designed and constructed in compliance with City Code Section 13.11.110, the size and location and/or type of recycled water service lines, service connections, meters, backflow protection devices, and any/all other appurtenances shall be included in the Miramonte Water System Master Plan, and are subject to review and approval of the City Public Works Director.
- 36. Landscape Plan: Prior to issuance of grading or building permit for each phase of development, the developer(s), at their expense, shall prepare a landscape plan, prepared by a licensed landscape architect, subject to approval of the Community Development Director and City Council. The landscape plan shall include, but not be limited to standards for consistent entry monumentation for major project entries and separate and distinct entry monumentation for neighborhood entries, parks, open space, and trail and walkway connections throughout the plan area, and all public spaces, and shall include number size and species of landscape plants for residential front yards. It shall be the developer(s) responsibility to design, finance, and construct the landscaping defined in the landscape plan.
- 37. Signage Plan: Prior to issuance of grading or building permits for each phase of development, the developer(s), at their expense, shall prepare a signage plan, prepared by a licensed landscape architect, subject to approval of the City Community Development Director and the City Council. The signage plan shall include entry monumentation (for both major plan area entries and distinct neighborhood entries), wayfinding, educational, public space, and commercial signage. It shall be the developer(s) responsibility to design, finance, and construct the signage defined herein.
- 38. Storm Water Master Plan:
 - a. Prior to acceptance of any final map for development of the uses in substantial conformance with the VTM, the developer(s) shall, at their expense, engage a licensed engineer to prepare a comprehensive Storm Water Collection System Master Plan that identifies design and performance standards for all on and off-site storm water infrastructure improvements necessary to serve development of the Plan Area. The Storm Water Collection System Master Plan shall include, at minimum, the following information:
 - Location of project;

- Location of infrastructure improvements, including design and construction of new storm water facilities and method of connection to existing storm water facilities on and off the site that are necessary to serve the buildout of the Miramonte Specific Plan Area;
 - Proposed System Layout: indicate the size and route of proposed dedicated infrastructure including:
 - Elevation data; and
 - Calculations of storm water flows using factors approved by the City Engineer; and
 - Low Impact Development (LID) designs.
- b. The storm water collection system shall be designed, financed, and constructed by the developer(s), subject to review and approval of the City Public Works Director.
- c. Low Impact Development (LID) designs shall be required for all proposed storm water improvements and shall be incorporated into the Storm Water Collection System Master Plan and into final map improvement plans. Prior to issuance of building permits Best Management Practices and LID shall be identified on the improvement plans demonstrating compliance with the Central Coast Regional Water Quality Control Board's Post-Construction Storm Water Management Requirements for Development Projects in the Central Coast Region, Resolution No. R3-2013-0032, dated July 12, 2013. Each phase of development will incorporate infiltration-based systems to treat and retain the runoff associated with the 95th Percentile Storm. All runoff associated with storms larger than the 95th Percentile Storm may be directed to the linear park and retention basin. This approach complies with the Central Coast Regional Water Quality Control Board Post Construction Stormwater Management Requirements for Development and Projects in the Central Coast Region, Resolution No. R3-2013-0032, dated July 12, 2013.

39. Wastewater:

- a. Prior to acceptance of any final map for development of the uses in substantial conformance with the VTM, the developer(s) shall, at their expense, engage a licensed engineer to prepare a comprehensive Wastewater Collection System Master Plan outlining the required wastewater collection system improvements for the Specific Plan area, and necessary off-site improvements consistent with City design and performance standards. The Miramonte Sewer Collection System Master Plan is subject to review and approval by the City Public Works Director prior to approval of the first final map. The Miramonte Wastewater Collection System Master Plan shall include, at minimum, the following information:
- Location of project;

- Location of infrastructure improvements, including method of connection to existing sanitary sewer mains on San Vicente Road and construction of new sanitary sewer mains and related sewer infrastructure necessary to serve the buildout of the Miramonte Specific Plan Area;
 - Proposed Point(s) of Connection: the plan shall clearly identify the proposed tie-ins to the existing City system;
 - Proposed System Layout: Indicate the size and route of proposed dedicated infrastructure including:
 - Elevation data; and
 - A pre-design report in accordance with Section 5 of the Public Works Engineering Standards (PWES) for any proposed pumping facilities or dedicated infrastructure.
 - Calculations of Average Dry Weather (ADWF) and Peak Wet Weather Flows (PWWF) using the flow factors approved by the City Public Works Director for all land use types;
 - Modeling of flows from adjacent properties that will be tributary to the proposed infrastructure; and
 -
- b. The wastewater collection system shall be designed, financed, and constructed by the developer(s), subject to review and approval of the City Public Works Director.
40. Street Names: Street names shall be approved by the City Council as a part of the approval of each final map.
41. Phasing Plans for Final Map(s) Submittal and Infrastructure Improvement Plans:
- a. Prior to submittal of the first final map, the developer shall prepare for City Public Works Director review and approval, an infrastructure-phasing plan. Timing of installation of all improvements shall be determined by the City Public Works Director based on this plan and in consultation with the developer. The infrastructure-phasing plan shall be coordinated with the intended phasing of final subdivision map(s).
 - b. Prior to submittal of the first final map, the developer shall submit for City review and approval, a phasing plan that establishes the overall sequence of any phased final maps. The first phase of development shall commence with Specific Plan neighborhoods 1-4 as indicated on the Specific Plan Lotting Plan (Figure 2-3). The phasing plan shall specify that development proceeds contiguously adjacent to the City's existing development and from the lowest topographic area, of each phase in progress, to the highest in order to assure continuity in infrastructure.

- c. Development shall be phased to ensure preservation and ongoing use of adjacent farmland to the extent feasible, and adequate provision of urban services within the Specific Plan area.
42. Public Improvements and Infrastructure: The developer shall install and dedicate the following improvements at its sole cost, or shall pay the City its full cost to install the improvements through contribution of development impact fees, funds generated by the Mello Roos CFD or other special charges as determined by the City. The final configuration of the project improvements shall provide for continuous and unimpeded public access to all facilities for the maintenance, repair and replacement of such improvements.
- a. Public Streets. All public streets within the specific plan area, as shown on the conditionally approved VTM (Exhibit I) and Miramonte Specific Plan Circulation Diagram (Exhibit II), including the construction, dedication and extensions of Market Street, Gabilan Drive, and the improvements and related dedications of San Vicente Road, and all other off-site local streets adjacent to or within the subdivision and all associated curbs, gutters, and sidewalks designed and constructed to City of Soledad standards, or any modified standards that may be agreed to during submission of final map(s), improvement plans, or as a provision of the Development Agreement, shall be installed as approved by the City Public Works Director and/or applicable agencies having jurisdiction.
 - b. Storm Drainage Facilities. All storm drainage improvements within the specific plan area, as shown on the conditionally approved VTM, including any off-site improvements as identified in the Storm Water Collection System Master Plan and related infrastructure phasing plan, to serve the proposed project and adjacent or tributary future projects, shall be designed and constructed to City of Soledad Standards, or any modified standards that may be agreed to during submission of final map(s), improvement plans, or as a provision of the Development Agreement, and shall be installed as approved by the City Public Works Director or applicable agency having jurisdiction.
 - c. Water System. All water system improvements within the specific plan area, as shown on the conditionally approved VTM, including any off-site improvements as identified in the approved Hydraulic Analysis and Water Master Plan and related infrastructure phasing plan, to serve the proposed project and adjacent or tributary future projects, shall be designed and constructed to City of Soledad Standards, or any modified standards that may be agreed to during submission of final map(s), improvement plans, or as a provision of the Development Agreement, and shall be installed as approved by the City Public Works Director or applicable agency having jurisdiction.
 - d. Street Trees and Landscaping.
 - Street trees shall be planted along all public rights-of-way and on each lot per City standards. Developer shall submit detailed landscape and irrigation plans using Xeriscape principles, per City standards, for all

landscaped areas of the subdivision, including but not limited to open space areas, parks, public rights-of-way, residential front yards, multi-family development, and commercial areas as denoted on the VTM;

- All landscaped areas shall be maintained free of weeds, trash and debris and all plant material shall be continuously maintained in a healthy, growing condition by the developer until acceptance by the City or inclusion in an appropriate maintenance district;
 - All landscaping appurtenant to each phase of development shall be in place and completed and accepted by the City prior to occupancy approval of any development within said phase. The City may authorize that installation of landscaping be deferred when necessary to ensure it is not damaged by construction of the improvements. Unless otherwise agreed to by City and project proponent in writing, all landscaping shall be installed on a phase-by-phase basis, prior to the first occupancy permit being issued within a given phase.
- e. Undergrounding of Utilities. All new utilities on the project site associated with the proposed subdivision, including gas, electrical, telephone, cable TV, and electrical transformers, shall be placed underground. All existing overhead utilities shall be reinstalled underground. Undergrounding shall be indicated on the final subdivision map improvement plans for each phase and shall be reviewed and approved by the City Public Works Director prior to recordation of each final map(s) (phase), unless otherwise agreed upon by the City Council.
- f. Street Lights. Street lights shall be installed in a number and at locations sufficient to provide adequate lighting levels for public safety. An exterior street lighting plan shall be prepared and submitted to the City for approval by the Police, Public Works and Community Development departments.
- g. Retaining Walls. Where grading of pads will result in slopes steeper than 3:1, masonry retaining walls shall be installed at rear and/or side property lines to a height commensurate with the grade being retained to ensure long-term viability and maintenance for future property owners. Wooden fences shall be installed on top of the retaining walls, but in no case shall the overall height of the walls and fencing be greater than six (6) feet as measured in relation to the highest adjacent grade.

43. Other Agency Permitting Requirements:

- a. All detention/retention ponds shall be constructed to meet the requirements of the Monterey County Water Resources Agency and be fenced for public safety as needed. If determined to be safe for public use, the detention/retention ponds are intended to serve as dual park and recreation areas. Natural runoff shall be contained on the site and shall not exceed pre-development levels to mitigate impacts to downslope properties. Necessary improvements shall be constructed in

accordance with approved plans and permits/agreements as required have been obtained.

- b. The applicant shall provide evidence that all required local, state and federal permits have been acquired prior to construction. Agencies include, but are not limited to, California Department of Fish & Wildlife and the California Regional Water Quality Control Board.

44. Open Space and Park Dedications and Improvement Plans:

- a. Park Dedication. The developer(s) shall, at their expense, offer to dedicate parkland identified in the Miramonte Specific Plan to the City, at no cost to the City, prior to City Council approval of the first final map; and shall record the dedication concurrent with completion of the required improvements and prior to occupancy of the twentieth (20) home in the subdivision phase. Park and Open Space dedications shall be provided as shown on the Specific Plan totaling 196.48 acres.
- b. Park Facilities. The developer(s) shall be required to improve parks within the Plan Area and pay park impact fees at the time of issuance of a building permit. These park impact fees may be off-set by designing, funding, and constructing park facilities, and may also include park facility capital improvements in the CFD for the plan area, but shall include park facility long-term operations and maintenance costs in the CFD to provide parks services to the plan area.
- c. Parking for Parks. Prior to recordation of the final map in each phase, all public parks shall be designed to include sufficient parking within the park space (and not on the public street), subject to approval of the Public Works Director, and said parking shall be designed, financed, and constructed by the developer(s). These park parking facilities may of-set park impact fees and may be included in the CDF.
- d. If within any proposed parkland, a storm water storage basin, above or below ground detention or retention facility, or other similar drainage system is proposed as an interim measure, this area shall not be counted towards meeting the City requirements for parkland dedication until such time as the temporary facilities have been removed and the parkland area is reconstructed for use by the public. Any such facility shall be the responsibility of the developer for seasonal inspections and maintenance until such time as permanent drainage facilities have been constructed, are functioning and have been accepted by the responsible public agency.
- e. Following completion of permanent drainage facilities, developer shall modify the detention or retention facilities area to serve as parkland. Detailed plans shall be prepared, subject to the review and approval of the Public Works Director and Community Development Director prior to re-construction and installation of permanent parkland facilities and shall be installed immediately following abandonment of temporary drainage/storage facilities so that no public nuisance shall be created. If parkland reconstruction work is performed after completion of

the final phase of development, the developer shall provide a bond or other financial security sufficient to guarantee completion of the parkland reconstruction. All park improvements will be continuously maintained by developer until acceptance by City or inclusion into a CFD, park and open space maintenance district or benefit assessment district.

- f. Park design and improvement plans shall be submitted, with each final map if development is phased, to the City for review and acceptance by the Public Works Director and Community Development Director. A breakdown of developers share of costs and any credit to developer for cost of improvements shall be determined by the City Manager and City Council as part of a developers subdivision agreement, prior to approval of a final map. Developer's park designer shall consult with the City to develop the most efficient method of maximizing park improvements to be included. At a minimum, all public parks and open space areas required by these conditions shall be improved with landscaping, irrigation, lighting, signage, furniture, play and sports equipment prior to acceptance by the City offers of dedication improvements and for the project phase within which they are located.
- g. The developer(s) may retain ownership of the large open space area above the 400' contour, but are required to prepare, at their expense, a conservation easement, subject to City review, to be either dedicated to the City, a non-profit, or another qualifying entity prior to recordation of the first final map, that preserves the area for passive recreation, clubhouse type use to serve the community or neighborhood, alternative energy, infrastructure, and agricultural grazing.
- h. The developer(s) shall design, fund, and construct as an off-set to impact fees or as part of the CFD, trail, trail furniture, educational and interpretive signage, landscaping and other improvements, subject to the review and approval of the City CCD, prior to occupancy of adjacent development in sub-areas 1, 14 and 16.
- i. The property owner or developer(s) shall provide vehicle access and parking adjacent to the open space area in at least two locations, along with multiple pedestrian and bike access points from within the residential neighborhoods, subject to review and approval of the Public Works Director.
- j. The property owner or developer(s) shall design, finance, and construct emergency vehicle access into the open space area, with a minimum of two (2) points of ingress and egress, subject to review and approval of the Fire Chief, Police Chief, and Public Works Director.

45. Finance of Public Improvements and Maintenance:

- a. Comprehensive Financing Plan:
 - Prior to City Council approval of the first final map and improvement plans, the developer(s) shall have prepared, at their expense, a Comprehensive Financing Plan, subject to City Staff review and City Council approval. The

Comprehensive Financing Plan shall identify capital improvements necessary to serve the Plan Area and shall allocate funding between impact fees, Mello-Roos Community Facilities District (CFD) bond financing, and may include other potential financing mechanisms. The CFD financing mechanism will be designed to fund capital improvements and long-term operations and maintenance of dedicated utility and roadway infrastructure, public parks and open space, and other public facilities infrastructure improvements required herein and in the adopted mitigation measures. At minimum, the following items shall be included in the Comprehensive Financing Plan:

- Project-specific development impact fee study, including an assessment of ongoing governmental administrative and public safety costs customized to the Miramonte Specific Plan Area;
 - Project-specific traffic impact fee study; and
 - On- and off-site capital improvement plans with cost estimates attached.
- b. Unless otherwise noted, the developer shall pay to the City the above fees equal to the project's fair share of the costs of providing capital improvements to the sanitary sewer collection system, storm drainage collection system and roadway network identified in the specific plan, mitigation measures, and conditions of approval herein, in an amount required to serve all uses in the Plan Area, while maintaining existing levels of service. If such improvements must be completed at one time, rather than on an incremental basis coordinated with project phases, developer agrees that it will advance up to 100 percent of the impact fees for the entire project at the time of filing a final map for the first phase and in accordance with the timing established in the Development Agreement for this project. Required fees are as follows:
- Wastewater Impact Fees;
 - Water Impact Fees
 - Storm Drainage Impact Fees;
 - City of Soledad Traffic Impact Fees;
 - Park Fees;
 - Police Fees;
 - Fire Fees;
 - TAMC Regional Traffic Impact Fees; and
 - General Government Fees.
- c. Financing Program:
- In order to coordinate financing of public improvements, and/or following construction to maintain the improvements in good condition, the developer shall initiate and complete formation of a CFD assessment district(s), or some other financing mechanism acceptable to the City, prior to filing final map(s) as follows:

- Community Facilities District (CFD) for the Acquisition, Construction, and on-going maintenance of Public Improvements. Prior to recordation of the final subdivision map for the first phase of the project, the developer may request the formation of an appropriate CFD that will enable bonds to be let to pay for the acquisition, construction, and on-going maintenance of specified public facilities, including park improvements; and/or
- Benefit Assessment district. Prior to recordation of the final subdivision map for the first phase of the project, the developer shall initiate and complete formation of a benefit assessment district for the acquisition and construction of public improvement; and
- Parks and Open Space Maintenance Assessment District. Prior to recordation of the final subdivision map for the first phase of the project, the developer shall initiate and complete formation of a “Parks and Open Space Maintenance Assessment District” for the permanent maintenance of all parkland, open space and/or public landscaped areas and street lighting within the VTM areas.

46. Neighborhood Design: Prior to submittal of the final map for any phase, the developer shall submit and the City Community Development Director will review an overall plan showing the location of housing units on each lot. These plans shall provide for the following:

- a. Building footprint on each lot showing building setbacks. Setbacks shall vary in accordance with the adopted specific plan regulations and community design guidelines in order to provide a pleasing appearance to the neighborhood.
- b. Residential lots wider than 60 feet shall have one side yard setback sufficient to allow vehicle access to the rear yard area, typically a minimum of nine (9) feet.
- c. Due to the varied lot sizes, the standard sized lots (6,000 sq. ft. +) and the smaller lots (5,000 sq. ft. or less) shall each have a minimum of four (4) house plans to provide variation in appearance. The eight (8) variations of house plans (for smaller and larger lots) shall be similar in architectural style so as to appear unified in architectural style and details.

47. Construction Hours of Operation:

Weekdays: between 7:00 am and 7:00 pm
 Saturdays: between 8:00 am and 6:00 pm
 Sundays and Holidays: prohibited

48. Greenhouse Gas and Criteria Air Pollutant Reduction Plan

- a. Prior to submittal of the first final map, the developer shall prepare Emissions Reduction Plan in accordance with the requirements of mitigation measure 4.3-3. The Emissions Reduction Plan shall include a description and quantification of

measures that are proposed to be implemented by the entire specific plan area, including one or more of the greenhouse gas (GHG) and criterial air pollutant reduction measures provided in Appendix F-1 of the certified Miravale III Specific Plan EIR, attached hereto and incorporated herein by reference (Exhibit X). The recommended emissions model for land use emissions is CalEEMod, California Emissions Estimator Model.

- b. The Emissions Reduction Plan shall include quantified evidence that demonstrates the baseline GHG and criteria air pollutant (CAP) emissions compared with reductions that will be achieved by implementation of the chosen emissions reduction measures, and other applicable mitigation measures and conditions of approval related to emissions sources.
 - c. As part of the Emissions Reduction Plan, the following programs are required to be prepared by the developer and are subject to the review and approval of the Public Works Director prior to recordation of the final map for each phase of the project.
 - A Transportation Demand Management Program shall be prepared consistent with the requirements of the Transportation Agency of Monterey County. The Program shall demonstrate reductions in vehicle miles travelled and related mobile source criteria air pollutant emission that would be achieved through the implementation of measures (See Exhibit X) that reduce traffic generated by the proposed project; and
 - A Waste Diversion and Reduction Program identifying waste diversion measures consistent with state requirements and with the City Code Chapter 13.05 subject to the review and approval of the Community Development Director prior to recordation of the final map for each phase of the project.
 - d. For each of the measures not included, the applicant shall describe why the measure was not included. The Emissions Reduction Plan shall present estimated reductions in GHG and CAP emissions based on best available information sources.
 - e. No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until all of the applicable measures have been implemented by the project proponent. The proponent shall demonstrate that measures that must be implemented throughout the life of the project are included in all applicable CC&Rs, commercial center rules and/or regulations, and draft tenant lease agreements.
49. Acceptance of Mitigation, Monitoring and/or Reporting Program: The Conditions of Approval include the mitigation measures identified in the project EIR, project EIR Addendum, and Mitigation Monitoring and Reporting Program. The Mitigation, Monitoring and Reporting Program is attached hereto and incorporated by reference with this document. Acceptance of the Mitigation, Monitoring and/or Reporting Program is required and evidence by the signature on the original document. Return the original document to the City within 30 days of project approval. At no time may any of the conditions be eliminated, removed, altered or modified without prior approval by the City

Council, a designated authority or professional authorized to act on behalf of the City Council.

50. Circulation Master Plan: Prior to acceptance of the first final map, the developer shall prepare, at its expense, a Circulation Master Plan identifying all on and off-site transportation improvements, including studies, improvement designs, financing, timing for construction to begin, and responsibilities of the developer, that are required by the specific plan, and by mitigation measures and related conditions of approval adopted for the project. Details for compliance with specific plan policies, mitigation measures and conditions of map approval may include all or some of the components listed above, and would be finalized in the required development agreement established between the developer and the City (refer to Standard Condition of Approval #7), prior to City Council approval of the first final map.

The Master Circulation Plan is subject to the review and approval of the Director of Public Works and shall, at minimum, include the following components:

- a. An engineered on-site circulation plan for the project with the design criteria and performance thresholds for complete streets.
- b. Off-site intersection improvements required by Mitigation Measure 4.13-7 and Mitigation Measure 4.13-8;
- c. Upon acquisition of right-of-way by the City or dedication of suitable right-of-way by others, and prior to issuance of the 622nd building permit, the developer shall design, finance, and construct the realignment of San Vicente Road, adjacent to the southwest corner of the site, in substantial conformance with the specific plan. The developer shall install street improvements to City Standards.
- d. Projects developed under the Specific Plan shall facilitate transit service to the plan area by providing the necessary bus shelters and turn-outs to serve each development phase as recommended by the Monterey-Salinas Transit District, subject to approval by the City Public Works Director. Locations for such facilities shall be identified in the Circulation Master Plan and included on the final map(s) for any phase.
- e.
 - Traffic Level of Service Monitoring Program. The applicant or developer shall conduct the Level of Service Monitoring Program required by Mitigation Measure 4.13-15 for the intersections of Moranda Road/Front Street; U.S. Highway 101 Northbound Ramps and Moranda Road / Front Street; San Vicente Road and Front Street; San Vicente Road and Gabilan Drive; Main Street and Gabilan Drive; to ensure that acceptable levels of service are maintained in accordance with the City of Soledad's adopted standards as determined by the Director of Public Works until required intersection improvements or extensions of Market Street and/or Gabilan Drive are complete. Monitoring shall commence no later than issuance of the first residential building permit, and shall be routinely conducted as set forth in mitigation measure 4.13-15.

- f. The plan shall identify and demonstrate the project's contribution to address cumulative impacts requiring off-site major transportation facility improvements required by the mitigation measures identified in the EIR Addendum and Mitigation Monitoring Program, using some or all of following items subject to review and approval by the Director of Public Works:
- Payment of the project's fair share of City of Soledad traffic impact fees in effect at the time of building permit issuance based on site-specific traffic impact fees that would be determined through the comprehensive financing program for capital improvements and/or an updated City traffic impact fee program;
 - Monitoring of traffic conditions (required by Mitigation Measures 4.13-15) may be used by the city to identify future traffic improvements to add to traffic facility improvement projects funded by the City's traffic impact fee program updates;
 - Fund an initial City-wide traffic impact fee update, in addition to or instead of a site-specific impact fee analysis;
 - Provide engineering design assistance for the Market Street and/or Gabilan Drive Extension;
 - Once public right-of-way is obtained by the City or by other means, construct a Market Street and/or Gabilan Drive Extension and enter into a reimbursement agreement with the City.

Building permit issuance shall be based upon completion of applicable milestone studies or improvements identified in these conditions of approval, the Development Agreement, and the Circulation Master Plan as directed by the Director of Public Works.

No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until improvements necessary to maintain the City's acceptable levels of service on area roadways are constructed, unless the monitoring results indicate that the subject intersections are operating at LOS D or better to the satisfaction of the Director of Public Works.

- g. Market Street Extension. If the necessary public right of way is acquired by the City or developer, and the developer chooses to construct the Market Street extension in advance of the City's anticipated timing, the developer shall design, finance and construct the Market Street Extension. The City shall provide the developer a reimbursement agreement that provides the developer reimbursement funds for expenditures beyond the developers fair share.
- h. Gabilan Drive Extension. If the necessary public right of way is acquired by the City or developer, and the developer chooses to construct the Gabilan Drive extension in advance of the City's anticipated timing, the developer shall design,

finance and construct the Gabilan Drive Extension. The City shall provide the developer a reimbursement agreement that provides the developer reimbursement funds for expenditures beyond the developers fair share.

I hereby declare under penalty of perjury that I have read the foregoing conditions and that they are, in fact, the conditions which were imposed upon the approval of the VTM. I agree to abide fully with these conditions.

Dated: _____ Applicant: _____

Print Name

Secretary, Planning Commission