RESOLUTION NO. 5431

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD CERTIFYING AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MIRAVALE III SPECIFIC PLAN (SCH #2006081129)

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 Project); and

WHEREAS, the City of Soledad has 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, the City prepared a Notice of Preparation (NOP) of an EIR, which was circulated for public comment between August 24, 2006, and September 22, 2006, and on September 7, 2006, the City conducted a public meeting to refine the scope of the draft EIR in accordance with Section 15082(c)(1) of the State CEQA Guidelines; and

WHEREAS, the Draft EIR on the Miravale III Project was prepared in response to the concerns raised during the NOP public comment period and at the public meeting, and 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 the City's rules and procedures for the implementation of CEQA; and

WHEREAS, the Draft EIR was circulated for public review and comment for 45 days between November 4, 2008, and December 18, 2008, 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 December 11, 2008, the Planning Commission conducted a duly noticed public hearing to consider the Draft EIR, related staff report, and all public comments received; and

WHEREAS, a Final Environmental Impact Report ("FEIR") was prepared for the Miravale III Project in compliance with all requirements of CEQA, and which addressed all elements of the Miravale III Project and Miravale III Project approvals; and

WHEREAS, the FEIR for the Miravale III Project consists of the Draft EIR for the Miravale III project (SCH No. 2006081129), all public written comments submitted within the statutory circulation period for the DEIR, the written responses by the EIR author to all comments received, such additional oral and written comments and responses to those comments

as entered in the public hearing record on the matter, and an Errata Summary (all of which is incorporated herein by reference); and

WHEREAS, the FEIR determined that implementation of the Miravale III Project has the potential to generate significant environmental impacts that could be reduced to a less-than-significant level with full implementation of mitigation measures as recommended in the FEIR; and that potentially significant environmental impacts that can be reduced through the implementation of mitigation measures include the following: aesthetic resources (light and glare); agricultural resources (land use compatibility); geology, seismic hazards and soils; air quality (short-term construction emissions and nuisance odors); biological resources (e.g., habitat alteration, removal of vegetation and trees); cultural resources (historic structure); hydrology, drainage and water quality; local and regional transportation systems; noise; public services and facilities; utilities and infrastructure; health hazards; land use and planning; and population and housing; and

WHEREAS, the FEIR has also determined that implementation of the Miravale III Project, as proposed, has the potential to generate significant unavoidable environmental effects, and that such significant impacts which cannot be mitigated to a less-than-significant level with implementation of the Project are identified as follows: aesthetic resources (permanent alteration of visual character and scenic resources); agricultural resources (conversion of prime agricultural land and cancellation of Williamson Act contract); air quality (e.g., ozone precursor pollutants and greenhouse gas emissions); biological resources (potential impacts to Special-status wildlife species, impacts to wildlife habitat, wildlife corridors and nursery sites); land use and planning (conflicts with General Plan policies intended to avoid and/or mitigate environmental impacts to biological and aesthetic resources); noise; population and housing (significant portion of General Plan's projected growth and growth-inducement); regional transportation system (if necessary improvements are not implemented); and cumulative impacts to aesthetics, agricultural resources, air quality, biological resources, climate change and transportation and traffic; and

WHEREAS, on August 12, 2010, the Planning Commission, conducted a noticed public hearing to consider the adequacy of the FEIR and all comments received, and considered the Staff Report and oral report for the FEIR; and

WHEREAS, the Planning Commission determined that the FEIR for the Miravale III project met all CEQA requirements and constituted a complete, comprehensive and adequate documentation of all environmental effects and impacts of the project and included appropriate and effective implementation measures and alternatives to reduce identified significant impacts; and

WHEREAS, the Planning Commission, through adoption of Resolution 2010-14, resolved to recommend that the City Council of the City of Soledad hold a public hearing and, thereupon, certify the Final EIR for the Miravale III Specific Plan project; and

WHEREAS, on September 1, 2010, the City Council of the City of Soledad conducted a noticed public hearing to consider the FEIR, related staff report and oral presentation of the item, all public comments received, and the recommendation of the Planning Commission; and

WHEREAS, the City Council of the City of Soledad, exercised their independent judgment of the FEIR, herein incorporated by reference, and based upon the evidence presented herein and in the public record, determined that the proposed Miravale III Project was adequately analyzed in the Miravale III Specific Plan Environmental Impact Report; and

WHEREAS, the City Council of the City of Soledad found that the City 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

WHEREAS, The City Council of the City of Soledad resolved to certify the FEIR on September 1, 2010 and adopted Resolution 4564 (included hereto as **Exhibit A**) to do so finding that:

1. The FEIR for the Miravale III project has been completed in compliance with the requirements of CEQA and CEQA Guidelines; and

2. The FEIR for the Miravale III project has been reviewed and considered by the City Council prior to their action; and

3. The FEIR reflects the City of Soledad's independent judgment and analysis; and

WHEREAS, The City Council authorized City Staff to request LAFCO to consider initiating a Sphere of Influence amendment for the area proposed by the project, but took no other actions to approve the project; and

WHEREAS, The City Council made recommendations to the City Staff and the applicant for revisions to the project that would make it consistent with the City's General Plan and the City's vision for the plan area before the City Council would further consider requested actions on the project; 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, It has been determined by City Staff and recommended by 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 Staff has had 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 Staff, based on the conclusions of the EIR Addendum, has prepared CEQA findings and a Statement of Overriding Considerations attached hereto as **Exhibit C** and incorporated herein by reference; 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 recommending to the City Council adoption of the EIR Addendum was given in the manner prescribed by law and by the City; and

WHEREAS, the City of Soledad Planning Commission held duly-noticed public hearings on April 12, 2018, May 10, 2018, and June 14, 2018, during which it considered the EIR Addendum, CEQA Findings and Statement of Overriding Considerations, Staff Report and presentation, public testimony, and documentary evidence introduced and received during the public hearing along with the entire public record, including the environmental documentation; 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, the Planning Commission recommendation and to hear public testimony; and

WHEREAS, the City Council during duly noticed special meetings held on August 28, 2018 and October 23, 2018, considered the Addendum, 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 considered the project's contribution to the City's need for major traffic improvements from growth consistent with the general plan, and the Planning Commission recommendation that an extension of Gabilan Drive would be the preferred improvement to mitigate cumulative traffic impacts and the project's contribution to them at the intersections of San Vicente Road and Front Street, Moranda Road and Front Street and the intersection of Moranda Road/Front Street and the U.S. Highway 101 Northbound ramps; and,

WHEREAS, the Council determined that an extension of Gabilan Drive would require modification to the U.S. Highway 101 Front Street interchange, which is under the jurisdictional control of Caltrans; and,

WHEREAS, the City Council has considered a supplemental traffic impact analysis prepared by Keith Higgins included as Attachment J to the October 23, 2018 staff report regarding potential major traffic improvements needed to implement the general plan; and

WHEREAS, the City Council considered the traffic impact mitigating effect to the intersections of San Vicente Road and Front Street, Moranda Road and Front Street, and the intersection of Moranda Road/Front Street and the U.S. Highway 101 Northbound ramps;from constructing an extension of Market Street as identified in the general plan and general plan EIR generally aligned between San Vicente Road and the Moranda Road/Front Street intersection;

and

WHEREAS, the City Council at the October 23, 2018 meeting closed the public hearing and directed City Staff to make review and make appropriate revisions to the traffic mitigation measures and others mitigation measures identified in the EIR Addendum and directed staff, if possible, to present the revisions at the regular City Council meeting of November 7, 2018; and

WHEREAS, Staff and representatives of the City's environmental consultant, EMC Planning Group, met and conferred during the week of October 29, 2018, and agreed upon appropriate changes to the mitigation measures and related documents, and all of said modifications can be processed without the need for further or additional environmental analysis; and

WHEREAS, the City Council at the regular meeting of November 7, 2018, received and considered an Errata to the EIR Addendum that includes the requested revisions to mitigation measures prepared by City Staff and recommended by the City Attorney; and

WHEREAS, all said clarifications are desired by the City and are being accomplished through the Addendum to the certified Miravale III FEIR, Errata to the Addendum to the certified Miravale III FEIR, mitigation monitoring program (hereinafter "MMRP"), and City required conditions of approval; and

WHEREAS, the City Council has considered the Errata to the EIR Addendum attached hereto as **"Exhibit D",** and incorporated herein by reference, which further clarifies the revisions made to mitigation measures after preparation of the EIR Addendum in response to concerns raised by City Council during their consideration of the proposed Miramonte Specific Plan and Vesting Tentative Map project; and

WHEREAS, notice of time and place of hearing for the City Council's deliberations to certify the EIR Addendum was given in the manner prescribed by law and by the City.

NOW **THEREFORE BE IT RESOLVED** that the City Council of the City of Soledad herby certifies the EIR Addendum and finds that:

1. The FEIR for the Miravale III project was certified by the City of Soledad City Council in 2010 and was completed in compliance with the requirements of CEQA and the CEQA Guidelines and is hereby incorporated by reference; and

2. The Miramonte Project proposed in 2016 is based on the direction of the City Council in 2010 to reduce the physical size and total density of the project; and

3. The environmental effects of the reduced scale Miramonte Project have been studied in the EIR Addendum and will not result in new significant environmental effects or a substantial increase in the severity of significant effects previously identified in the certified Miravale III Specific Plan FEIR; and

4. That certain mitigations in the certified Miravale III FEIR require clarification, and as such are so clarified in the EIR Addendum and its Errata (Exhibit D); and

5. The actions necessary to carry out approval of the project are within the scope of the projects analyzed in the Final EIR and EIR Addendum; and that the Final EIR and EIR Addendum, including Errata, are fully adequate to consider the Miramonte Project; and

6. The mitigation measures identified in the EIR Addendum and Errata are equivalent to, or more effective in, lessening or avoiding significant effects on the environment; and

7. Findings for the purposes of CEQA and a Statement of Overriding Considerations have been prepared and are attached hereto as Exhibit C and

8. Pursuant to CEQA Guidelines Section 15162 et. seq. the City of Soledad makes the following determinations:

    (1) Substantial changes are proposed in the project, but the changes did not require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

    (2) Substantial changes occur with respect to the circumstances under which the project is undertaken, but the change in circumstances does not require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

    (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows the following:

        (A) The project does not have significant effects that were not already discussed in the previous EIR;

        (B) The significant effects previously examined will not be substantially more severe than shown in the previous EIR;

        (C) There are no mitigation measures previously found not to be feasible that would in fact be feasible, that would substantially reduce one or more significant effects of the project, and are not declined by the project proponents;

        (D) No mitigation measures which are considerably different from those analyzed in the previous EIR and would

substantially reduce one or more significant effects on the environment have been declined by the project proponent.

9. The EIR Addendum and the certified FEIR been reviewed and considered by the City Council; and

10. The EIR Addendum reflects the independent judgement and analysis of the City Council of the City of Soledad; and

11. 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, Mayor Pro Tem Alejandro Chavez, Carla Stewart, and Mayor Fred Ledesma

NOES, Councilmembers: Velazquez

ABSTAIN, Councilmembers: None

ABSENT, Councilmembers: None

_____
FRED J. LEDESMA, Mayor

Chairman
ATTEST:

/s/Michael McHatten
MICHAEL MCHATTEN, City Clerk

EXHIBIT A

CITY COUNCIL RESOLUTION NO. 4564

EXHIBIT B

ADDENDUM TO 2010 CERTIFIED MIRAVALE III SPECIFIC PLAN FEIR

EXHIBIT C

CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

EXHIBIT D

ERRATA FOR THE ADDENDUM TO THE MIRAVALE III SPECIFIC PLAN EIR (MIRAMONTE SPECIFIC PLAN PROJECT)

RESOLUTION NO. 4564

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD ANNOUNCING FINDINGS AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED MIRAVALE III SPECIFIC PLAN

(SCH NO. 2006081129)

WHEREAS, the City Council of the City of Soledad has received an application initiated by Nader Agha. for a proposed Specific Plan and related vesting tentative map for the phased development for 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 ("Project"); and

WHEREAS, the City of Soledad has adopted the role of lead agency for the purposes of conducting environmental review of the proposed 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 Specific Plan 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, the City prepared a Notice of Preparation (NOP) of an EIR, which was circulated for public comment between August 24, 2006, and September 22, 2006, and on September 7, 2006, the City conducted a public meeting to refine the scope of the draft EIR in accordance with Section 15082(c)(1) of the State CEQA Guidelines; and

WHEREAS, the Draft EIR on the Miravale III project was prepared in response to the concerns raised during the NOP public comment period and at the public meeting, and 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 the City's rules and procedures for the implementation of CEQA; and

WHEREAS, the Draft EIR was circulated for public review and comment for 45 days between November 4, 2008, and December 18, 2008, 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 December 11, 2008, the Planning Commission conducted a duly noticed public hearing to consider the draft EIR, related staff report, and all public comments received; and

WHEREAS, a Final Environmental Impact Report ("FEIR") was prepared on the project in compliance with all requirements of CEQA, and which addresses all elements and phases of the Project and Project approvals as described above; and

WHEREAS, the FEIR for the Miravale III Project consists of the Draft EIR for the Miravale III Specific Plan (SCH No. 2006081129), all public written comments submitted within the statutory circulation period for the DEIR, the written responses by the EIR author to

all comments received, such additional oral and written comments and responses to those comments as entered in the public hearing record on the matter, and an Errata Summary (attached hereto\\as **Exhibit B**); and

WHEREAS, the FEIR has determined that implementation of the Project has the potential to generate significant environmental impacts that could be reduced to a less-than-significant level with full implementation of mitigation measures as recommended in the FEIR; and that the areas of potentially significant environmental impacts which can be reduced through mitigation measures include the following: aesthetic resources (light and glare); agricultural resources (land use compatibility); geology, seismic hazards and soils; air quality (short-term construction emissions and nuisance odors); biological resources (e.g., habitat alteration, removal of vegetation and trees); cultural resources (historic structure); hydrology, drainage and water quality; local and regional transportation systems; noise; public services and facilities; utilities and infrastructure; health hazards; land use and planning; and population and housing; and

WHEREAS, the FEIR has also determined that implementation of the Project, as proposed, has the potential to generate significant unavoidable environmental effects, and that such significant impacts which cannot be mitigated to a less-than-significant level with implementation of the Project are identified as follows: aesthetic resources (permanent alteration of visual character and scenic resources); agricultural resources (conversion of prime agricultural land and cancellation of Williamson Act contract); air quality (e.g., ozone precursor pollutants and greenhouse gas emissions); biological resources (potential impacts to Special-status wildlife species, impacts to wildlife habitat, wildlife corridors and nursery sites); land use and planning (conflicts with General Plan policies intended to avoid and/or mitigate environmental impacts to biological and aesthetic resources); noise; population and housing (significant portion of General Plan's projected growth and growth-inducement); regional transportation system (if necessary improvements are not implemented); and cumulative impacts to aesthetics, agricultural resources, air quality, biological resources, climate change and transportation and traffic; and

WHEREAS, on August 12, 2010, the Planning Commission, conducted a noticed public hearing to consider the adequacy of the Final EIR and all comments received, and considered the Staff Report and oral report for the Final EIR; and

WHEREAS, the Planning Commission has determined that the Final EIR for the Miravale III Specific Plan meets all CEQA requirements and constitutes a complete, comprehensive and adequate documentation of all environmental effects and impacts of the project and includes appropriate and effective implementation measures and alternatives to reduce identified significant impacts; and

WHEREAS, the Planning Commission, through adoption of Resolution 2010-14, resolved to recommend that the City Council of the City of Soledad hold a public hearing and, thereupon, certify the Final EIR for the Miravale III Specific Plan project, and

WHEREAS, on September 1, 2010, the City Council of the City of Soledad conducted a noticed public hearing to consider the Final EIR, related staff report and oral

presentation of the item, all public comments received, and the recommendation of the Planning Commission; and

WHEREAS, the City Council of the City of Soledad, exercising their independent judgment of the FEIR, herein incorporated by reference, and based upon the evidence presented herein, has determined that the proposed Project has been adequately analyzed in the Miravale III Specific Plan Environmental Impact Report; and

WHEREAS, the City Council of the City of Soledad has found that the City has 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

WHEREAS, the FEIR reflects the City's independent judgment and analysis and constitutes the FEIR for the Miravale III Specific Plan project.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Soledad certifies said FEIR and finds that:

1. The FEIR for the Miravale III Specific Plan has been completed in compliance with the requirements of CEQA and CEQA Guidelines; and

2. The FEIR for the Miravale III Specific Plan has been reviewed and considered by the City Council prior to their recommended action; and

3. The FEIR reflects the City of Soledad's independent judgment and analysis.

PASSED AND ADOPTED by the City Council of the City of Soledad a regular meeting duly held on the 1st day of September, 2010, by the following vote:

AYES, and in favor thereof, Councilmembers: Richard J. Perez, Juan Saavedra, Patricia Stephens, Mayor Pro Tem Martha Camacho and Mayor Richard V. Ortiz

NOES, Councilmembers: None

ABSTAIN, Councilmembers: None

ABSENT, Councilmembers: None

RICHARD V. ORTIZ, Mayor

ATTEST:

ADELA P. GONZALEZ, City Clerk

Exhibit B

Planning for Success.

ADDENDUM TO THE MIRAVALE III SPECIFIC PLAN EIR (SCH #2006081129)

Prepared for the 2018 Miramonte Specific Plan

PREPARED FOR

City of Soledad

August 21, 2018

EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

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ADDENDUM TO THE MIRAVALE III SPECIFIC PLAN EIR (SCH #2006081129)

Prepared for the 2018 Miramonte Specific Plan

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August 21, 2018

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1.0
Introduction

1.1 BACKGROUND

In early 2000, the City of Soledad ("city") received an application initiated by Nader Agha (applicant) for a proposed specific plan (Miravale III Specific Plan) and related preliminary vesting tentative map. The application proposed a phased development for 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, hereinafter referred to as Miravale III Specific Plan project.

The City of Soledad, as lead agency, determined that the Miravale III Specific Plan project could result in significant adverse environmental impacts and required that an environmental impact report (EIR) be prepared to evaluate these potentially significant adverse environmental impacts. A Notice of Preparation (NOP) was sent out in August 2006. The *Draft Environmental Impact Report for the Miravale Phase III Specific Plan* (hereinafter "Miravale III EIR" or "Draft EIR") was circulated for public review and comment for 45 days between November 4, 2008, and December 18, 2008. The *Final Environmental Impact Report for the Miravale Specific Plan* (hereinafter Final EIR), consisting of the Draft EIR, public comments and responses to comments was prepared in accordance with the California Environmental Quality Act (CEQA, California Public Resources Code, Sections 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.).

The Final EIR for the Miravale III Specific Plan analyzed the potential environmental effects of the then-proposed specific plan and vesting tentative map for environmental effects. The proposed specific plan would have provided policy guidance for the phased annexation and development of a portion of the Mirrasou Specific Plan area, the San Vicente West Specific Plan area, and Northwest Expansion Area identified in the city's 2005 General Plan. The preliminary vesting tentative map provided the basis for the conceptual lotting plan and infrastructure improvements for the uses proposed by the Miravale III Specific Plan.

The Miravale III Specific Plan, which was never adopted by the City Council, identified the following implementation measures for development of the project (Draft EIR page 3.0-7):

- Amendment of the General Plan – both policy provisions and diagrams— concurrently with the adoption of the specific plan to incorporate the land use designations illustrated in the Land Use Plan, and policies included in the text of the specific plan.

- Amendment of the Zoning Ordinance to rezone the property "MIIISP" within the specific plan area.
- Preparation of a final tentative map for subdivision of the specific plan area consistent with the design and zoning standards described in the specific plan. Requests for modifications to the land uses or zoning standards identified in the specific plan may be approved by the city provided they are in substantial conformance with city goals and criteria of the specific plan.
- Development of individual phases of the project consistent with the land use designations and with the policies and implementation measures contained in the specific plan.
- Application for a Sphere of Influence Amendment and subsequent annexation approval(s) from Monterey County Local Agency Formation Commission (LAFCO).

Approval of the then-proposed Miravale III Specific Plan and vesting tentative map would have resulted in the construction of 1,470 single-family residential units, 116 duplex/small lot single-family residential units, 2,614 multi-family residential units (includes affordable housing, workforce housing, and senior housing units), 120 hotel rooms, 275,000 square feet of retail commercial space, and an 18-hole golf course. The previously proposed project would have also included three school sites (two elementary schools and one middle school), a fire and police substation, a recycled water plant, and approximately 75 acres of open space and recreation areas, including parks, playgrounds, and a trail system. Table 1-1 Miravale III Specific Plan Land Use (Formerly Proposed Specific Plan) presents the uses and acreage of the formerly-proposed Miravale III specific plan project that were analyzed in the Miravale III EIR.

In the Final EIR, the city concluded that many of the significant impacts resulting from the former project could be mitigated by adding or modifying specific plan provisions and by making changes to the preliminary vesting tentative map. Project revisions would be necessary to comply with the mitigation measures listed in the Final EIR.

The Final EIR was certified by the City Council in September 2010. The Final EIR is included in Appendix A. The applicant was directed to revise the specific plan and vesting tentative map for the Miravale Specific Plan project. Issues identified by the City Council included inconsistency of the Miravale Specific Plan project with a number of General Plan policies and provisions, in particular, those outlined in the Miravale III Specific Plan EIR analysis of impacts related to aesthetics, biological resources, public services and facilities, and population and housing. The project has since been revised and a new specific plan and vesting tentative map have been prepared to address the issues identified by the City Council during its review of the Miravale III Specific Plan EIR in 2010. The applicant has since submitted revisions to the specific plan and vesting tentative map and new applications, which are the subject of this addendum.

Table 1-1 Miravale III Specific Plan Land Use (Formerly Proposed Specific Plan)[1]

Land Use	Acreage	Amount	Gross Density[2]
Single-family Residential	240.88	1,470	6.1 du/acre
Multi-family Residential (Townhomes/Apartments)	146.97	1,183	18.99 du/acre
Senior Housing Units[3]	-	500	18.99 du/acre
Workforce/Senior Housing Units[3]	-	1,047	18.99 du/acre
Total Residential	387.85	4,200 DU	10.83[2]
Hotel	6.5	120 Rooms	-
Retail/Commercial	33.22	275,000 SF	-
Fire/Police Substation	1.31	1	-
Elementary School	20.00	2	-
Middle School	19.00	1	-
Churches	1.67	1	-
Park/Open Space	75.77	-	-
Golf Course/maintenance	149.76	18 Holes	-
Recycled Water Plant	1.82	-	-
Detention/Retention Ponds	15.75	-	-
Water Tanks	3.02	-	-
Roads/ROW	121.78	-	-
Agricultural buffer	1.61	-	-
Urban Reserve/Agriculture	85.80	-	-
Total Acres	921.77	-	-

SOURCE: Denise Duffy and Associates 2008

NOTES:

1. Amounts may vary due to rounding.
2. Includes land occupied by roadway and utility infrastructure and neighborhood public parks.
3. The acreage of Senior and Workforce housing is included in Multi-family acreage.

1.2 DECISION TO PREPARE AN ADDENDUM TO THE MIRAVALE III SPECIFIC PLAN EIR

The city has determined that the proposed project (specific plan amendment and tentative map application) is not an exempt project as defined in CEQA and therefore, must be evaluated for its potential impacts on the environment pursuant to CEQA.

CEQA Guidelines Section 15164 states that the lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have

occurred. CEQA Guidelines sections 15162 and 15163 define the conditions under which a subsequent or supplemental EIR may be prepared for a project. Section 15162 states:

> (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
>
> (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
>
> (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
>
> (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
>
> (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
>
> (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
>
> (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
>
> (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
>
> (b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a).

> Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

The city's decision to prepare an addendum to the Miravale III Specific Plan EIR is based on its determination that none of the conditions in CEQA Guidelines section 15162 or 15163, which would require preparation of a subsequent or supplemental EIR, are met. This conclusion is in turn based on the analysis provided in Section 3.0, Project Analysis.

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2.0
Project Description

2.1 Project Site and Vicinity Setting

Project Location

The project site is located in unincorporated Monterey County on the northern edge of the Soledad city limits. The project site is located east of U.S. Highway 101, approximately nine miles southeast of Gonzales, 22 miles southeast of Salinas, and nine miles north of Greenfield. The project location is illustrated in Figure 2-1, Location Map. Surrounding land uses include a farmworker housing area to the west, agricultural land to the north and west, an existing residential subdivision to the south, and undeveloped foothills of the Gabilan Mountain Range to the north and east.

Project Site Setting

The approximate 647-acre project site consists of six parcels: Assessors Parcels Numbers (APN) 417-151-082, 417-151-084, 417-151-089, 417-151-090, 417-151-091, and 417-151-092. The 647 acres includes portions of the following parcels that will be dedicated for expansion of the San Vicente Road right-of-way and the park/drainage facility: APN 257-081-005, 257-091-009, and 257-091-012. Refer to Figure 2-2, Project Parcels.

The project site consists primarily of undeveloped land. The site's topography slopes naturally from the southwest corner of the site to the northeast with steeper slopes located at the eastern boundary. The majority of the site ranges in elevation between approximately 180 and 600 feet above mean sea level. The site generally drains to the southwest. Existing trees are located near a cluster of farm buildings at the southwestern corner of the site. A portion of the eucalyptus tree row historically located along San Vicente Road has been recently cut down.

The project site has a rural/agricultural appearance with a majority of the site reserved for agricultural uses. Much of the site is in active agricultural production for row crops and vineyards. The western and central portions of the site are generally vacant of structures and other physical features except for a farming buildings and support structures, farming equipment, detention and percolation ponds, pumping houses and equipment, and access roads. The eastern edge of the site contains predominantly undeveloped foothills currently

utilized for grazing activities. Existing development within these foothills include ranch roads, City of Soledad water tanks (located on APN 417-151-091 and 417-151-092), electrical power lines, and small-scale communication equipment.

The project site is bounded on the south by the Soledad city limits, which consist predominately of residential uses that are suburban in nature and include single-family residences comparable in density to the single family residential units proposed along the southern boundary of the project site. The project site's southwestern and eastern edges are visible by cars traveling on U.S. Highway 101. Other views of the project site are available from surrounding urban areas, primarily those areas adjacent to San Vicente Road.

Figure 2-3, Aerial Photograph, presents the project site characteristics. Figure 2-4, Site Photographs, present photographs of the existing setting at the project site.

Vicinity Setting

The project site is bordered by agricultural and grazing lands on three sides (east, north, and west). Residential development borders the site to the south.

There are several parks and open space areas within the vicinity of the project site including the Mission Nuestra Senora de la Soledad, located approximately two miles southwest of the city; Pinnacles National Park, located approximately five miles east of the city; and Arroyo Seco in the Los Padres National Forest, located approximately 25 miles southwest of Soledad.

Permitted aggregate resources located within the project vicinity include Stonewall Canyon Quarry, which is operated by Syar Industries and located off of Metz Road and Stonewall Canyon Road, approximately 1.5 miles east of the project site. There are no public airports within the vicinity of the project site. However, a private airstrip is located four miles south of the project site.

2.2 REGIONAL SETTING

The City of Soledad is located in the center of the Salinas Valley between the Santa Lucia Mountains to the west and the Gabilan Mountains to the east. The city encompasses 4.6 square miles and is surrounded by unincorporated Monterey County on all sides. The closest cities include Gonzales to the north and Greenfield to the south. Regional access to the city is provided solely via U.S. Highway 101. The Salinas Valley is one of the most economically productive and technologically advanced agricultural regions in the world and the area around Soledad is primarily productive agricultural land and range land. Natural resources of concern within the Soledad area include important farmland and limited habitat for rare and endangered species.

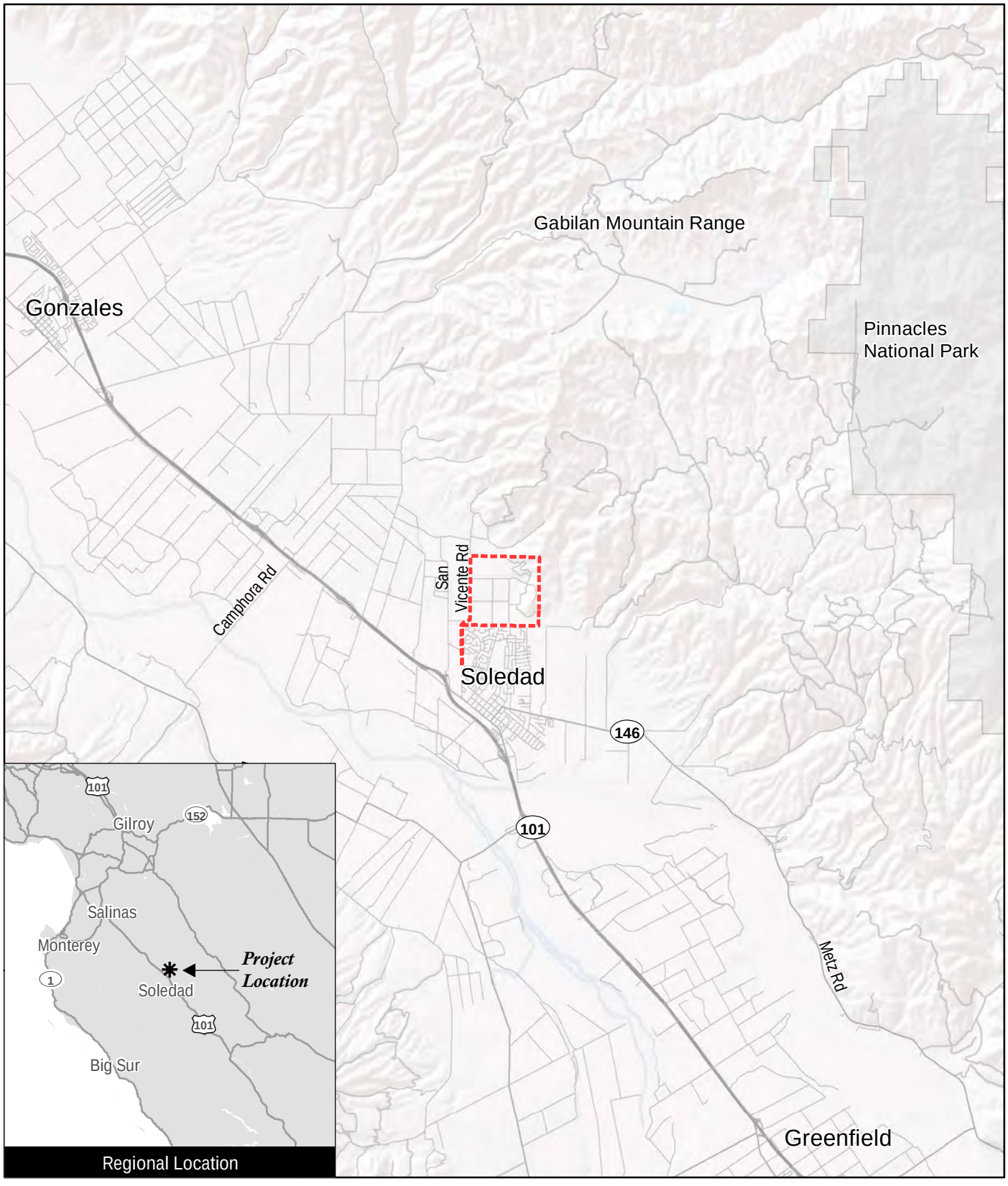

Figure 2-1

Location Map

Miravalle III Specific Plan EIR Addendum

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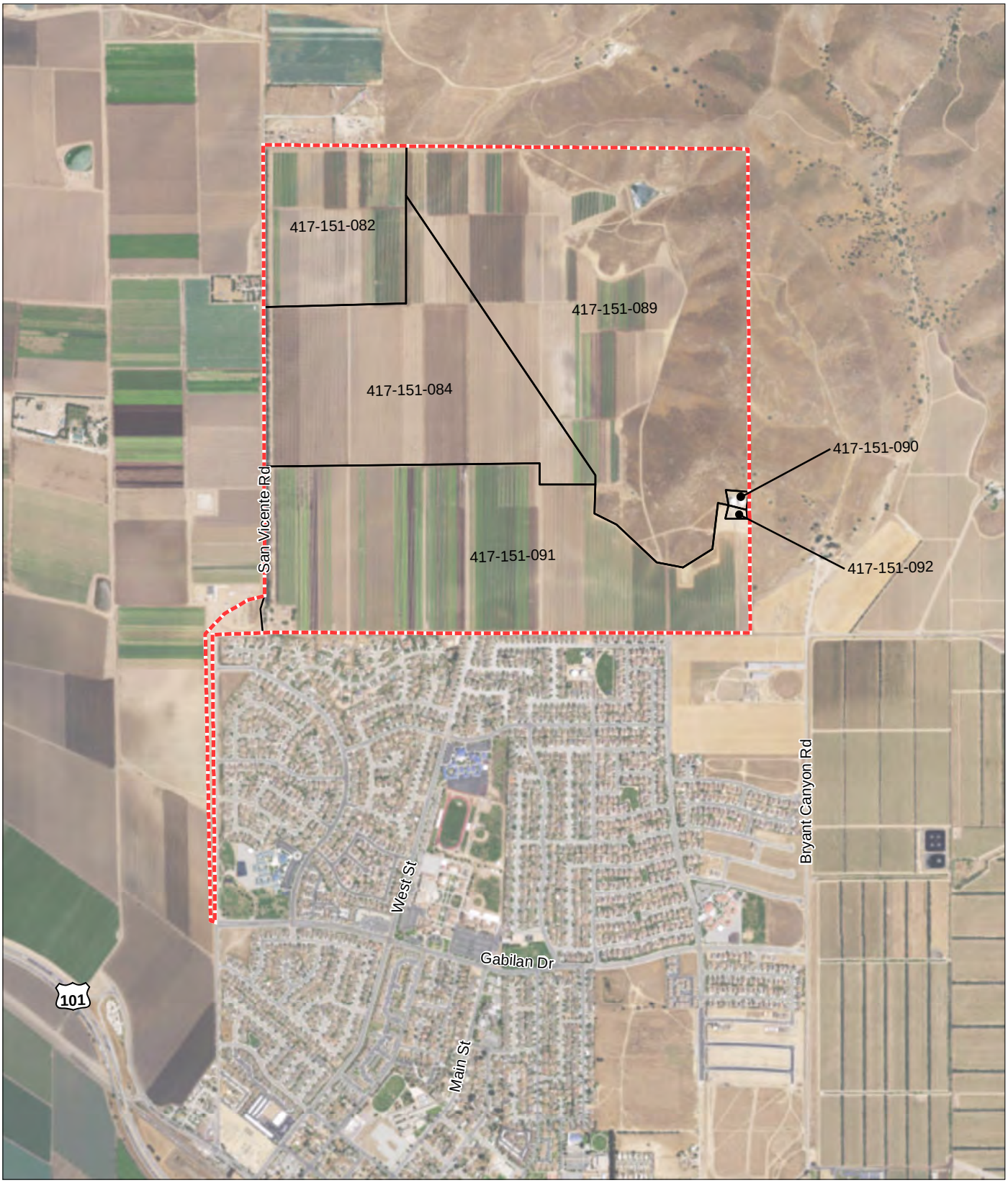

Source: Esri 2017

Figure 2-2

Project Parcels

Miravalle III Specific Plan EIR Addendum

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0 1500 feet

Project Site

Source: Esri 2017

Figure 2-3

Aerial Photograph

Miravalle III Specific Plan EIR Addendum

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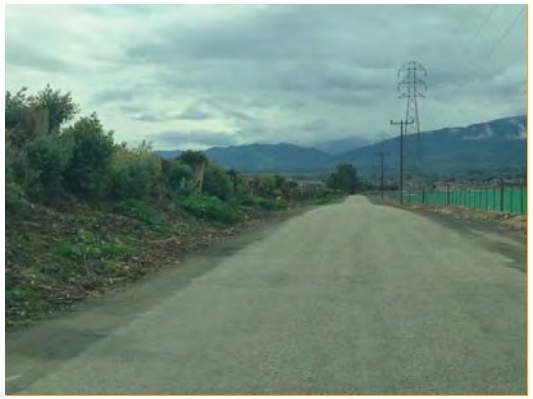
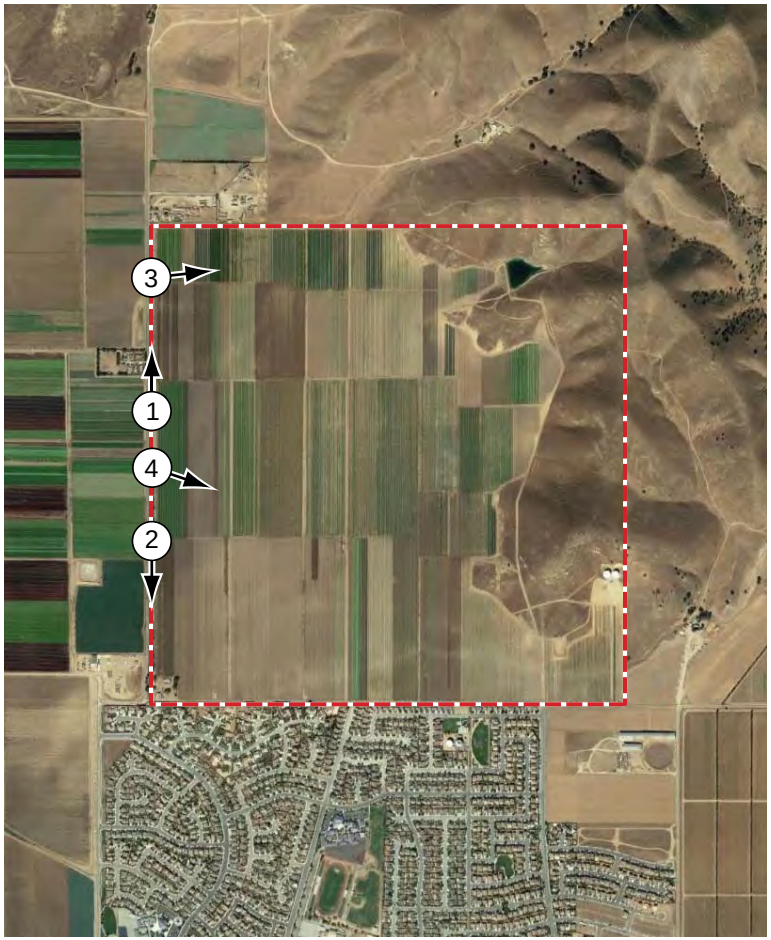
1 View north along San Vicente Road adjacent to site



2 View south along San Vicente Road north of site



Project Site

Source: Google Earth 2016
Photographs: EMC Planning Group 2017

3 View East from San Vicente Road

4 View southeast from San Vicente Road

Figure 2-4
Site Photographs

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2.3 PROPOSED PROJECT

The City of Soledad Planning Department has received a planning permit application for a specific plan, general plan amendment, sphere of influence amendment, prezone and annexation, zoning map and text amendment, vesting tentative map, and a development agreement (hereinafter referred to as the "proposed project"). The proposed specific plan and vesting tentative map revise the previously-proposed Miravale III Specific Plan, summarized above in Section 1.1, Background.

The name of the proposed project has changed to Miramonte Specific Plan (also referred to herein as "specific plan"). The specific plan would guide the development of the uses identified in the accompanying proposed vesting tentative map. The specific plan includes text, tables and graphics that identify the total acreage in residential land use, total dwelling units within the specific plan area ("plan area"), population changes, etc. The proposed specific plan (*Draft City of Soledad Miramonte Specific Plan*) is included as Appendix B of this document. The proposed specific plan land use diagram is shown in Figure 2-5, Miramonte Specific Plan Land Use Diagram and would be the controlling land use diagram for development within the plan area. The proposed Miramonte Residential Subdivision vesting tentative map is shown as Figure 2-6, Miramonte Residential Subdivision Vesting Tentative Map. The proposed specific plan was prepared after the revised map was submitted city. The map will be required to be revised prior to City of Soledad approval of the final map, to match the development patterns, intensities, and densities described in the approved specific plan for the project site. The proposed specific plan and vesting tentative map are discussed in greater detail below.

Specific Plan

A specific plan is required by the city in advance of a sphere of influence amendment, annexation, entitlement approvals, and development of the project site. The proposed Miramonte Specific Plan would provide policy guidance and would be the controlling document for development of the site, once it is adopted by the city. Requests for modifications to the land uses or zoning standards identified in the specific plan may be approved by the city provided they are in substantial conformance with city goals and criteria of the Miramonte Specific Plan, once it is adopted by the city.

Proposed Land Uses

The specific plan proposes a mixed-use development consisting of approximately 1,318 low-density residential units, 626 medium-density residential units, 134 senior housing units, 100,000 square feet of retail commercial space in a central core area, over 140 acres of open space, and 56 acres of parklands. The specific plan also includes a 35.9-acre Residential Study Area (Sub-area 13 on the land use map) that would provide an opportunity for additional parklands and/or an additional 314 low density residential or medium density residential

lots, or a mix of both to provide flexibility as growth within the plan area proceeds. Land uses would be arranged around a core area of neighborhood commercial and higher density residential uses. Some parcels within the core area provide a mixed-use opportunity. The specific plan would allow a variety of residential types, including apartments, townhouses, and detached homes on small and large lots. The specific plan also would create opportunities for two elementary school sites a fire/police substation, storm water facilities, paved pathways, a community park, and an unimproved trail system within the hillside open space. The proposed land uses are summarized below in Table 2-1, Miramonte Specific Plan Proposed Land Use.

Table 2-1 Miramonte Specific Plan Proposed Land Use[1]

Land Use	Acreage[2]	Number of Units	Commercial Square Feet
Low-Density Residential	296.1	1,318	
Medium-Density Residential	31.3	626	
Senior Housing	6.7	134	0
Residential Study Area	35.9	314	
Total Residential	370.0	2,392	
Neighborhood Commercial	8.6	-	100,000
Schools and Public Facilities	22.0	-	-
Parks	56.18		
Open Space	140.4	-	-
Collector Streets	32.2	-	-
San Vicente Road	14.1		
Totals	647.0	2,392	100,000

SOURCE: EMC Planning Group 2017

NOTES:

1. Amounts may vary due to rounding
2. Residential acreage includes local street rights-of-Way and agricultural buffers.

The specific plan area will be served by a series of collector streets that tie into the city's existing collector and arterial street system. Local streets and bicycle paths will provide access to residential areas, the neighborhood commercial area, parks, and schools. Based on the anticipated mix of land uses, population was projected using U.S. Census Bureau data for Soledad for the low-density and medium-density housing, and custom estimates for the specialty housing for senior housing. Table 2-2, Miramonte Specific Plan Population Estimate, provides the population estimate for the specific plan area.

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Source: Google Earth 2017

Figure 2-5

Miramonte Specific Plan Land Use Diagram

Miravalle III Specific Plan EIR Addendum

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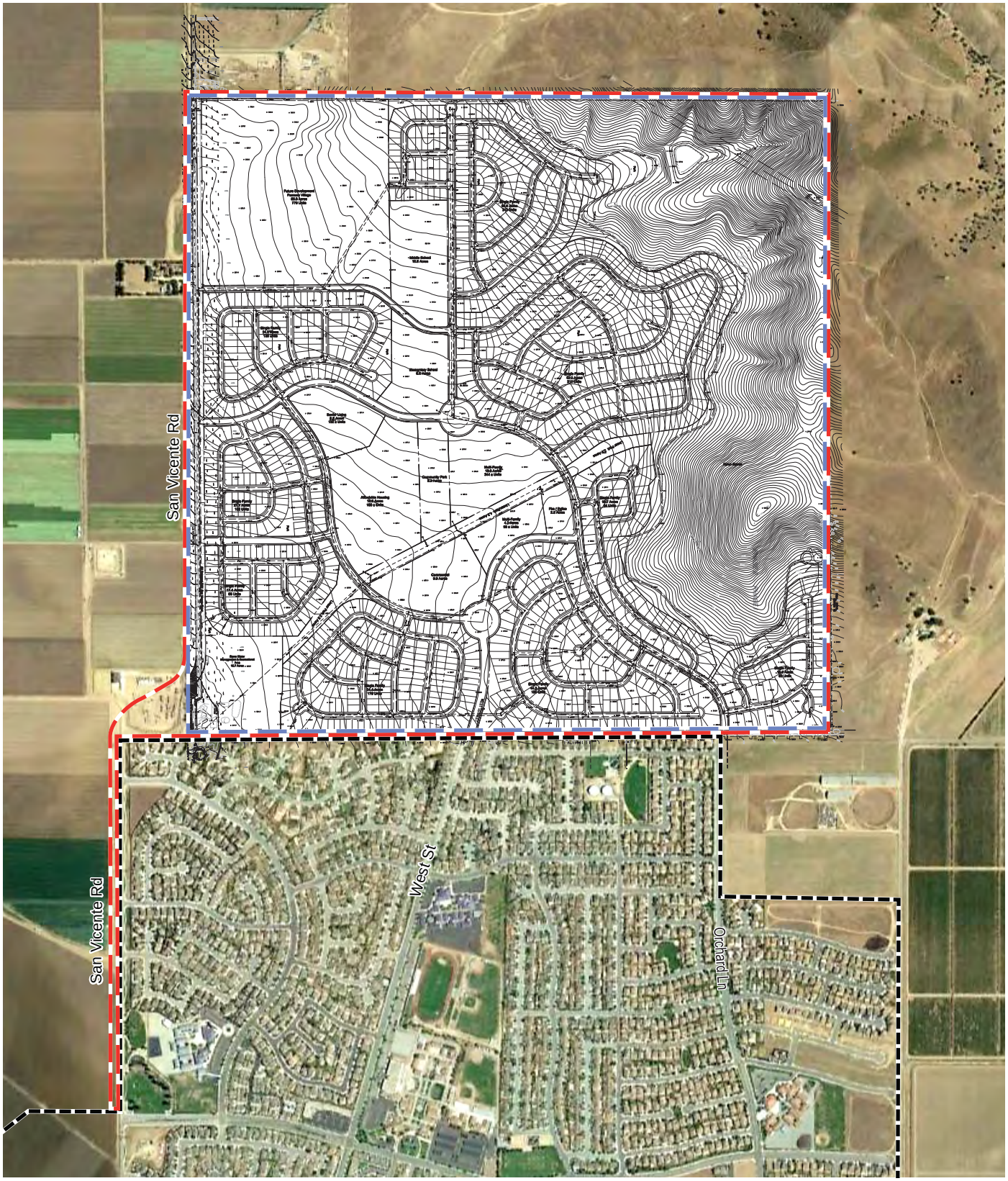

Source: Google Earth 2017, Bestor Engineers, Inc. 2017

Figure 2-6

Miramonte Subdivision Vesting Tentative Map

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Table 2-2 Miramonte Specific Plan Population Estimate

Land Use	Units	Persons per Unit	Population
Low-Density Residential	1,318	4.2	5,536
Medium-Density Residential	626	4.2	2,629
Senior Housing	134	1.7	228
Residential Study Area	314	4.2	1,319
Totals	2,392		9,712

SOURCE: EMC Planning Group 2017; United States Census Bureau 2015.

NOTE: Low density and medium density based on U.S. Census Bureau data; Medium-density residential includes land designated as Affordable Housing. Senior housing based on 70 percent couples and 30 percent singles.

As shown in Figure 2-7, City of Soledad General Plan Expansion Areas, the project site occupies a 633.8-acre portion of the general plan's 1,165-acre Mirrasou Specific Plan Area, currently located in unincorporated Monterey County. The city's desired improvements to San Vicente Road would require right-of-way acquisition consisting of approximately 1.28 acres within the Northwest Expansion Area and right-of-way acquisition and additional parkland consisting of approximately 9.71 acres within the San Vicente West Specific Plan Area. An additional 2.05 acres are located in the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area. The affected areas associated with the San Vicente roadway improvements are also located in unincorporated Monterey County. Table 2-3, Comparison of Development Potential, presents a comparison of the proposed project's potential development intensities with the Mirrasou Specific Plan Area development potential identified in the general plan.

Table 2-3 Comparison of Development Potential

Land Use	Mirrasou Specific Plan Area Development Potential	Miramonte Specific Plan	Difference
Residential	1,867 dwelling units	2,392 dwelling units	525 additional dwelling units
Commercial	100,000 square feet	100,000 square feet	none
Parks and Open Space	50 acres park and 515 acres open space	56.18 acres park and 140.4 acres open space	14.1 less park and 364.6 less open space

Source: City of Soledad General Plan 2005, page 11-19 and Table 11-1

* May vary from original 2005 source table due to rounding, or addition errors in source table

The proposed specific plan exceeds the residential unit allowance as provided in the Mirrasou Specific Plan Area by 525 units. In contrast, the general plan identifies a total development potential of 10,317 dwelling units within its four expansion areas; 6,500 of these units are identified within the Northwest Expansion Area, adjacent to the western boundary

of the Mirrasou Specific Plan Area (Table II-1 of the general plan). The proposed project represents the full residential buildout potential for the Mirrasou Specific Plan Area, as well as 525 units of the identified residential potential of the Northwest Expansion Area.

Circulation Improvements

The specific plan's circulation system is designed to provide a functional and efficient transportation network for automobiles, transit, bicyclists, and pedestrians. The street system is comprised of a network of arterial, collector, and local residential streets designed to accommodate traffic generated by plan area residents. All streets are public with the exception of the private driveways that serve hillside lots and some roads within areas that may be developed within the commercial and multi-family residential areas. All streets will be designed to meet the *City of Soledad Design Standards and Standard Specifications* (City of Soledad 2007). Every street will include one traffic lane in each direction, gutter, storm drains, curb, planting strip, and sidewalks.

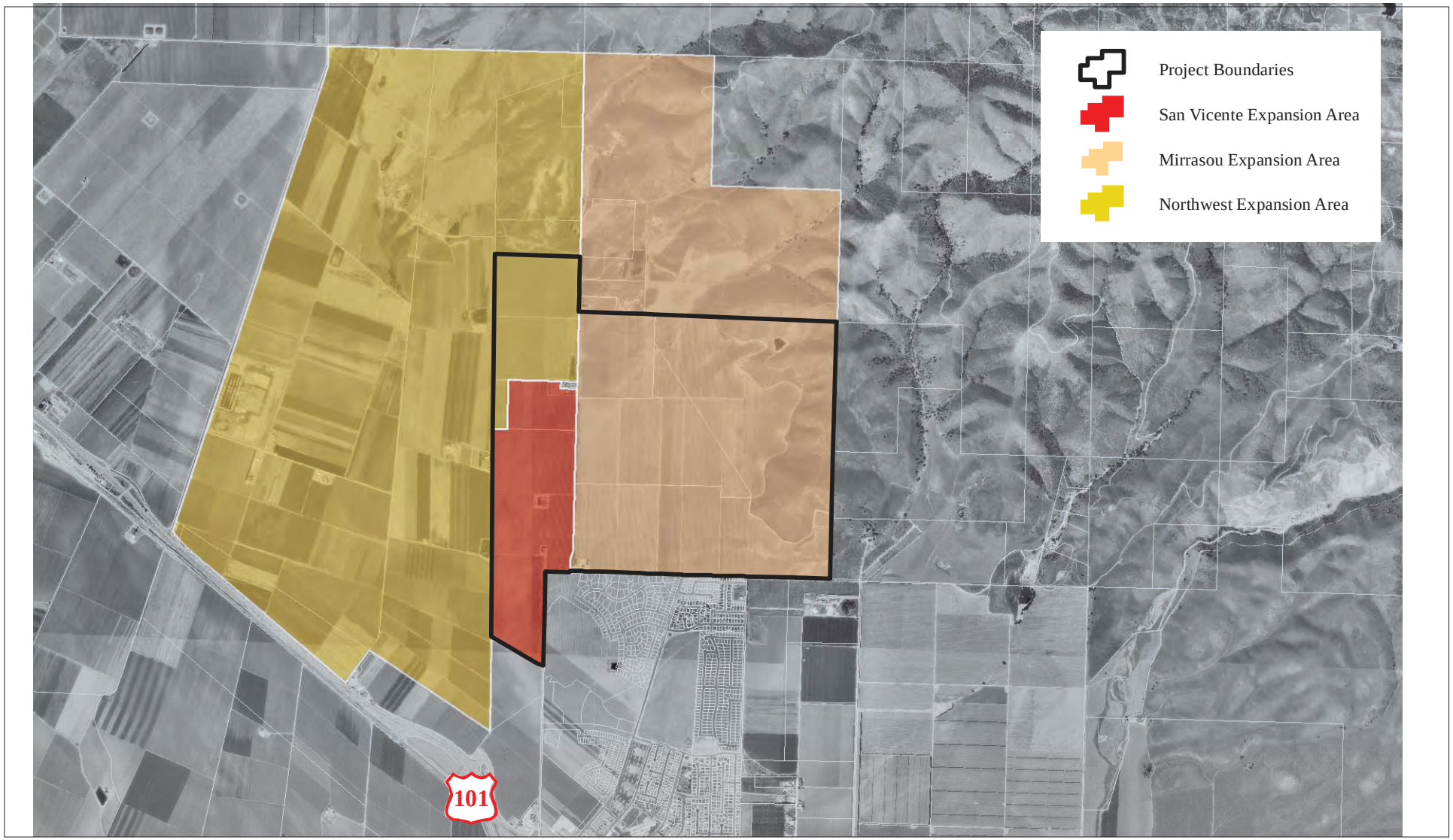
The City of Soledad desires that San Vicente Road provide the primary access route to the San Vicente West Specific Plan Area, the Northwest Expansion Area, and the Mirrasou Specific Plan Area. The city's desired roadway improvements and related right-of-way acquisition are not proposed by the applicant but are included in the specific plan and are considered part of the project description for analysis in this EIR addendum. City-desired improvements to San Vicente Road would require acquisition of approximately 13 acres land currently located in unincorporated Monterey County for city public right-of-way.

Open Space and Parks

The specific plan incorporates a network of parks and pathways that form a comprehensive and thoroughly interconnected system through the plan area. Several open space and recreational opportunities are provided including soccer or other sports fields, picnic areas, playgrounds, paved trails, and unimproved open space trails. The park and open space areas are arranged within the specific plan area to connect Sub-areas and to protect the hillside area from development.

Storm Water and Drainage

Existing drainage on the site flows generally from northeast to southwest. The specific plan includes requirements for the provision of storm water collection and conveyance and includes policy standards for design and performance of the storm drain and storm water facilities system, and for implementation of pre- and post-construction best management practices and low impact design to capture and retain flows on the site. The proposed system consists of storm drains, collection pipes, a drainage bio-swale within the linear park, a retention basin to capture post-development runoff, and other improvements to capture, retain, and percolate storm water within the project site consistent with the requirements of the Central Coast Regional Water Quality Control Board. Storm water flows would be



0 0.5 Miles

Source: Denise and Duffy Associates, Inc.

Figure 2-7

City of Soledad General Plan Expansion Areas

Miravalle III Specific Plan EIR Addendum

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collected in the linear park and through an underground storm drain system and directed to a retention pond (basin) located within the southwest corner of the project site. The linear park would serve as a bio-swale, following the existing topography and leading from upper elevations to the storm water retention basin. Storm water within developed areas would be collected and conveyed in a curb, gutter and underground storm drain system to the storm water retention basin. The basin, which may serve as a dual-use facility for recreational purposes, would be sized to accept the increase in flow resulting from full buildout of the uses identified in the specific plan. The preliminary design of the new storm water system within the project site is shown conceptually on Figure 2-8, Conceptual Storm Water Plan.

Flows in storms of greater intensity than an approximately 50-year return period may be discharged to the downstream city storm drainage facilities consistent with the city's *2007 Storm Water Management Plan* (2004). Any runoff that would be discharged from the storm water retention basin would be treated prior to release to existing downstream storm water facilities located on San Vicente Road, and would be released at a rate equal to or less than the historic flows of the site prior to development.

Sanitary Sewer

The City's water reclamation facility was issued an approval to construct permit with a treatment capacity rating of 5.7 mgd (Donald Wilcox, email message, June 8, 2017) and disposal capacity of 5.5 mgd. However the permitting is not complete as the water reclamation facility was never fully completed. The city is in this process now and it is anticipated that the facility can be completed and rated as designed. Average daily flow to the water reclamation facility is approximately 2.4 million gallons per day (mgd). In addition, the California Department of Corrections has a "reserved" capacity of approximately 1 mgd (Donald Wilcox, email message, March 7, 2017).

Once the facility is completed, the city's water reclamation facility will have sufficient capacity to accommodate the addition of wastewater generated by development consistent with the specific plan, because the water reclamation facility upgrade was originally designed to accommodate developments outside of the current city limits. Additionally, since the upgrade, little or no development has occurred outside of the current city limits creating an abundance of capacity available for the plan area (Akel Engineering Group 2016).

Based on the calculations completed by Bestor Engineers, wastewater generated by the plan area will be approximately 1.5 mgd. When adding the city's current wastewater flow of 2.4 mgd to the projected 1.5 mgd flow from the Plan Area, the total wastewater flow to the plant would be 3.9 mgd, which can be accommodated by the total facility treatment capacity of 5.7 mgd, including the California Department of Corrections "reserved" capacity. The proposed specific plan includes policies that minimize wastewater generation through the implementation of water conservation efforts and include design and performance standards for the construction of wastewater infrastructure consistent with the *2015 Urban Water*

*Management Plan (*Akel Engineering Group 2016*)* (urban water management plan) and *Long-term Wastewater Management Plan (*City of Soledad 2006*)*. An on-site recycled water facility is not proposed.

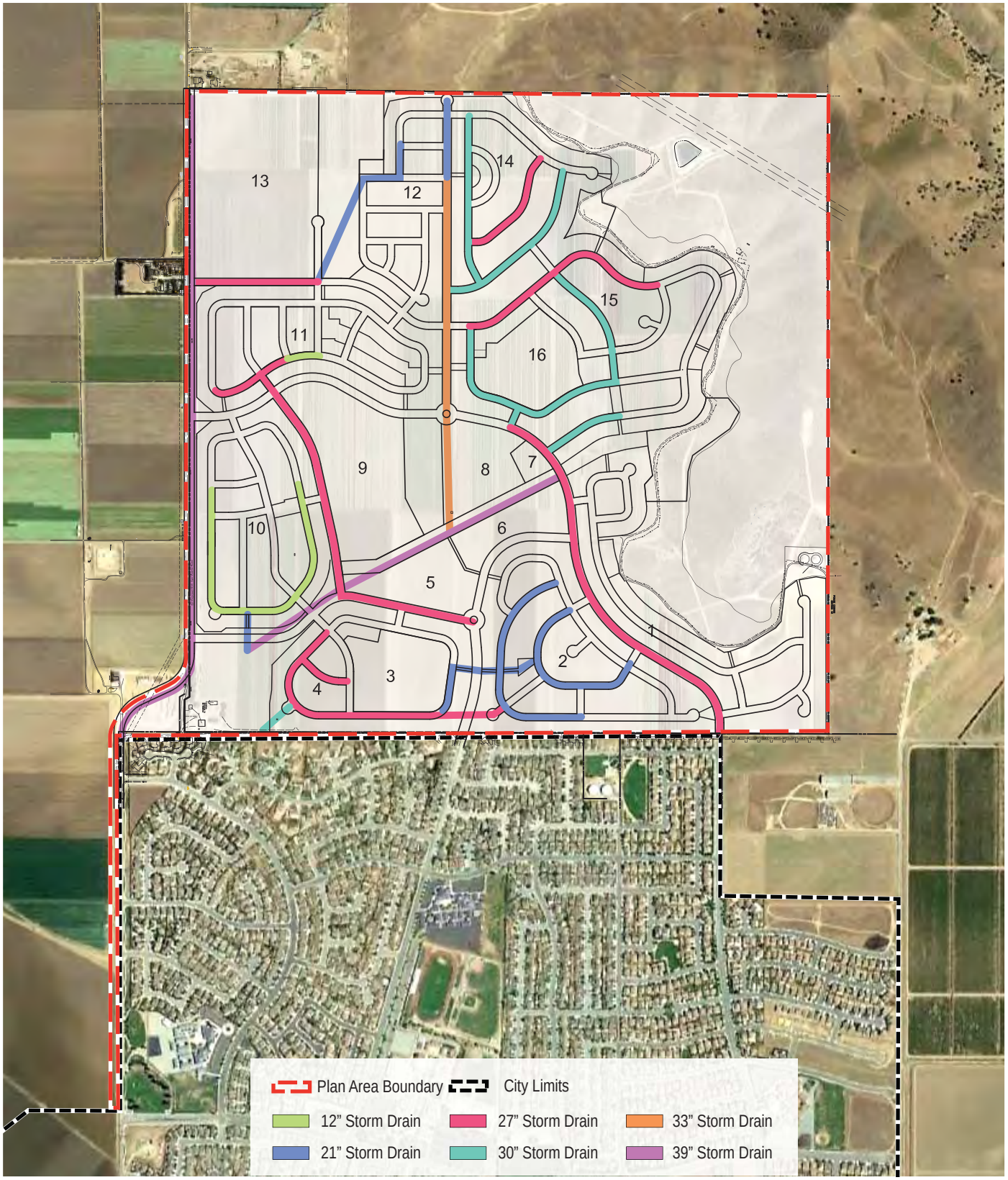
Similar to the Miravale III project, future development of the project site would connect to the existing municipal sanitary sewer main located on San Vicente Road. Construction of an offsite 18-inch sewer main from the southwest corner of the plan area south along San Vicente Road to Gabilan Drive is necessary to transport wastewater from the project site to the city's municipal reclamation facility. The proposed on-site wastewater conveyance system would be gravity-fed. Wastewater would be collected and conveyed by a network of 8-inch or larger pipes throughout the site before discharging from the site through the new 18-inch sewer main extension. The preliminary design of the new wastewater system within the project site is shown conceptually on Figure2-9, Conceptual Wastewater Plan.

Water Supply

The plan area also contains two existing agricultural wells owned by the property owner, two one million (each) domestic storage tanks owned by the city, a number of easements and unpaved farm access roads. The existing easements in the plan area will need to be removed or relocated as a part of the final subdivision map(s) and map(s) recordation. The two existing wells will be required to be contained in separate well parcels or in a public easement for ownership, use as an irrigation supply, and for on-going maintenance when the final map is prepared, adopted, and recorded.

The city's 2005 Water System Master Plan assumed the project site would develop as a combination of multi-family residential, public facility, and open space land use types. The *Soledad Water Master Plan* (City of Soledad 2005c) (water master plan) assumes the project site will develop as a combination of medium density residential, public facility, and open space land use types. An updated water supply assessment has been prepared: *City of Soledad Water Supply Assessment for Miramonte Specific Plan* (AKEL Engineering Group 2017) (water supply assessment) to determine whether sufficient water supply is available for the Miramonte Specific Plan Project.

According to the water supply assessment, the water demand for the plan area will be 980 acre feet per year (afy). This amount is 99 afy greater than the water demand of 881 afy identified in the city's 2005 water master plan for a similarly-sized use using 2005 water demand coefficients (page 3). However, the water supply assessment also notes that the existing agricultural water demand on the site is approximately 1,568 afy. When compared with the existing water demand on the site, the water demand from the proposed project would be 587 afy less than water demand for the existing agricultural use of the site (AKEL Engineering Group 2017, page 4). WSA update concludes that the proposed project would demand less water than the 1,566.7 acre feet per year than the original project and current agricultural water consumption on the site, but more water than the existing water system infrastructure can currently provide to adequately meet the peak hour demand.



Source: Google Earth 2017

Figure 2-8

Conceptual Stormwater Plan

Miravalle III Specific Plan EIR Addendum

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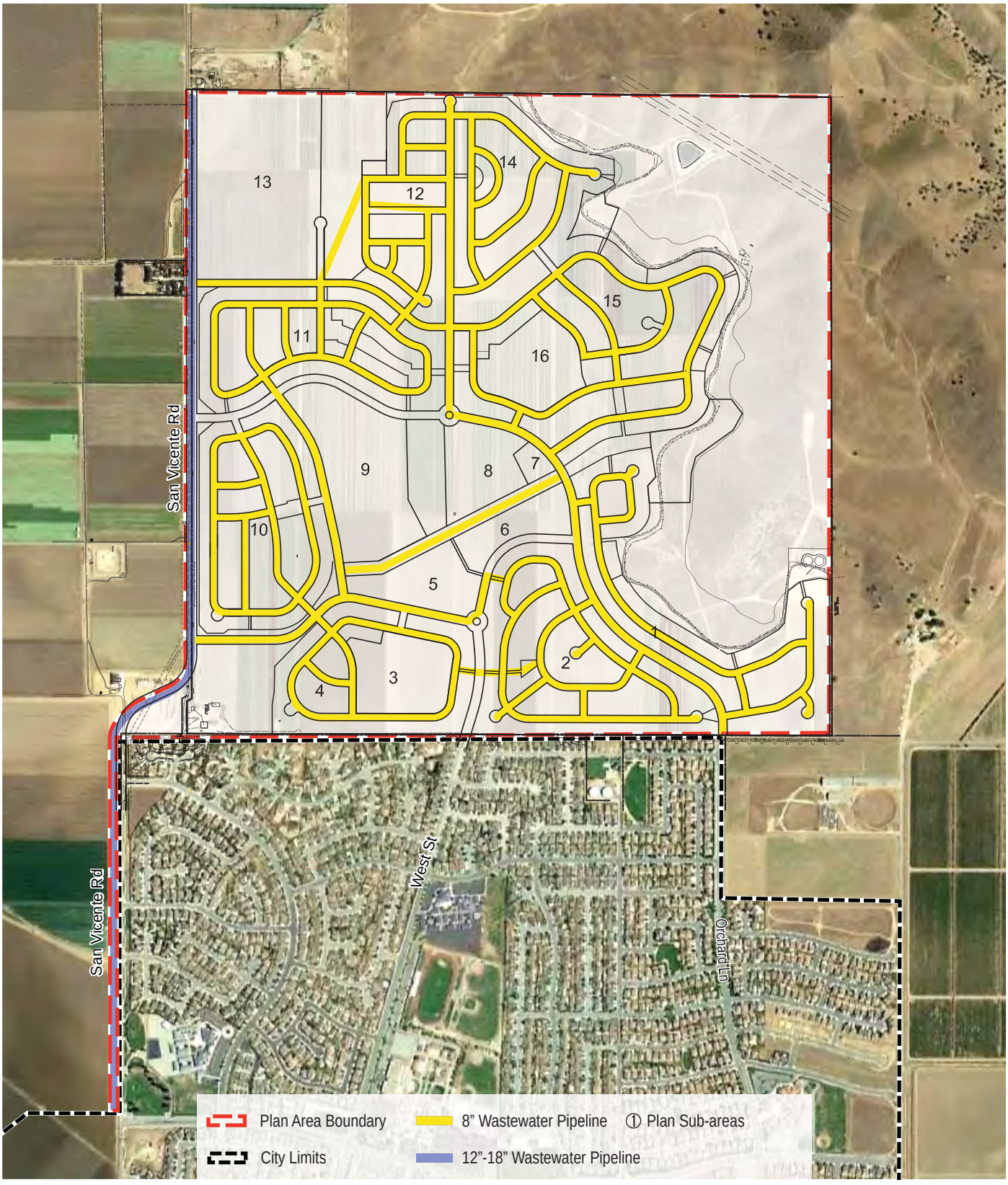

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Source: Google Earth 2017

Figure 2-9

Conceptual Wastewater Plan

Miravalle III Specific Plan EIR Addendum

E M C

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As noted in the urban water management plan (page 6-15) the City's groundwater supply has been adequate to meet the City's historical demands. In order to meet growing demand for new development not annexed into the City's sphere of influence, the urban water management plan concludes that new groundwater wells will have to be constructed and paid for by future development applicants. The City intends to continue to use groundwater as the sole source of supply. However, domestic water supplies would be augmented by the city's recycled water distribution system, which is expected to come online in 2020 (AKEl Engineering. The proposed project would connect to the municipal water distribution system, which, based on the city's urban water management plan, has a total reliable supply of 148,000 acre feet per year for the year 2035 and is equal to the sustainable yield of the Forebay Subarea (City of Soledad 2015, page 6-16). According to the urban water management plan, the reliable supply will serve a projected 2035 demand of 148,000 acre feet per year. The proposed project would contribute to this demand. However, the proposed project will be required to provide new water supply infrastructure to increase the city's available water system storage and distribution capacity.

The specific plan includes policy design and performance standards for the water supply and distribution system and its connection to existing municipal infrastructure consistent with the urban water management plan and the water master plan. The water distribution system would be sized in anticipation of future development phases. The specific plan also includes policies that reduce potable water consumption through the use of recycled water or non-potable ground water for irrigation, emphasis on drought-tolerant plant materials for landscaping, and the incorporation of state-of- the art low water/high efficiency use fixtures and appliances in all new private development and public facility construction, including schools. The conceptual design of the new water delivery system is presented in Figure 2-10, Conceptual Water Plan.

Other Utilities

Natural gas and electricity is provided by the Pacific Gas and Electric Company. Cable television and telephone land lines are provided by Charter Communication and AT&T, respectively. All new public energy and communications lines and equipment (excepting solar panels and cell towers) within the plan area shall be placed underground pursuant to the standards and requirements of the city and/or appropriate State or Federal regulatory agencies. Planning and design of the new underground infrastructure, including phasing of the improvements will be coordinated with the local agency for each utility. The requirements for undergrounding of existing utilities and/or relocation of existing utilities will also be coordinated with the local utility agencies.

Off-Site Improvements

Construction of an offsite 18-inch sewer main from the southwest corner of the plan area south along San Vicente Road to Gabilan Drive will be required to transport wastewater from the plan area (at buildout) to the city's municipal reclamation facility. The on-site wastewater conveyance system is gravity-fed and will be collected and conveyed by a network of 8-inch or larger pipes throughout the site before discharging from the site through the new 18-inch sewer main extension. The developer shall be responsible for the payment of required development impact fees for new facility construction and may participate in a reimbursement program per Municipal Code Chapter 14.06 for the new sewer main and upgrades to the existing sewer main on San Vicente Road.

Public Services

Schools

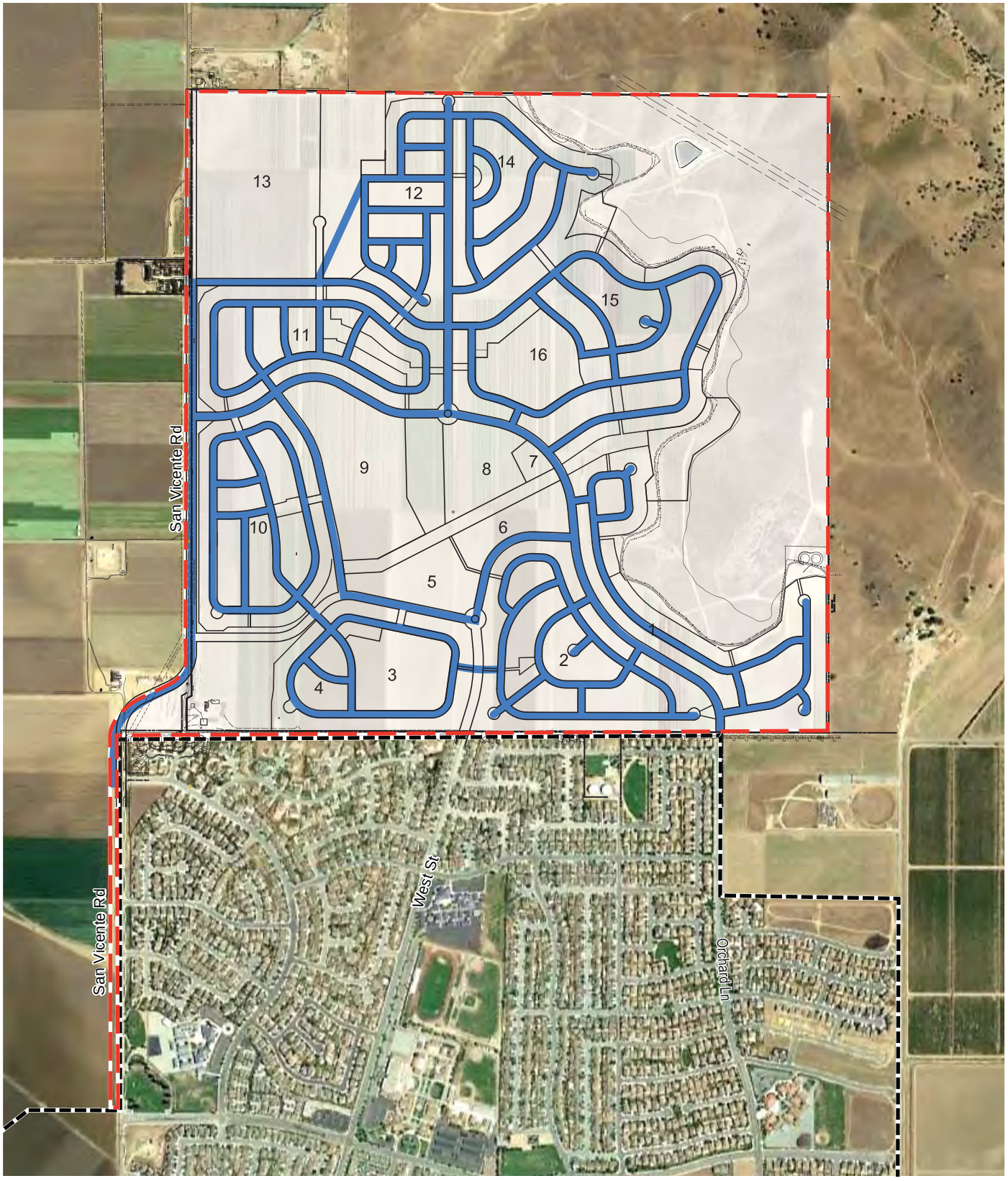
The plan area is served by Soledad Unified School District for grades K-12. Buildout of the proposed specific plan is expected to generate 1,062 students for grades K-6, 317 students for grades 7-8, and 468 students for grades 9-12 (a total of 1,847 students). The proposed specific plan includes two 11-acre elementary school sites. The locations of the proposed school sites are shown in Figure 2-5, Miramonte Specific Plan Land Use Diagram, presented earlier. The applicant and/or developer(s) will provide an offer to dedicate the school sites (i.e. turn over fee simple title to the land to the school district). 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, unless otherwise dictated by a development agreement or permit conditions. The proposed specific plan includes a policy that requires that an agreement be established between the developer and/or successors in interest and the school district that establishes the timing of the school construction or improvements and financing obligations.

Law Enforcement

The Monterey County Sheriff's Office currently provides service to the project site, which is located in unincorporated Monterey County. Upon annexation, the Soledad Police Department would serve the project site. The proposed specific plan includes a new site for a police substation centrally located within the project site to help serve and reduce response time to existing and future residents. The proposed site for a potential substation is located approximately 1.6 miles north of the current city police station in downtown Soledad.

Fire Prevention/Protection

Fire protection service within the City of Soledad and the surrounding rural areas is provided by the City of Soledad Fire Department and the California Department of Forestry and Fire Protection (CAL FIRE). The current service area for CAL FIRE overlaps the northeast half of the plan area (California Department of Forestry and Fire Protection 2017)



0 1,200 feet

Plan Area Boundary
City Limits
8" - 12" Water Pipeline
① Plan Sub-areas

Source: Google Earth 2017

Figure 2-10

Conceptual Water Plan

Miravalle III Specific Plan EIR Addendum

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while the southwest half of the plan area is currently the responsibility of the Mission Soledad Fire Protection District (LAFCO 2012). Once annexed, the City of Soledad Fire Department area of responsibility will be expanded to include the plan area and potentially adjacent streets. The proposed specific plan includes a site for the provision of a new fire substation to provide shorter response times than would the existing station located at 525 Monterey Street. A new substation in this location would reduce response times within the project site and adjacent areas within the current city limit.

Solid Waste Collection

Solid waste collection services will be provided by the Salinas Valley Solid Waste Authority which uses the Johnson Canyon Landfill, Monterey Peninsula Landfill, and the Foothill Sanitary Landfill (in San Joaquin County) for disposal purposes. Waste collection and disposal for the City of Soledad is provided by Tri-Cities Disposal, a private hauler that primarily uses the Johnson Canyon which is located approximately 12 miles northeast of the City of Soledad.

Libraries

The Monterey County Free Libraries network supports Soledad residents with a branch at 401 Gabilan Drive, approximately ¼ mile south of the plan area. The Monterey County Free Libraries funds are largely from a portion of the property tax that is collected within its service area.

As identified in the specific plan, upon annexation of the plan area to the city, development and growth in population would result in an increase in service demand on the county library services. Funding for library facilities will continue to come primarily from a share of the property tax collected. As a result of the current depletion of staffing levels, the city will be required to provide support for the county library facilities and services in the form of funding mechanisms (e.g. Community Facilities District, Assessment District, etc.) to provide staffing as well as additional capital facilities, on-going operations, and maintenance.

It may be appropriate to provide county library services at or near the two designated school sites and/or the commercial site within the plan area. These options should be considered by the city as a part of the development approval process, along with funding mechanisms to provide additional capital facilities, on-going operations, and maintenance.

General Plan Amendment-Miramonte Specific Plan

1. A specific plan has been prepared to guide the development of the proposed Miramonte Project (formerly Miravale III Specific Plan). An amendment to the General Plan is needed to allow residential uses at greater densities within the General Plan Mirrasou Specific Plan Area than currently allowed by the City of

Soledad 2005 General Plan; related changes to the land use map and text to reflect the Miramonte Specific Plan land use designation, 647-acre boundary, and policy guidance contained in the proposed specific plan as follows: Change the City of Soledad General Plan land use designation for 633.8 acres of the Mirrasou Specific Plan Area to Miramonte Specific Plan;

2. Change the City of Soledad General Plan land use designation for 1.28 acres of the project site from Northwest Expansion Area to Miramonte Specific Plan;
3. Change the City of Soledad General Plan land use designation for 9.71 acres of the project site from San Vicente West Specific Plan Area to Miramonte Specific Plan;
4. Change the City of Soledad General Plan land use designation for 2.05 acres of the project site from the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area to Miramonte Specific Plan;
5. Identify a development potential of 5,975 units in the Northwest Expansion Area (6,500 identified in the current General Plan less 525 reallocated to the Mirrasou Specific Plan Area); and
6. Change the existing jurisdictional boundaries to include the 647-acre specific plan area (which includes the approximately 14.1 acres of land needed for the City's desired San Vicente Road improvements in the City of Soledad).Figure 2-11, City of Soledad Planning Boundaries, shows the new land use designations and change to the jurisdictional boundary.

Sphere-of-Influence Amendment

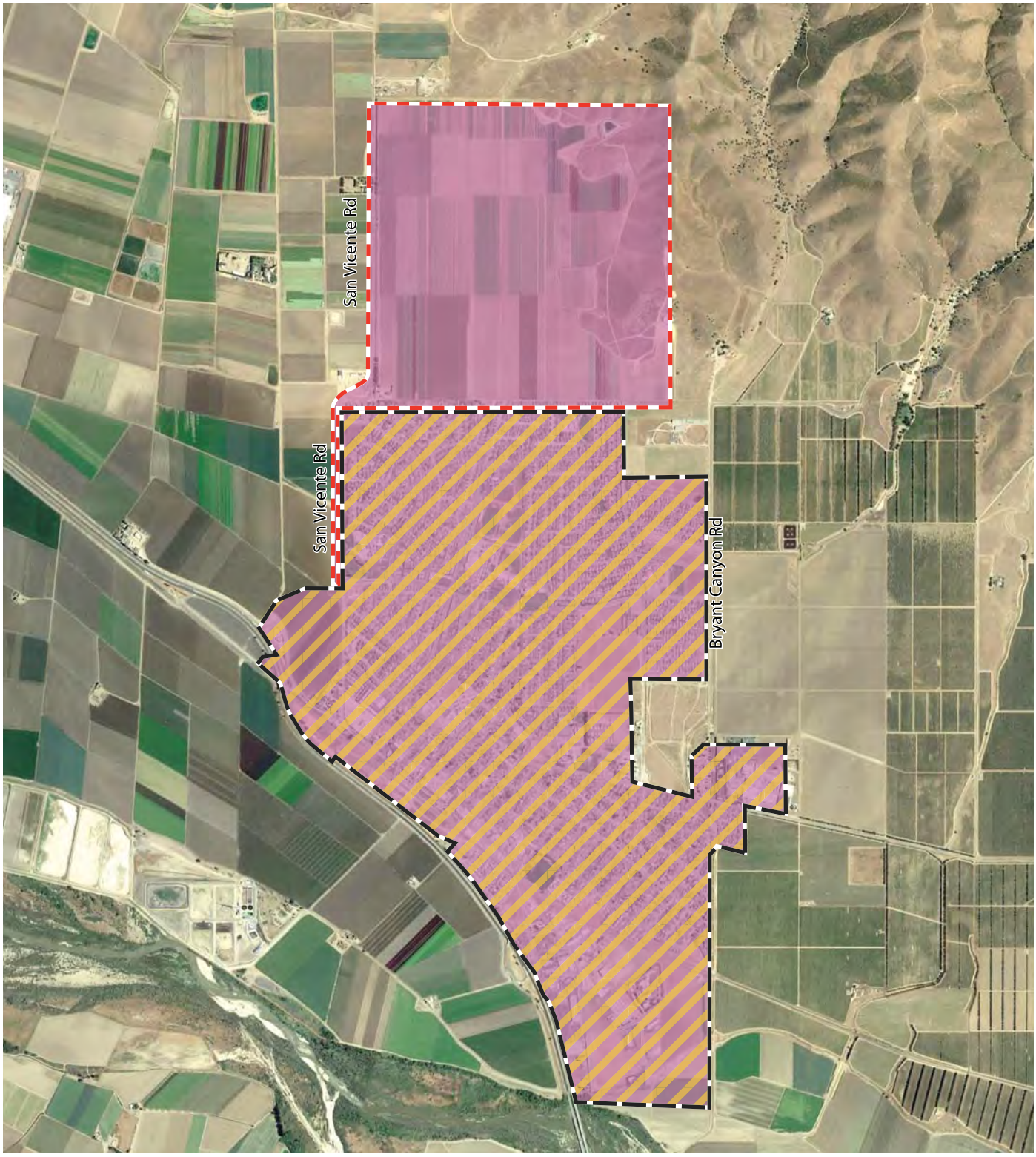
The proposed project includes amending the City of Soledad sphere of influence to include the 647-acre project site, which requires LAFCO approval, as illustrated by Figure 2-12, City of Soledad Existing and Proposed Sphere of Influence.

Prezoning

The proposed project includes prezoning the 647-acre project site as Miramonte Specific Plan, in accordance with the Planning Areas and overlay zones outlined in Table 2-2, Miramonte Specific Plan Proposed Land Use, and shown in Figure 2-5, Miramonte Specific Plan Land Use Diagram.

Annexation

The proposed project includes annexing the 647-acre project site into the city limits of Soledad, which requires LAFCO approval.



Source: Esri 2017

Figure 2-11

City of Soledad Existing and Proposed City Limits

Miravalle III Specific Plan EIR Addendum

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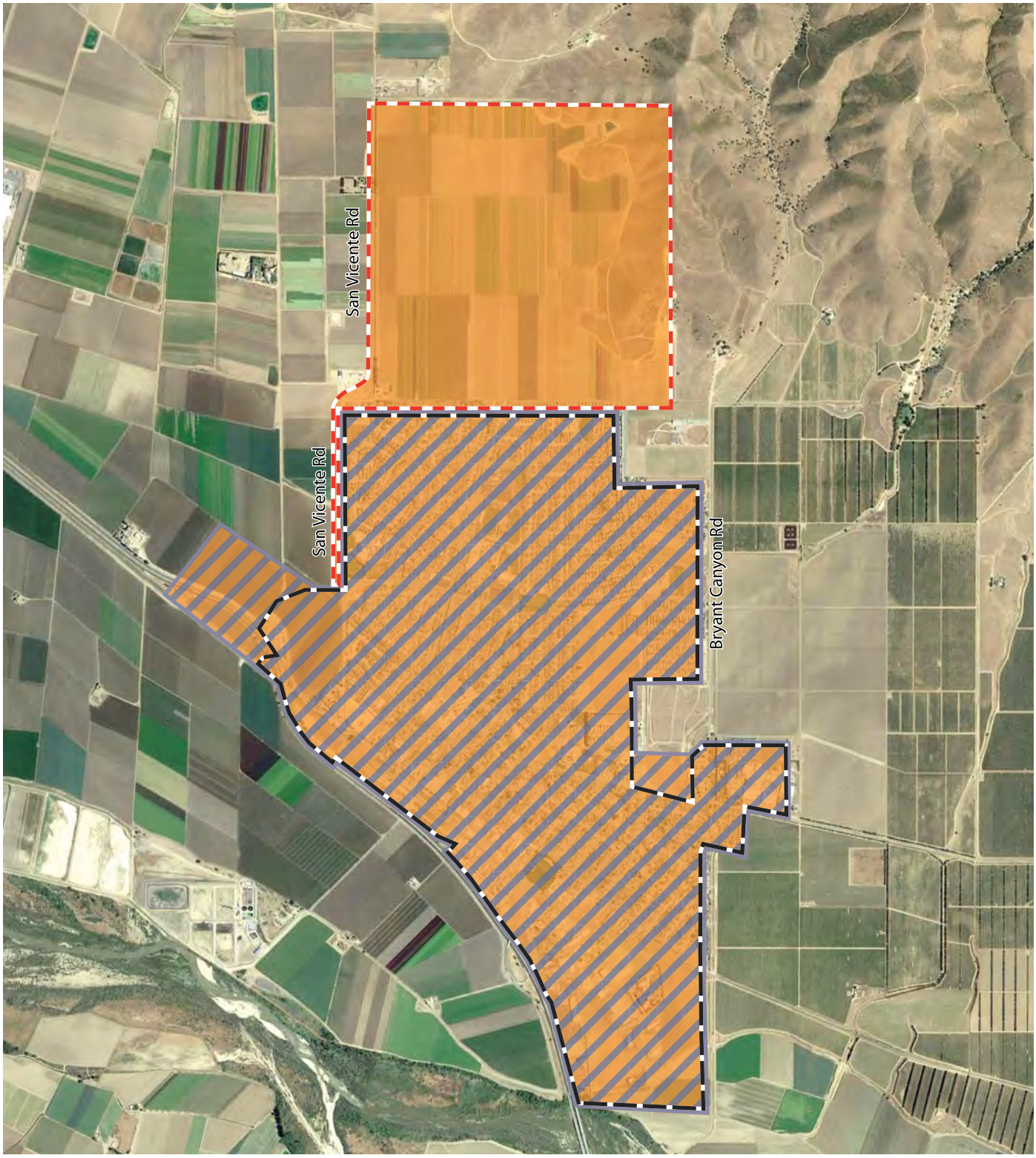

Source: Esri 2017

Figure 2-12

City of Soledad Existing and Proposed Sphere of Influence

Miravalle III Specific Plan EIR Addendum

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Zoning Amendment

Amending Title 17 of the Soledad Municipal Code is required to add the Miramonte Specific Plan zoning categories as shown on Figure 2-13, Miramonte Specific Plan Zoning Map, as follows: LDR Low Density Residential (M3-R-1); VR Village Residential (M3-R-V), C Village Commercial (M3-C-V), MU Mixed Use Opportunity (M3–MU), PF Public Facility (P-F), and OSP Open Space & Parks (O-S). This action includes mapping and text amendments.

Vesting Tentative Map

The application includes a vesting tentative map, which was prepared and submitted prior to preparation of the specific plan. The vesting tentative map would subdivide the site for the development of mixed uses including single- and multi-family residential uses, senior housing, sites for commercial development, police and fire facility improvements if needed, two elementary school sites, a community park, linear park, pocket parks and open space above the 400-foot contour line in hillside areas. The tentative map includes diagrams for water, wastewater, storm water, and roadway infrastructure. Figure 2-6, Miramonte Residential Subdivision Vesting Tentative Map, presented earlier, provides an overview of the vesting tentative.

The vesting tentative map includes 16 sub-areas that may be developed over the next over 10-30 years. The anticipated order of development may occur in one or more phase encompassing one or more sub-areas as identified in the specific plan.

Approval of the vesting tentative map would allow development of the site in accordance with the specific plan when approved, once the site is annexed to the city. Approval of the final map will be contingent upon the developer, or developers of the project site to prepare final map(s) and improvement plans that reflect the development of the plan area pursuant to and consistent with the specific plan. For the purposes of this EIR, the development pattern, intensities and densities are those identified in the specific plan land use diagram.

Development Agreement

The plan area developer(s) are expected to sign one or more development agreements as an implementation tool for facilitating buildout development of the plan area. The development agreement(s) include, but are not limited to, clarifying responsibilities of the developer, city, and others (as applicable) for implementing the Miramonte Specific Plan.

2.4 Comparison to the Project Evaluated in the Miramonte Specific Plan EIR

The proposed project is similar to the larger 2010 Miravale III Specific Plan; however, the current proposal eliminates approximately 273 acres from the originally proposed project and does not include subdivision of the San Vicente West Specific Plan Area and the Northwest Expansion Area.

A comparison of proposed land uses between the formerly proposed Miravale III project analyzed in the Miravale III EIR, with the proposed Miramonte Specific Plan, evaluated in this EIR addendum, is presented in Table 2-4, Land Use Comparison.

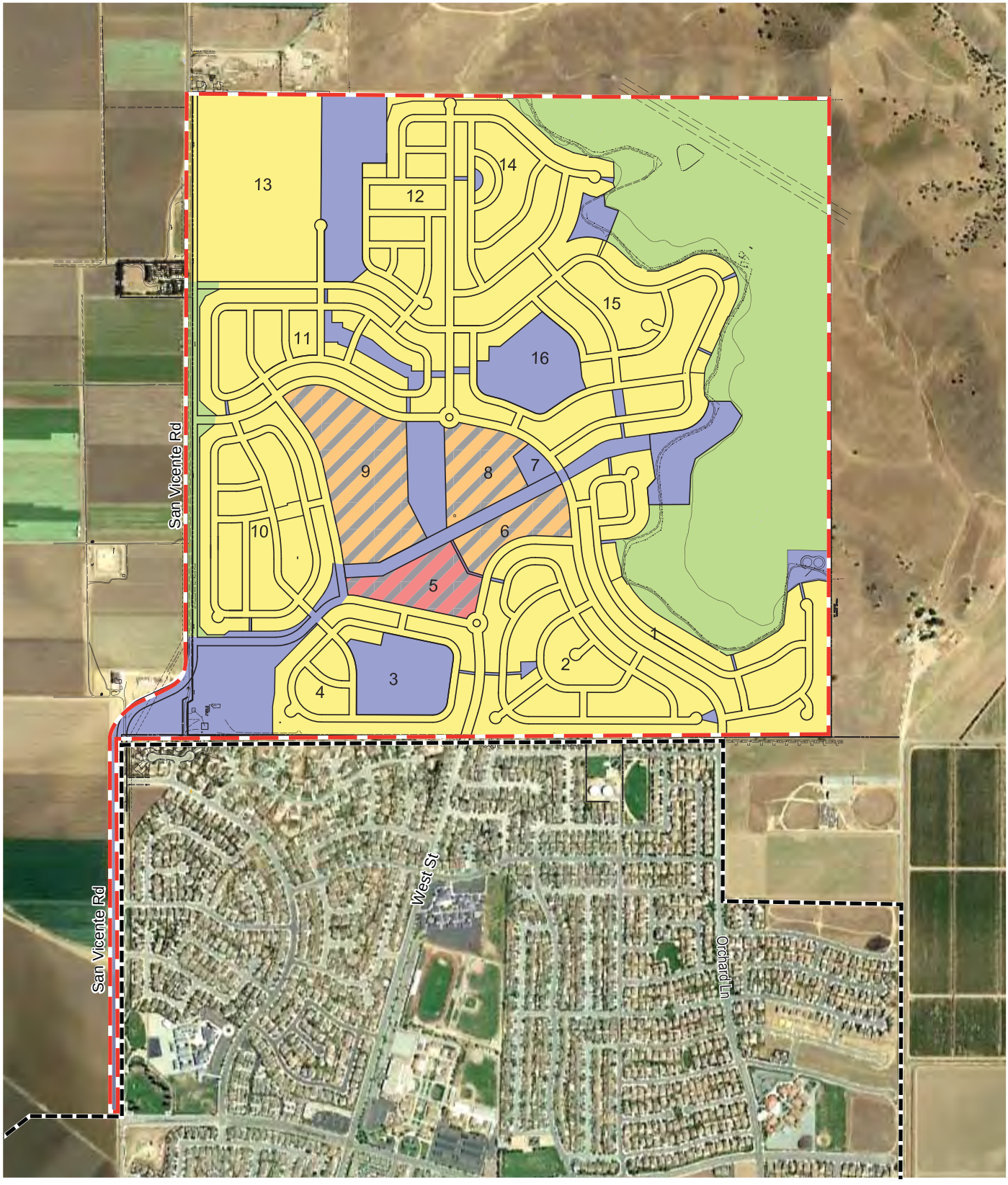
Table 2-4 Land Use Comparison[1]

Land Use	Miravale III Project		Miramonte Specific Plan		Change	
	Acres	Units	Acres	Units	Acres	Units
Low-Density Residential	240.88	1,470	296.1	1,318	+54.5	-152
Medium-Density Residential and Affordable Housing	146.97[3]	2,230	31.3	626	-115.67	-1,604
Senior Housing Units[3]	--[3]	500	6.7	134	--[3]	-366
Residential Study Area	0	0	35.9	314	+35.9	+314
Total Residential	387.85	4,200	370.0	2,392	-17.85	-1,808
Non-Residential Uses	Acres		Acres		Change	
Hotel	6.5		0.0		Eliminated	
Retail/Commercial	33.22		8.6		-24.16 acres	
Fire/Police	1.31		2.0		+0.69 acres	
Elementary School	20.00		22.0		+2 acres	
Middle School	19.00		None per SUSD		Eliminated	
Churches	1.67		0		Eliminated	
Park/ Recreation/Open Space	75.77		196.4		+ 120.23	
Golf Course/maintenance	146.76		0.0		Eliminated	
Recycled Water Plant	1.82		0.0		Eliminated	
Detention/Retention Ponds	15.75		--[4]		-15.75	
Water Tanks	3.02 (Assumed)		2.0		-1.02	
Collector Streets/ROW	121.78 (Assumed)		32.2/14.1		-77.88	
Agricultural buffer	1.61		Yes		Eliminated	
Urban Reserve/Agriculture	85.80		0		Eliminated	
Utility Easements	Unknown		Unknown		Unknown	
Total Acres	921.77		647.0		-274.77	

SOURCE: Denise Duffy and Associates 2008; Bestor Engineers 2017; EMC Planning Group 2017

NOTES:

1. Amounts may vary due to rounding
2. Acreage and land use types and sizes may change pending submittal and review of the proposed specific plan
3. The acreage of Senior Housing is included in Medium Density acreage
4. Acreage of the retention pond is included in the Parks and Recreation category



Note: Neighborhood Park locations are conceptual within Sub-areas

Figure 2-13

Miramonte Specific Plan Zoning Map

Miravalle III Specific Plan EIR Addendum

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2.5 INTENDED USED OF THE EIR ADDENDUM

The purpose of this EIR addendum is to document why a subsequent or supplemental EIR is not required. The City of Soledad is the lead agency responsible for certification of the EIR addendum and approval the project. Project actions will include, but not be limited to, a general plan amendment, specific plan adoption, sphere of influence amendment, pre-zone, annexation request, vesting tentative subdivision map, architectural review and a development agreement(s) to allow for the proposed development. The following is a listing of permits and approvals under the city and other jurisdictions.

City of Soledad

- Amend the General Plan concurrently with the adoption of the specific plan and certification of the addendum to the previously certified EIR to incorporate the land use designations and provisions of the specific plan.
- Approve sphere of influence and annexation requests and pre-zone the territory requested for annexation. Related detachments (i.e., Mission Soledad Rural Fire Protection District, Soledad-Mission Recreation District, and the Resources Conservation District of Monterey County) will be requested concurrently.
- Adopt the water supply assessment, the plan for services and the fiscal analysis, and forward them to LAFCO of Monterey County along with the sphere of influence and annexation request.
- Adopt the vesting tentative map, subject to:
    - Changes proposed in and consistent with the specific plan;
    - Mitigations in the certified EIR and EIR addendum;
    - Conditions of approval; and
    - Subject to LAFCO action on the requested sphere of influence change and reorganization.
- File and obtain approval for a sphere of influence amendment and subsequent annexations from LAFCO of Monterey County.
- Upon completion of annexation, the city must amend the Zoning Ordinance to rezone the property within the plan area consistent with Figure 2-12, Miramonte Specific Plan Zoning Map contained herein.
- Adoption of the development agreement(s).
- Review and approve all required permits, including, but not limited to, building, grading, encroachment, and occupancy permits.

Agencies

- Monterey County LAFCO for the approval of sphere of influence amendment and annexation required for development within the incorporated limits of the city, and for the approval of special district detachments (i.e., Mission Soledad Rural Fire Protection District, Soledad-Mission Recreation District, Resources Conservation District of Monterey County).
- Other agencies with permit or review authority over some aspect of the project.

3.0
Project Analysis

3.1 METHODOLOGY

The primary purpose of this EIR addendum is to validate that the proposed project would not trigger the need for a subsequent or supplemental EIR as described in CEQA Guidelines sections 15162 and 15163. The primary methodological approach is to identify whether the proposed specific plan amendment would result in new significant environmental effects or cause previously identified effects found to be less than significant to rise to a level of significance.

As with the Miravale III EIR, the following analysis assumes that the entire specific plan would build out consistent with the Miramonte Specific Plan and does not evaluate any interim scenarios.

Miravale III specific plan policy mitigations and mitigations contained in the Miravale III EIR that address all development within the specific plan boundary and the proposed project in particular would continue to apply to all development pursuant to the specific plan. The proposed tentative map would be conditioned to be consistent with the policy mitigations and to implement Miravale III EIR mitigation measures. Consequently, all significant impacts of the revised project would be reduced to a less than significant level unless otherwise noted in this addendum or noted in the Miravale III EIR as significant and unavoidable.

3.2 AESTHETICS

Miravale III Specific Plan EIR Analysis

Scenic Vista

The general plan identifies the highly visible foothills of the Gabilan Mountain Range located on the eastern edge of the project site as an important scenic vista which serves as a dramatic backdrop to the flat valley land below.

The Miravale III EIR determined that the project would permanently alter views to the Gabilan Mountain Range foothills by developing above the 400 foot contour of the foothills. Although the Miravale III Specific Plan contained specific policies governing development

within the hillside portion of the project site, the Miravale III EIR found that development within and above the 400 foot contour foothill portions of the project site constituted ridgeline development and would result in a significant and unavoidable impact to a scenic vista. Implementation of the following mitigation measures would reduce impacts, but not to a less than significant level. The Miravale III EIR additionally determined that implementation of the project would introduce substantial new development, including structures of various heights and densities, which would result in decreased views of open space. This increased visibility and intensity of development would have a substantial adverse effect on a scenic vista. However, the EIR determined that these impacts could be reduced to a less-than-significant level with implementation of the following mitigation measures:

Mitigation Measures

4.1-1 Building heights of all new structures shall adhere to the limits set forth in the Miravale III Specific Plan dated June 2007. Additionally, all new structures shall adhere to the applicable Development Standards as established in Section 2.0 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.

4.1-2 In order to minimize potential adverse visual impacts associated with development within the hillside portions of the project site, the project applicant shall submit and have approved, prior to the recordation of the final map for Phases three and four, building envelopes for each new residential lot proposed above the 400 foot elevation contour. The proposed building envelopes shall be located in the least visually sensitive area of each lot. No new structures shall be constructed outside of the approved building envelopes, unless otherwise approved by the City of Soledad.

4.1-3 In order to minimize aesthetic-related impacts due to development within the hillside portion of the site, the project applicant, prior to project approval, shall submit a revised Specific Plan that includes the following policy in Section 2.6 Low Density Residential (LDR & LDR-H/M3-R-1): All new residential units proposed within areas of the project site above the 400 foot elevation contour shall be subject to a Design Review approval process or similar. As part of the design review process, vertical building envelopes shall be identified and staking and flagging shall be required to demonstrate the extent of proposed development. All new structures shall be designed to minimize visual impacts to the greatest extent feasible.

4.1-4 Final design plans for proposed development shall utilize natural 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. If an alternative design would minimize impacts, the applicant shall submit evidence demonstrating that the alternative design is infeasible.

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.

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.

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.

4.1-8 Land alterations within areas above the 400 foot elevation shall be minimized by keeping cuts and fills to a minimum, limiting grading to the smallest practical area of land, limiting land exposure to the shortest practical amount of time, replanting graded areas to insure establishment of plant cover before the next rainy season, and creating grading contours that blend with the natural contours on site or look like contours that would naturally occur. Prior to the issuance of any grading permit, the project applicant shall submitted detailed grading plans consistent with the intent of this mitigation, subject to the review and approval of the City of Soledad.

Visual Degradation

Development of the Miravale III Specific Plan project would permanently alter the visual character of the site, transforming what is currently 920 acres of relatively undeveloped agricultural and grazing land into an urban landscape. Substantial grading would be required in order to accommodate project development. As a result, project development would alter the existing visual character of the site by causing changes to topography, removing vegetation, including mature eucalyptus along San Vicente Road, and adding roads, residences and commercial uses. Although the Miravale III Specific Plan has incorporated design measures, including height restrictions, landscape screening, appropriate color and architectural schemes, light and glare reduction and screening measures, and the use of non-reflective building materials, to minimize visual impacts, the introduction of urban features would permanently alter the existing visual character of the project site as perceived from adjacent public vantage points, including Highway 101 and adjacent residential uses. Currently, the project site, as perceived from adjacent and distant land uses, consists predominantly of existing mature eucalyptus trees, agricultural uses, and associated infrastructure. Removal of existing vegetation, particularly the mature eucalyptus trees, would substantially alter the existing visual character of the project site. This would constitute a significant impact to the existing visual character of the site. Below is a description of the project's primary development components, uses, and their resulting visual effects. The Miravale III EIR concluded that the loss of agricultural land and natural open space and introduction of urban development would result in significant and unavoidable impacts to the visual character of the site. In order to minimize the extent of project-induced impacts, the following mitigation measures were required. However, these mitigations were determined not reduce the impact to a less-than-significant level.

Mitigation Measures

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.

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 Miravale III 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 of Soledad.

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.

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.

4.1-13 Final design plans for proposed development shall include a tree 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.

Light and Glare

The Miravale III EIR determined that the proposed project would increase the intensity of development within an existing undeveloped area, and therefore the amount of artificial light produced by the site. The Highway 101 corridor and surrounding urban uses would be most affected by this increase in light and glare. Artificial lighting within the project site would impact nighttime views by altering the natural landscape and, in sufficient quantity,

lighting up the nighttime sky and reducing the visibility of astronomical features. The additional lighting within the project site, especially unshielded light, could result in spillover light that could impact surrounding land uses. Further, daytime glare could occur as light reflects off pavement, vehicles, rooftops, and structures. However, the EIR concluded that this impact could be reduced to a less-than-significant level with implementation of the following mitigation measures.

Mitigation Measures

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 Planning Department prior to the issuance of any 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 incorporated into site lighting, subject to the review and approval of the Soledad Planning Department.

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 Planning Department.

Proposed Project Analysis

The proposed project is similar to the larger project analyzed in the Miravale III EIR; however, the current proposal eliminates approximately 275 acres from the originally proposed project. While project design may necessitate the placement of infrastructure improvements above the portion of the project site above the 400-foot elevation contour line of the Gabilan foothills, the Miramonte project otherwise eliminates development above the 400 foot contour. As discussed in the Miravale III EIR, the Gabilan foothills are identified by the general plan as a scenic vista and the Miravale III EIR concluded that development of the hillside portion of the project site would be a significant and unavoidable impact despite mitigation. Because the currently proposed project no longer includes residential development on the portion of the project in the Gabilan foothills there is no longer a significant and unavoidable impact to the scenic vista resulting from hillside residential development. Therefore, the following mitigation measures identified in the Miravale III EIR are not applicable to the currently proposed specific plan: 4.1-2 and 4.1-3. Mitigation measure 4.1-7 is still required to mitigate impacts related to erosion effects and is discussed in Section 3.7. Mitigation Measure 4.1-8, as edited for clarification remain applicable to address any impacts related to the placement of infrastructure above the 400 foot contour line. Impacts to scenic vistas are less than significant.

Although smaller, the proposed project would still permanently alter the visual character of the site, transforming what is currently approximately 647 acres of relatively undeveloped agricultural and grazing land into an urban landscape and would introduce new light and glare to the project area similar to those analyzed in Miravale III EIR. Therefore, the remainder of the mitigation measures (measures 4.1-1, 4.1-4 through 4.1-6, and 4.1-8 through 4.1-16) remain applicable to the currently proposed project with the following edits:

Mitigation Measure

4.1-1 Building heights of all new structures shall adhere to the limits set forth in the ~~Miravale III~~ adopted Miramonte Specific Plan ~~dated 2007~~. Additionally, all new structures shall adhere to the applicable Development Standards as established in Section ~~2.0~~ 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. The following mitigation measure is edited for clarification.

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 ~~Miravale III~~

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 of Soledad.

Aesthetics Conclusion

The proposed project would not result in new significant aesthetic impacts or substantially increase the severity of previously identified significant effects. The proposed project would have lesser impacts to scenic vistas, reducing the previously proposed project's significant and unavoidable impact to less than significant with mitigation. No new information has been identified that indicates the proposed project would have new or more significant impacts on aesthetics than were identified for the original project.

3.3 AGRICULTURAL RESOURCES

Miravale III Specific Plan EIR Analysis

Conversion of Important Farmland

The Miravale III EIR determined that the project would convert 760 acres of Prime Farmland to a non-agricultural use which is a significant and unavoidable impact and that no feasible mitigation exists that could reduce impacts to a less-than-significant level.

Williamson Act

According to the Miravale III EIR, two parcels totaling approximately 107 acres (APN 257-001-026 and APN 257-001-027) located on the northwestern portion of the plan area were under Williamson Act contract. The EIR concluded that the project would require cancellation of these contracts which would be a significant and unavoidable impact.

Land Use Conflicts

Land Use Compatibility

Implementation of the proposed Miravale III Specific Plan would result in sensitive receptors being sited adjacent to existing agricultural uses located on the boundary of the project footprint. The EIR found that this has the potential to cause an increase in land use compatibility problems and nuisance complaints due to urban uses being sited adjacent to agricultural uses. The EIR found that in order to minimize these potential land use conflicts, the project design included a minimum 60-foot buffer zone between the residential and agricultural uses along the western boundary of the project site but additional buffers were warranted along the northern and eastern project boundaries. Further, the EIR found that the proposed 60-foot buffer did not meet the minimum buffer distance recommended by the

Monterey County Agricultural Commissioner to ensure that residential uses are adequately buffered from agricultural uses. The EIR concluded that these impacts could be reduced to less-than-significant with the following mitigation.

Mitigation Measures

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 Appendix T-1. The 200-foot buffer along the project's western boundary may be reduced upon demonstration to the satisfaction of the city 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. The County of Monterey Agricultural Commissioner shall be consulted regarding the adequacy of the proposed buffers and physical barriers and evidence of said consultation and recommendation shall be submitted to the city prior to approval of the tentative map. 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, 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.

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:

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.

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, subject to the review and approval of the City of Soledad.

4.2-3 Prior to the issuance of any certificate of occupancy for residences adjacent to 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 improvements have been installed and/or constructed within the buffer, subject to the review and approval of the City of Soledad.

Land Use Conflicts

Disruption of Adjacent Agricultural Activities

Additionally, the Miravale III Specific Plan EIR found that the specific plan has the potential to impact routine and on-going agricultural activities on the areas adjacent to the northern, eastern, and western boundaries of the project site. The EIR recommended implementation of the following mitigation measures to reduce these impacts to the extent possible. However, the EIR determined that project related impacts were significant and unavoidable.

4.2-4 Access for agricultural equipment and vehicles to the adjoining row crop land on the western boundary shall continue to be provided from the ramp to Highway 101 North (see Figure 2 in Technical Appendix T-1, Agricultural Report). The current access road to the Braga property should remain at the current width to allow for passing and ensure adequate turnaround space for field equipment. Implementation of this measure would reduce impacts to routine and on-going agricultural operations on lands west of the proposed project site.

4.2-5 Prior to the issuance of any permit, the project applicant shall have recorded a right-to-farm notice on parcels adjacent to existing and on-going agricultural uses consistent with the requirements of the City of Soledad General Plan, subject to the review and approval of the City of Soledad.

Proposed Project Analysis

Conversion of Important Farmland

The Miravale III EIR determined that the project would convert 760 acres of Prime Farmland to a non-agricultural use. This impact to conversion of agricultural lands due to proposed

development was considered to be significant and unavoidable. The currently proposed project is smaller than the previously proposed project and thus would convert fewer acres of important farmland to non-agricultural uses.

The city entered into a memorandum of understanding with Monterey County on March 15, 2016. Compensation for conversion of Prime Farmland or Farmland of Statewide Importance to urban uses is required by the memorandum of understanding, using one of four methods, at the discretion of city to coincide with the time of the recordation of a final subdivision map. The specific plan includes policies that are consistent with the memorandum of understanding requirements. The proposed project would not result in new or greater impacts than those identified in the Miravale III EIR.

To ensure compensation for the conversion of Prime Farmland or Statewide Importance to urban uses is provided as required by the 2016 memorandum of understanding; the following mitigation measure shall be required:

Mitigation Measure

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.

The memorandum of understanding requirements for compensation for conversion of Prime Farmland or Farmland of Statewide Importance to urban uses lessens the impact; however, the project would still result in the conversion of important farmland which remains a significant and unavoidable impact.

Williamson Act

The two parcels (APN 257-001-026 and APN 257-001-027) that were identified by the Miravale III Specific Plan EIR as Williamson contract properties are not proposed for development in the currently proposed specific plan. Thus, under the specific plan would not result in impacts related to the conversion of Williamson contract land.

Land Use Conflicts

Land Use Compatibility

As with the Miravale Specific Plan, the proposed specific plan includes areas of single-family residential development that would be sited adjacent to agricultural lands located on the northern, eastern, and western boundary of the project site, which has the potential to cause an increase in land use compatibility problems. Mitigation measures identified in the Miravale III EIR requiring adequate agricultural buffers (mitigation measures 4.2. 1 through 4.2.3) are applicable to these areas and would reduce impacts related to land use conflicts to less than significant. The following edits are made to 4.2-1 to update the project reference.

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 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. The County of Monterey Agricultural Commissioner shall be consulted regarding the adequacy of the proposed buffers and physical barriers and evidence of said consultation and recommendation shall be submitted to the city prior to approval of the tentative map. 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, 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.Land Use Conflicts

Disruption of Adjacent Agricultural Activities

The Miravale III EIR found that the specific plan has the potential to impact routine and on-going agricultural activities on the areas adjacent to the northern, eastern, and western boundaries of the project site. The proposed specific plan is no longer adjacent to the Braga property; therefore, mitigation measure 4.2-4 is no longer applicable to the project.

However, mitigation measure 4.2-5 is applicable to the project and would reduce impacts, but not to a less-than-significant level and disruption of adjacent agricultural activities would remain a significant and unavoidable impact

Agricultural Resources Conclusion

The proposed project would not result in new significant agricultural impacts or substantially increase the severity of previously identified significant effects. The currently proposed project would not result in the conversion of Williamson contract lands and therefore would avoid the significant and unavoidable impact identified in the Miravale III EIR.

A mitigation measure has been provided to ensure that compensation for the conversion of Prime Farmland or Statewide Importance to urban uses is provided as required by the 2016 memorandum of understanding. This mitigation will lessen the impact; however the project would still result in the conversion of important farmland which remains a significant and unavoidable impact. Impacts due to disruption of adjacent agricultural activities remain a significant unavoidable impact. All mitigation measures identified in the Miravale III EIR are applicable to the currently proposed specific plan with the exception of mitigation measure 4.2-4. No new information has been identified that indicates the proposed project would have new or more significant impacts on agricultural resources than were identified for the original project.

3.4 AIR QUALITY

Miravale III Specific Plan EIR Analysis

Construction Impacts

The Miravale III EIR concluded that construction activities associated with implementation of the specific plan such as clearing, excavation and grading operations, construction vehicles traffic on unpaved ground, and wind blowing over exposed earth would generate dust and particulate matter that result in significant and unavoidable impacts. Implementation of Best Management Practices as required by the following mitigation measure and limiting the size of the grading area would reduce project impacts to a less-than-significant level only if emissions can be limited to 82 pounds per day or subsequent

dispersion modeling of construction activities demonstrates that PM_{10} concentrations from construction activity would not cause an exceedance of the State ambient air quality standard, as averaged over 24 hours. The Miravale III EIR concluded that limiting construction activities was likely not feasible for this project and dispersion modeling could not be conducted at that time (due to lack of detailed construction plans). Therefore, the impact was considered to remain significant and unavoidable, even with mitigation.

Mitigation Measure

4.3-1 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, at a minimum, include the following measures:

- Limit grading activity to a maximum of 2.5 acres daily. As more detailed construction information becomes available, emissions from grading activities could be reassessed to determine if the area of grading could be increased. Such an assessment would have to be conducted using appropriate assumptions and mitigation measures.
- 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.
- Pave all roads at construction sites.
- 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 all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily if visible soil material is deposited onto the adjacent roads.
- 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.

According the Miravale III EIR, grading of the site is expected to result in the highest emissions of diesel particulate matter during the construction period. Diesel particulate matter includes air contaminants that could impact sensitive receptors including residences that border the project site as well as new on-site residences constructed during earlier phases of the project. However, the Miravale III EIR concluded that this potentially significant impact can be reduced to a less-than-significant level with the implementation of the following mitigation measure.

Mitigation Measure

4.3- 2 Projects developed under the specific plan shall be evaluated for individual construction period air quality impacts. Project-specific mitigation measures shall be identified at that time to reduce impacts to a less-than-significant level, if feasible.

However, the following shall be implemented for all projects to reduce diesel particulate emissions from on-site construction equipment:

- The following equipment may be used without control devices or additional mitigation
  - No engineers greater than 750HP are used;
  - Engines between 501 HP and 750 HP are model years 2002 and newer;
  - 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.

- The following equipment may be used without causing acute adverse health effects, if retrofitted with a catalyzed diesel particulate filter (CDPF):
  - Engines greater than 750 HP; if model year 2006 and newer; and
  - All engines less than 749 HP, regardless of model year.
- If construction equipment uses B99 biodiesel, no acute adverse health effect would be expected in the following:
  - Engines between 501 HP and 750 HP, if model years 2002 or newer;
  - Engines between 250 HP and 500 HP, if model years 1996 and newer; and
  - Any engine less than 250 HP.

Operational Impacts

The EIR additionally found that implementation of the proposed specific plan would result in increases in long-term operational emissions of ozone precursor pollutants that would exceed significance thresholds established by the Monterey Bay Air Resources District (formerly Monterey Bay Unified Air Pollution Control District, hereinafter "air district") , which is a significant and unavoidable impact. The Miravale III EIR provides calculations produced by the URBEMIS model, which forecasts daily emissions linked to the designated land uses. The pollutants measured by the model include volatile organic compounds (VOC), nitrogen oxides (NO_x), carbon monoxide (CO), and respirable particulates (PM_{10}). Both NO_x and PM_{10} are largely discussed in terms of their effect on air quality because according to the URBEMIS model, the emissions of NO_x and PM_{10} generated in the build out of the Miravale III Specific Plan would surpass the air district thresholds.

Mitigation Measure

4.3-3. In order to reduce greenhouse gas (GHG) and regional air pollutants and precursors (criteria air pollutants or CAPs) emissions to the extent feasible, the applicant/project proponent shall prepare and submit a GHG and CAP Reduction Plan (GCRP) concurrent with submittal of any revised Tentative Map under the Specific Plan or any Site Plan that differs from the Specific Plan as described in this EIR. The GCRP shall include a description of the measures that are proposed to be implemented by that phase of the project, including one or more of the measures contained in Appendix (F-1) of this Final EIR. The 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 GCRP shall present estimated reductions in GHGs and CAPs based on available information source.

No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until all of the feasible, applicable measures 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.

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 Miravale III Specific Plan Development. This restrictive covenant shall be recorded on the title of all parcels in the Miravale III Specific Plan area and shall run with the land.

Nuisances and Odors

The Miravale III EIR determined that the project would not create significant odors and that while agricultural activities adjacent to the project site could result in short-term nuisances, these nuisances would be reduced to a less-than-significant level with adequate agricultural buffers.

Proposed Project Analysis

Since the certification of the Miravale III EIR, the air district adopted the *2012-2015 Air Quality Management Plan* (Monterey Bay Air Resources District 2017) (AQMP). This AQMP does not call for significant changes in past air district's programs and plans, and the policies and programs of this AQMP would not significantly alter the air quality findings of the Miravale III EIR.

The proposed project is smaller than the previously proposed project and would result in less development in than what was evaluated in the Miravale III EIR. Specifically, the currently proposed project includes a mixed-use development consisting of approximately 1,318 single-family residential units, 626 multi-family residential units, 134 senior housing units, a 35.9-acre low- to medium-density Residential Study Area (up to 314 residential units), and 100,000 square feet of retail commercial space. The previously proposed project included 1,470 single-family units and 2,730 multi-family, units including affordable housing, workforce, and senior housing, 275,000 square feet of retail commercial space, and an 18-hole golf-course.

Construction Impacts

The proposed project is smaller than the project analyzed in the Miravale III EIR. However, construction activities associated with implementation of the specific plan would still include clearing, excavation and grading operations, construction vehicles traffic on unpaved

ground, and wind blowing over exposed earth that would generate dust and particulate matter. The Miravale III EIR concluded that limiting construction activities was likely not feasible for this project and dispersion modeling could not be conducted at that time (due to lack of detailed construction plans); therefore, the impact was significant and unavoidable. While limiting construction activities may remain infeasible for this project and dispersion modeling similarly cannot be completed at this time due to lack of sufficient detail; implementation of mitigation measure 4.3-1, as edited below, is feasible and would reduce construction dust impacts to a less-than-significant level.

Mitigation Measure

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, ~~at a minimum,~~ include the following measures as necessary to control visible dust:

~~Limit grading activity to a maximum of 2.5 acres daily. As more detailed construction information becomes available, emissions from grading activities could be reassessed to determine if the area of grading could be increased. Such an assessment would have to be conducted using appropriate assumptions and mitigation measures.~~

- 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.
- ~~Pave all roads at construction sites.~~

- Upon completion of mass grading, ~~P~~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 all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily if visible soil material is deposited onto the adjacent roads.
- 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.

Grading of the site would result in the highest emissions of diesel particulate matter during the construction period. Diesel particulate matter includes air contaminants that could impact sensitive receptors including residences that border the project site as well as new on-site residences constructed during earlier phases of the project. However, like Miravale III, this potentially significant impact can be reduced to a less-than-significant level with the implementation of mitigation measure 4.3-2 identified in the Miravale III EIR. Because construction details of future development projects cannot be know at this time, and feasible mitigation will need to be incorporated into future projects to ensure air quality impacts are reduced to a less-than-significant-level, mitigation measure 4.3-2, as clarified below, is required:

Mitigation Measure

4.3-2a ~~Projects developed under the specific plan shall be evaluated for individual construction period air quality impacts. Project specific mitigation measures shall be identified at that time to reduce impacts to a less-than-significant level, if feasible.~~ Prior to each final map and use permits, 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 Planning Department and all recommendations shall be implemented during construction.

4.3-2b In addition to the construction air quality analysis required in mitigation measure 4.3-2a, during construction ~~At a minimum~~, the following shall be implemented for all projects to reduce diesel particulate emissions from on-site construction equipment:

- The following equipment may be used without control devices or additional mitigation
  - No engineers greater than 750HP are used;
  - Engines between 501 HP and 750 HP are model years 2002 and newer;
  - 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.
- The following equipment may be used without causing acute adverse health effects, if retrofitted with a catalyzed diesel particulate filter (CDPF):
  - Engines greater than 750 HP; if model year 2006 and newer; and
  - All engines less than 749 HP, regardless of model year.
- If construction equipment uses B99 biodiesel, no acute adverse health effect would be expected in the following:
  - Engines between 501 HP and 750 HP, if model years 2002 or newer;
  - Engines between 250 HP and 500 HP, if model years 1996 and newer; and
  - Any engine less than 250 HP.

Operational Impacts

Miravale III EIR determined that the previously proposed project would result in 34,856 daily vehicle trips. The currently proposed project, including the residential uses in Sub-area 13 would result in 20,888 daily trips (Higgins 2018), which is approximately 40 percent fewer trips than analyzed in the Miravale III EIR. However, even with a 40 percent reduction in trips, implementation of the proposed specific plan would result in increases in long-term operational emissions of ozone precursor pollutants that would likely exceed significance thresholds established by the air district, which is a significant and unavoidable impact.

Daily project emissions for the specific plan were estimated using a 47 percent reduction in vehicle trips identified in the 2017 traffic report (Higgins 2017a) and based on URBEMIS modeling conducted by for the Miravale III project with a 47 percent reduction in daily trips. With a 47 percent reduction it was determined that the proposed project would produce 193 lbs per day VOC (exceeding the 137 lb threshold), and 226 lbs per day PM_{10} (exceeding the 82

lb threshold). Thus, VOC and PM impacts for this project remain significant and unavoidable. A 40 percent reduction in trips would generate emissions that exceed these standards.

The Miravale III EIR was prepared in advance of the California Air Resources Board development of acceptable and appropriate methodologies for identifying thresholds of significance, modeling greenhouse gas (GHG) emissions, and determining the significance of emissions associated with specific development. In the absence of thresholds and quantification methods, the Miravale III EIR presumed that the GHG emissions volumes generated by the land uses consistent with the then-proposed specific plan would be significant and unavoidable. Mitigation Measure 4.3-3 required the preparation of an emissions reduction plan prior to any changes made to the then-proposed tentative map and/or specific plan. Implementation of the measures required by this mitigation measure (refer to the Miravale III Final EIR Appendix F-1), would reduce project-related emissions, but not to a less-than-significant level.

The currently proposed project is smaller and would generate fewer GHG emissions than the original project although emissions volumes would still be large enough to warrant preparation of an emissions reduction plan as identified in Mitigation Measure 4.3-3. The currently proposed project does not yet contain enough project-specific data to enable a meaningful assessment and quantification of project-related emissions. Therefore, the timing of preparation of the plan required by Mitigation Measure 4.3-3 has been determined to be more appropriate prior to recordation of the first final map. Mitigation will need to be incorporated into site-specific plan area development projects. To ensure GHG emissions volumes impacts are reduced to the extent feasible, mitigation measure 4.3-3, as clarified below, is required:

Mitigation Measure

4.3-3. In order to reduce greenhouse gas (GHG) and regional air pollutants and precursors (criteria air pollutants or CAPs) emissions to the extent feasible, the applicant/project proponent shall prepare and submit a GHG and CAP Reduction Plan (GCRP) prior to recordation of the first final map.~~concurrent with submittal of any revised Tentative Map under the Specific Plan or any Site Plan that differs from the Specific Plan as described in this EIR.~~ The GCRP shall include a description of the measures that are proposed to be implemented ~~by that phase of the project~~, including one or more of the measures contained in Appendix (F-1) of the ~~is~~ Miravale III Specific Plan Final EIR. The 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 GCRP shall present estimated reductions in GHGs and CAPs based on available information source.

No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until all of the feasible, applicable measures 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.

The following minor revision to mitigation measure 4.2-4 is made for clarification purposes:

Mitigation Measure

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 ~~Miravale III~~ Miramonte I Specific Plan Development. This restrictive covenant shall be recorded on the title of all parcels in the ~~Miravale III~~ Miramonte I Specific Plan area and shall run with the land.

Air Quality Conclusion

The proposed project would not result in new significant air quality effects or substantially increase the severity of previously identified significant effects, and would result in lesser construction and operational impacts than identified in the Miravale III EIR. No new information has been identified that indicates the proposed project would have new or more significant impacts on air quality or the generation of GHG emissions volumes that were identified and addressed for the original project.

3.5 BIOLOGICAL RESOURCES

Miravale III Specific Plan EIR Analysis

The Miravale III EIR addressed the existing biological conditions within the proposed project, identified the potential occurrence of special-status plant species, wildlife species, and sensitive habitats at the project site, and discussed potential project-related impacts to those resources. Mitigation measures were proposed to avoid or reduce any potential impacts that were identified. The section was based on the results of the *Preliminary Biological Assessment Report for the Proposed Miravale Phase III Specific Plan, City of Soledad, CA*, prepared by Denise Duffy & Associates, Inc. (August 2007), an initial site visit, a site review, a preliminary wetland assessment, assessment of nesting bank swallow *(Riparia riparia)*

presence, a California tiger salamander (*Ambystoma californiense*, CTS) Habitat Assessment Report followed by one spring of protocol-level aquatic sampling (4 sampling events) and a tissue sample collection, a San Joaquin kit fox habitat evaluation, a presence/absence study of the Salinas pocket mouse *(Perognathus inornatus psammolphilus*) via a small mammal trapping study, and protocol-level western burrowing owl surveys. These reports are on file with the City of Soledad.

Wetlands/Waters of the U.S.

Wetlands and waters of the U.S. were identified and assessed in the Miravale III EIR, including the reservoir within the grassland area and three agricultural basins occurring west of San Vicente Road. Fringe wetlands adjacent to the reservoir and basins were identified that could potentially be considered jurisdictional by the CDFW. No mitigation measures were proposed, however verification from the USACE that the fringe wetlands are not considered jurisdictional and coordination with CDFW to determine if a permit is required was recommended.

Vegetation

The Miravale III EIR determined that the project would result in temporary and permanent impacts to all habitats and the vast majority of vegetation within project boundaries, and would result in the removal of three or more oak trees and all Eucalyptus and/or Tamarisk trees lining San Vicente Road. Temporary impacts to vegetation included grubbing and grading associated with development of the site; permanent impacts include the conversion of open vegetated areas to urban housing through placement of structures, homes, roads, driveways, etc. However, these impacts were determined to be less than significant with implementation of the following measures.

Mitigation Measures

4.4-1 A Forest Management Plan shall be prepared for the project due to proposed tree removals. The Forest Management Plan shall include a map that indicates all of the trees within the project site and denotes which trees are to be removed. The map shall also include notes which clearly state protection procedures for trees that are to be preserved. In addition, the Forest Management Plan shall include, but is not limited to, a description of each tree by species and its condition .The City approved Forest Management Plan (and associated replanting plan) shall be incorporated as a condition of project approval to satisfy General Plan Conditions C/OS 17-19. Prior to the issuance of any grading and/or building permit, the project applicant shall submit a Forest Management Plan, subject to the review and approval of the City of Soledad.

4.4-2 Prior to the onset of construction, trees and vegetation not planned for removal 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 shall verify that adequate protective measures are in place prior to construction and remain intact throughout the construction phase.

4.4-3 Following construction, the disturbed areas that are proposed as parks and native landscaping areas shall be restored to pre-project contours and revegetated using locally-occurring native species and native erosion control seed mix to the maximum extent feasible. 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 to the extent feasible 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 documenting 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.

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.

4.4-5 Grading, excavating, and other activities that involve substantial 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 shall verify that erosion control measures are implemented and materials used are consistent with this measure and remain intact throughout the construction phase.

4.4-6 No construction equipment shall be serviced or fueled outside of designated staging areas. A qualified biological monitor shall verify that this measure is being implemented throughout the construction phase.

Special Status Plant Species

According to the Miravale III Specific Plan EIR, the presence/absence of jewelflower could not be determined, but appropriate habitat was present within project boundaries. This species could be permanently impacted by proposed grading, excavation, and other activities that may result in the permanent loss or disturbance of individual jewelflowers and/or jewelflower habitat. However, the EIR concluded that with the following mitigation measure this impact would be less than significant.

Mitigation Measure

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 CDFG 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 CDFG. Avoidance shall be confirmed by the City prior to the time of tentative map approval for this 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). The CNPS and CDFG shall be consulted to evaluate the suitability for transplanting the impacted species to suitable habitat within the identified and established preserve/restoration area. These details shall be described and included in the mitigation plan. Restoration and preservation strategies shall be developed in coordination with the CNPS and CDFG. The City of Soledad Planning Department shall be provided verification of CDFG concurrence and satisfaction prior to issuance of grading permits.

Wildlife Corridors

The Miravale III EIR found that project development would fragment the vast majority of the existing wildlife habitat on the site, and would encroach into the foothills of the Gabilan Range which is an important wildlife corridor. The ongoing presence of homes, roads, cars,

people, firearms, pets, etc. would adversely impact any wildlife currently utilizing the site, particularly in the grassland portions of the site. This fragmentation of habitat was found to be a significant impact that can be partially reduced by implementation of the following mitigation. However, it was determined that the impact could not be fully mitigated without project redesign. Therefore, the fragmentation of habitat was considered a significant, unavoidable impact of the project as designed.

Mitigation Measure

4.4-8 Prior to approval of each final map, the applicant shall prepare and submit draft Covenant, Conditions, and Restrictions (CC&Rs) applicable to that phase that shall include the following:

a) restrict installation fencing to the immediate vicinity of residences, and where fencing is placed adjacent to open space areas and areas of natural, undisturbed habitat, fences shall be installed such that a six inch space is left between the bottom of the fence and the surface of the ground;

b) prohibit off-road vehicle use;

c) prohibit illegal discharge of firearms;

d) prohibit the installation of road medians throughout the development.

These CC&Rs shall be reviewed and approved by the City of Soledad prior to approval of each final map.

Special Status Wildlife Species

San Joaquin Kit Fox

The Miravale III EIR determined that the project would result the loss of potential San Joaquin kit fox denning, foraging, and migratory habitat resulting from development within the grassland area. The EIR concluded that while this impact could be reduced by the following mitigation measure, the impact remained significant and unavoidable.

Mitigation Measures

4.4-9 The applicants shall enter into consultation with USFWS and CDFG and shall provide evidence of their compliance with applicable requirements of the federal Endangered Species Act and California Endangered Species Act to the City prior to the issuance of building permits.

4.4-10 Pre-construction surveys for kit fox dens shall be required for all development phases of the future project. 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 CDFG have been contacted and authorization to proceed has been obtained by the applicant. Pre-construction surveys shall be conducted by a qualified biologist 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.

In addition to pre-construction surveys, a qualified biologist, 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 CDFG, as stated above in Mitigation Measure 4.4-9. 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 CDFG:

a) Restrict project-related vehicle speed to 20 mph on project roads.

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.

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 or more overnight periods for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way.

d) Contain all food-related trash items in closed containers and remove food related trash at least once a week from the project site.

e) No firearms shall be allowed on the project site.

f) No pets shall be permitted on the project site.

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.

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.

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: 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.

j) In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the Service shall be contacted for advice.

k) To the extent feasible, nighttime construction shall be avoided.

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 CDFG 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:

- 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.

American Badger

The Miravale III EIR determined that the project would result the loss of potential American badger denning and foraging habitat resulting from development within the grassland area and the loss of foraging habitat within agricultural areas. The EIR concluded that while this impact could be reduced by the following mitigation measure, the impact remained significant and unavoidable.

Mitigation Measure

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:

- 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.

- If the qualified biologist determines the presence of active dens, the location of these dens shall be documented and reported to CDFG. 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.

- If avoidance of an active badger den is not feasible, the biologist shall coordinate with CDFG 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 CDFG depredation permit would be required to disrupt a natal den. For non-natal dens, CDFG 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). CDFG may require that appropriate onsite or adjacent habitat be conserved to allow relocation of excluded animals within their home range.

Special Status Bats

The Miravale III EIR determined that the project had the potential to impact two bat species (pallid bat and Townsend's big-eared bat) due to the potential for direct impacts to bats and/or bat roosts (day, night, foraging, and maternity) and the loss of the vast majority of onsite foraging habitat for these species. The Miravale III EIR concluded that this impact could be reduced to a less-than-significant level with the following mitigation measure.

Mitigation Measure

4.4-12 A qualified bat specialist 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:

- 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 CDFG and the City.
- 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.

Salinas Pocket Mouse

According to the Miravale III EIR the Salinas pocket mouse and Salinas pocket mouse habitat are known to occur on the site. The vast majority of the onsite grassland habitat would have been converted to residential usage and the remaining portions would have been fragmented from surrounding habitat and subject to ongoing disturbance (cars, lights, noise, sound, vibration, etc.) that could result in direct and indirect mortality. The following mitigation measure was determined to lessen the impact but not to a less-than-significant level. The EIR concluded that this would be a significant and unavoidable impact.

Mitigation Measure

4.4-13 The applicant shall contract a qualified biologist to coordinate with CDFG and prepare a mitigation and monitoring plan for the 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 CDFG 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.

Special Status Avian Species

According to the Mirvale III EIR, suitable breeding habitat is present for burrowing owl, northern harrier, white-tailed kite, and loggerhead shrike. The project would result in the loss of foraging and/or nesting habitat for these species. Raptors and their nests are protected by both federal and state regulations (MBTA and CDFG Code Sections 30503 and 3503.5), which protect birds of prey and their eggs and nests. Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "take" by CDFG. The EIR concluded that construction activities such as tree removal or site grading that result in any loss of fertile raptor eggs or nesting raptors, or any activities resulting in raptor nest abandonment onsite or immediately adjacent to the site would constitute a significant impact. However, the EIR determined that the impact could be reduced to a less-than-significant level with implementation of the following mitigation measure.

Mitigation Measures

4.4-14 Burrowing owls are known to occupy burrows in mixed grassland, active agricultural, and fallow agricultural portions of the Miravale site during the non-breeding season (breeding season utilization not observed in the course of protocol-level surveys). A qualified biologist 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. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. The survey shall conform to the CDFG 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.

4.4-15 If project activities will initiate during the typical avian nesting season (February 15– August 1), a qualified biologist 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 CDFG. No active nest shall be impacted or removed without a depredation permit from CDFG, 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).

4.4-16 A preconstruction survey shall be conducted 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. Non-invasive techniques include light shining into the roost space for one or two nights and days. 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. 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.

Special Status Reptiles and Amphibians

The Mirvale III EIR found that given the presence of marginally appropriate habitat, both California red-legged frog (CRLF) and Western spadefoot may be present within project boundaries. If CRLF or spadefoot are present, proposed impacts to onsite agricultural basins (particularly the reservoir) would result in direct impacts to these species including "take." (i.e. loss of individuals and habitat, loss of a breeding resource, direct mortality, etc.). In addition, grading and other earthmoving activities proposed would represent an adverse effect on upland estivation habitat for these species, if present. The EIR presented mitigation measure 4.4-17 (below) to reduce impacts but determined that impacts could not be reduced to a less-than-significant level. Therefore, the EIR concluded that the project would result in a significant and unavoidable impact to a federally Threatened Species and State Species of Special Concern.

The Miravale III EIR additionally determined that the development of the majority of the onsite grassland habitat and fragmentation of remaining grassland habitat represents a significant impact to coast horned lizards, black-legless lizards, and San Joaquin coachwhip. Given the lack of unaffected portions of the grassland habitat for conservation of these species, the EIR concluded that this was a significant impact. While mitigation measures 4.4-18 through 4.4-21 would reduce impacts, it would not be to a less-than-significant level and impacts to these species were determined to be significant and unavoidable impact despite mitigation.

Mitigation Measures

4.4-17 Protocol-level CRLF surveys (USFWS, August 2005) shall be completed at each aquatic resource present within project boundaries. Protocol-level CRLF surveys would likely detect Western spadefoot, if present (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 CDFG. 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 CDFG 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.

4.4-18 The applicant shall retain a qualified biologist to conduct a construction monitoring program for black legless lizards, coast horned lizards, and San Joaquin coachwhip 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 memorandum of understanding with CDFG. 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 adjacent suitable habitat outside of the area of impact, pursuant to the memorandum of understanding.

4.4-19 The applicant shall conduct an employee education program for construction crew and City staff prior to construction activities. A biological monitor shall meet with the construction crew at the onset of construction to educate the construction crew on the following: 1) the appropriate access route in and out of the construction area; 2) how biological monitor will examine the area and agree upon a method which will ensure the safety of the monitor during such activities, 3) the special-status species that may be present; 4) the specific mitigation measures that will be incorporated into the construction effort; and 5) the proper procedures if a special-status animal or any other animal is encountered within the project site.

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 CDFG immediately in the event that "take" 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 CDFG. It is imperative that this individual will be present onsite every day and will be accessible to regulatory agency personnel.

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.

Wildlife Movement and Nursery Sites

The General Plan EIR identifies "adverse but not significant" impacts to wildlife movement based on the availability of the Salinas River and Arroyo Seco corridors in the project area. However, the General Plan EIR requires that portions of the Gabilan Range above 400-feet elevation be conserved as open space. Development above 400-feet elevation was proposed as a portion of the Miravale III project, significantly encroaching into an area proposed for conservation and impacting an upland wildlife movement corridor. As stated in the Preliminary BA, Miravale III "proposed 'open space' portions of the site (including the 62 acres of grasslands) are not designed or suitable as plant and wildlife conservation areas." An increase in the total number of roadways in the project site could be expected to result in an increase in the number of animals killed by vehicular traffic. The permanent onsite presence of homes, roads, and infrastructure would further fragment habitats surrounding the project site and represents an urban encroachment into the foothills of the Gabilan Range. As such, the Miravale III EIR determined that development of the proposed project, particularly above the 400 foot elevation contour, would result in a significant impact to wildlife movement. The EIR found that while mitigation measures identified in the Biological Resources section would minimize project induced impacts, they could not be reduced to a less-than-significant level.

Proposed Project Analysis

EMC Planning Group biologist Andrea Edwards performed a reconnaissance field survey at the site on April 26, 2017 to verify that conditions described in the Miravale III EIR remain accurate, to document existing plant communities and wildlife habitats, and to evaluate the potential for special-status biological resources to occur within the revised site boundary. Qualitative estimations of plant cover, structure, and spatial changes in species composition were used to determine plant communities and wildlife habitats, and habitat quality and disturbance level were noted.

Wetlands/Waters of the U.S.

A reservoir and three agricultural basins were identified and assessed in the Miravale III EIR. The revised project does not propose to disturb the reservoir, and the three agricultural basins occur west of San Vicente Road are no longer included in the project boundary. As a result, permits from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and the Regional Water Quality Control Board will not be required.

Vegetation

The revised specific plan does not include disturbance to the grassland habitat along the eastern project boundary. The proposed project would cause temporary and permanent impacts to all agricultural fields and the vast majority of vegetation west of the grassland habitat. Temporary impacts to vegetation included grubbing and grading associated with development of the site; permanent impacts include the conversion of open vegetated areas to urban housing through placement of structures, homes, roads, driveways, etc. The Miravale III Preliminary Biological Assessment (2008) determined that a Forest Management Plan should be required because three or more native live oak trees located in the foothills and grassland areas would be impacted by the then-proposed project. However, only one oak tree is located below the 400 foot elevation contour that could be impacted with implementation of the currently proposed project. Therefore, since fewer than three oak trees would potentially be impacted by the proposed project, a forest management plan would not be required. Mitigation measure 4.4-1, which requires preparation of a forest management plan, is not applicable to the proposed project and is not required. Mitigation measures 4.4-2 through 4.4-6, which propose protection of adjacent grassland areas from disturbance, erosion, and contamination, remain applicable to the proposed project.

Special-Status Plant Species

One special-status plant species, Lemmon's jewelflower (*Caulanthus lemmonii*), was identified as having the potential to occur within grazing land in the eastern portion of the project site. Lemmon's jewelflower is a CNPS List 1B species associated with open, grassy areas; on hillside slopes and in fields, canyons, and arroyos. While the revised project no longer proposed residential development in the grassland areas, it may require the placement of infrastructure in this area which may result in limited disturbance to the grassland. Therefore, mitigation measure 4.4-7, which requires additional surveys, remains applicable.

Wildlife Movement and Nursery Sites/Wildlife Corridors

A significant and unavoidable impact to wildlife corridors was identified in the Miravale III EIR due to proposed development within the grassland area. While infrastructure improvements may be required in the grassland area, the revised project no longer includes intensive residential development within the grassland area identified in the Miravale III EIR Therefore, impacts to species and habitats occurring within grassland areas of the site are significantly reduced. The proposed project's impacts to wildlife corridors and movement would be less than significant. The specific plan requires recordation of a conservation easement for all hillside areas, within which the grassland habitat and related corridors occur. Mitigation Measure 4.4-8 is clarified to reflect the conservation easement required by the specific plan. Additionally, because development is no longer occurring above the 400 foot elevation contour, subsections a and d are removed from the mitigation measure as these address development above the 400 foot elevation contour and are not applicable to the proposed project.

In addition to the species-specific measures identified in the Miravale III EIR, Mitigation Measures 4.4-19, 4.4-20, and 4.4-21 remain applicable to address general impacts, including preparation of an employee education program, identification of a qualified biologist in the event an animal is discovered or injured during construction, and measures to prevent inadvertently attracting wildlife species.

Mitigation Measure

4.4-8 Areas above the 400 foot elevation contour shall be protected from development, excluding infrastructure and utility improvements, in perpetuity. Prior to approval of ~~each~~ the first final map, the applicant shall prepare and submit to the city for review and approval ~~draft Covenant, Conditions, and Restrictions (CC&Rs) applicable to that phase that shall~~ a draft conservation easement for all areas above the 400 foot elevation contour. The easement shall include the following:

~~a) restrict installation fencing to the immediate vicinity of residences, and where fencing is placed adjacent to open space areas and areas of natural, undisturbed habitat, fences shall be installed such that a six inch space is left between the bottom of the fence and the surface of the ground;~~

a~~b~~) prohibit recreational off-road vehicle use;

b~~c~~) prohibit illegal discharge of firearms;

~~d) prohibit the installation of road medians throughout the development.~~

~~These CC&Rs~~ The conservation easement shall be reviewed and approved by the City of Soledad prior to approval of ~~each~~ the first final map. The developer shall record the conservation easement prior to issuance of a grading permit or the onset of any other site disturbance.

Special-Status Wildlife Species

The potential for the wildlife species identified within the Miravale III EIR have the same potential to occur within the project boundary despite modifications to the project.

San Joaquin Kit Fox

A significant and unavoidable impact to San Joaquin kit fox was identified in the Miravale III EIR due to the loss of potential denning, foraging, and migratory habitat resulting from development within the grassland area. The revised project may include infrastructure improvements in the grassland area but otherwise no longer includes development within this area; therefore, impacts to species and habitats occurring there have been significantly reduced. The potential for San Joaquin kit fox to occur within the project remains, however

impacts are no longer considered significant and unavoidable with the protection of the grassland area and implementation of Mitigation Measures 4.4-9 and 4.4-10, which require obtaining Incidental Take Permits from USFWS and CDFW and preconstruction surveys and monitoring.

American Badger

A significant and unavoidable impact to American badger was identified in the Miravale III EIR due to the loss of potential denning and foraging habitat resulting from development within the grassland area and the loss of foraging habitat within agricultural areas. The revised project may include infrastructure improvements in the grassland area but otherwise no longer includes development within this area; therefore, impacts to species and habitats occurring there have been significantly reduced. The potential for American badger to occur within the project remains, however impacts are no longer considered significant and unavoidable with the protection of the grassland area and implementation of Mitigation Measure 4.4-11, which require preconstruction surveys.

Special-Status Bat Species

A less-than-significant impact with implementation of mitigation for two bat species (pallid bat and Townsend's big-eared bat) was identified in the Miravale III EIR due to the potential for direct impacts to bats and/or bat roosts (day, night, foraging, and maternity) and the loss of the vast majority of onsite foraging habitat for these species. The revised project may include infrastructure improvements in the grassland area but otherwise no longer includes development within the grassland area; therefore, impacts to species and habitats occurring there have been significantly reduced. The potential for bats to occur within the project remains, and impacts remain less-than-significant with protection of the grassland area and implementation of Mitigation Measure 4.4-12, which require preconstruction surveys.

Salinas Pocket Mouse

A significant and unavoidable impact to Salinas pocket mouse was identified in the Miravale III EIR due to the potential loss of individuals and the loss of denning, foraging, and migratory habitat resulting from development within the grassland area. The revised project may include infrastructure improvements in the grassland area but otherwise no longer includes development within this area; therefore, impacts to species and habitats occurring there have been significantly reduced. The potential for Salinas pocket mouse to occur within the project area remains, however impacts are no longer considered significant and unavoidable with the protection of the grassland area and implementation of Mitigation Measure 4.4-13, which requires preparing a mitigation and monitoring plan in coordination with CDFW.

Special-Status Bird Species

During surveys conducted for the Miravale III EIR, the following special-status bird species were observed foraging within the project site: Western burrowing owl, Northern harrier, white-tailed kite, loggerhead shrike, and Northern harrier. In addition, golden eagle, merlin, prairie-falcon, and horned lark were identified as having the potential to utilize the site for foraging. A less-than-significant impact with implementation of mitigation to bird species was identified in the Miravale III EIR due to the potential for direct impacts to birds and/or nests and the loss of the vast majority of onsite nesting foraging habitat for these species The revised project may include infrastructure improvements in the grassland area but otherwise no longer includes development within this area; therefore, impacts to species and habitats occurring there have been significantly reduced. However, the potential for bird species to occur within the project remains, and impacts remain less-than-significant with greater protection of the grassland area and implementation of Mitigation Measures 4.4-14, 4.4-15, and 4.4-16, which require protocol-level preconstruction surveys for burrowing owl and preconstruction surveys for nesting birds. Mitigation Measure 4.4-14 is edited as follows to correctly reference the current project.

Mitigation Measure

4.4-14 Burrowing owls are known to occupy burrows in mixed grassland, active agricultural, and fallow agricultural portions of the ~~Miravale~~ Miramonte site during the non-breeding season (breeding season utilization not observed in the course of protocol-level surveys). A qualified biologist 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. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. The survey shall conform to the CDFG 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.

California Tiger Salamander

No impacts to California tiger salamander were identified in the Miravale III EIR after coordination with USFWS regarding ESA jurisdiction over onsite hybrid/non-native tiger salamanders determined that tiger salamanders present at Miravale Pond 1 (onsite reservoir) are not subject to regulation under ESA and are therefore not within the regulatory jurisdiction of USFWS regulation (USFWS concurrence letter issued February 26, 2008 and presented in Appendix I of the June 2008 Preliminary BA). However, a CDFW report,

A Status Review of the California Tiger Salamander (CDFW 2010), includes a recommendation that even hybrid populations with small amounts of native genetic material should not lose their protected status. As noted in the Miravale III EIR, coordination with the CDFW will occur to determine whether the CDFW will take jurisdiction over the on-site tiger salamander population (FEIR pp. 140-141). The following mitigation measure is added for clarification of the process required to coordinate with CDFW.

Mitigation Measure

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.

California Red-Legged Frog and Western Spadefoot

A significant and unavoidable impact to California red-legged frog and western spadefoot was identified in the Miravale III EIR if found within the project area. The revised project does not propose to disturb the reservoir, and the three agricultural basins occur west of San Vicente Road are no longer included in the project boundary. The revised project may include infrastructure improvements in the grassland area but otherwise no longer includes development within this area; therefore impacts to species and habitats occurring there have been significantly reduced. The potential for California red-legged frog and western spadefoot to occur within the project remains, however impacts are no longer considered significant and unavoidable with the protection of the grassland area and implementation of Mitigation Measure 4.4-17, which requires protocol-level surveys for California red-legged frog (which would also identify western spadefoot, if present, given their overlapping habitat characteristics).

Coast Horned Lizard, Black Legless Lizard, and San Joaquin Coachwhip

A significant and unavoidable impact to coast horned lizard, black legless lizard, and San Joaquin coachwhip was identified in the Miravale III EIR due to the loss of habitat resulting from development within the grassland area. The revised project may include infrastructure improvements in the grassland area but otherwise no longer includes development within this area; therefore, impacts to species and habitats occurring there have been significantly reduced. The potential for coast horned lizard, black legless lizard, and San Joaquin coachwhip to occur within the project area remains, however impacts are no longer considered significant and unavoidable with the protection of the grassland area and implementation of Mitigation Measure 4.4-18, which requires construction monitoring and a salvage and relocation plan in coordination with CDFW.

Biological Resources Conclusion

As discussed above, the proposed revision to the Miramonte I development area has significantly reduced the level of potential impact to many biological resources. Excluding development west of San Vicente Road and limiting development within the grassland area lessened impacts to biological resources. Due to the known or potential presence of many wildlife species, however, a majority of the mitigation measures proposed in the Miravale III EIR remain applicable.

3.6 CULTURAL RESOURCES

Miravale III Specific Plan EIR Analysis

Historic Resources

A Preliminary Archaeological Reconnaissance (archaeological report) was prepared for the project site by Archaeological Consulting (September 2006) to assess potential effects of the previously proposed specific plan on cultural resources. The archeological report identified the farmhouse and barn located along the southern property border at the intersection of San Vicente Road and the proposed H Street as potential historic resources. A Phase One Historic Review was prepared by Kent Seavey (October 2006) to evaluate the historical significance of these buildings. The review determined that the farmhouse, referred to as the Morris Lorentzen House, was significant under Public Resources Code Section 5024.1(a). The proposed project would require the removal of the Lorentzen House in order to accommodate project development which is a potentially significant impact due to the historical significance of structure. A CEQA Impacts Analysis and Mitigation Report was prepared by JRP Historical Consulting (July 2007) to identify impacts to the historic resource and identify appropriate mitigation for the protection of this resource. The Miravale III Specific Plan EIR concluded that implementation of the following mitigation measures identified in the JRP report and Miravale III Specific Plan EIR would ensure that project-related impacts could be minimized to a less-than-significant level.

Mitigation Measures

4.5-1 Relocation of House. 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, and the Mitigation Monitoring and Reporting Plan (MMRP) for the project. Prior to recordation of the final map, the project applicant shall submit a relocation plan prepared by a qualified professional in accordance with the general recommendations of

Moving Historic Buildings, a publication of the National Park Service, to the City of Soledad for review and approval. The relocation plan shall discusses 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. Prior to the relocation, the applicant shall provide verification of compliance with related mitigations to the City of Soledad Community Development Department Director for review and approval. In addition, the structure shall be relocated prior to the issuance of any building and/or grading permit for development within the Specific Plan area.

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. Prior to the recordation of the final map, the project applicant shall submit a relocation plan, consistent with Mitigation Measure 4.5-1, which incorporates protective measures consistent with the intent of this measure. 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.

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 applicant shall submit detailed documentation prepared by a qualified professional demonstrating that all repairs have been completed in accordance with applicable standards prior to the issuance of any building and/or grading permit.

4.5-4 Professional Standards. All activities regarding historical architectural resources and historic preservation carried out as part of this project shall be carried out by or under the direct supervision of persons meeting, at a minimum, the Secretary of the Interior's professional qualifications standards (48 FR 44738-9) in these disciplines. Prior to the relocation of the Lorentzen House, the applicant shall submit evidence to the City of Soledad demonstrating compliance with this measure.

4.5-5 Monitoring. The mitigation measures applying to the relocation of the Lorentzen House shall be set forth in a Mitigation Monitoring and Reporting Program (MMRP) for the project. The MMRP will guide project-specific mitigation, monitoring, and/or reporting programs for various aspects of mitigation monitoring, reporting, and enforcement in order to ensure full compliance with the conditions of project approval.

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, as necessary.

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. This level of recordation would include:

- 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.

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.

Archaeological Resources and Human Remains

A records search and field reconnaissance conducted for the Miravale III EIR did not produce evidence of archaeological resources or human remains on the project site. However, it was determined that construction of the project could potentially uncover unknown buried archaeological resources or human remains during excavation and clearing activities which is a potentially significant impact. However, the EIR concluded that implementation of the following mitigation measures would ensure this potential impact was less than significant.

Mitigation Measures

4.5-8 In order to ensure that project-impacts to potentially unknown resources are avoided, the project proponent shall be responsible for on-going monitoring of project construction. Prior to the issuance of any grading permit, the project proponent shall provide the City of Soledad with documentation identifying construction personnel that will be responsible for on-site monitoring.

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

4.5-9 In order to ensure that the proposed project does not impact buried human remains during project construction, the project proponent shall be responsible for on-going monitoring of project construction. Prior to the issuance of any grading permit, the project proponent shall provide the City of Soledad with documentation identifying construction personnel that will be responsible for on-site monitoring. 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 24 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.

Proposed Project Analysis

The currently proposed specific plan, while smaller than the previously proposed plan, would still require removal of the Lorentzen House and require site preparation and construction activities that have the potential to disturb or damage unknown archaeological resources and human remains if such are discovered. All development within the specific plan area would be subject to the mitigation measures identified in the Miravale III EIR, and noted above, with the following clarification to mitigation measure 4.5-9 regarding the timing of recommendations by designated Most Likely Descendants.

Compliance with these measures would ensure that the known historic resource and unanticipated archaeological resources and human remains are adequately protected should these resources be uncovered during construction activities.

Mitigation Measure

4.5-9 In order to ensure that the proposed project does not impact buried human remains during project construction, the project proponent shall be responsible for on-going monitoring of project construction. Prior to the issuance of any grading permit, the project proponent shall provide the City of Soledad with documentation identifying construction personnel that will be responsible for on-site monitoring. 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 ~~24~~ 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.

Compliance with these measures would ensure that the known historic resource and unanticipated archaeological resources and human remains are adequately protected should these resources be uncovered during construction activities.

Cultural Resources Conclusion

The proposed project would not result in new significant cultural resource effects or substantially increase the severity of previously identified significant effects, no changes in cultural resources related circumstances have occurred, and no new information has been identified that indicates the proposed project would have new or more significant impacts on cultural resources than were identified for the original project.

3.7 GEOLOGY, SOILS, AND MINERALS RESOURCES

Miravale III Specific Plan EIR Analysis

Several reports were completed for the Miravale III Specific Plan project including two Preliminary Geologic Hazards Investigations prepared by Nolan Associates (August 9, 1995 and an update September 27, 2006); a Geotechnical Investigation for the Preliminary Design Phase, prepared by Tharp & Associates, Inc. (August 29, 2005); and a Preliminary Soils & Foundation Investigation, prepared by Tharp & Associates, Inc. (October 19, 1995). The following analysis included in the Miravale III EIR was based, in part, on these reports.

Seismic Hazards

The Reliz-Rinconada fault zone, passes within six miles of the project site and the San Andreas Fault Zone passes within 12 miles of the site. The project could be exposed to potential adverse effects from strong seismic ground shaking that may result in damage to proposed structures which would represent a potentially significant impact. However, the EIR concluded that this impact could be reduced to a less-than-significant level with implementation of the following mitigation measures.

Mitigation Measures

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.

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 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. In addition, all structures shall be designed to the most current standards of the California Building Code, at a minimum.

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 City of Soledad Director of Public Works for review and approval.

Erosion

The Miravale III EIR found that site preparation and construction activities would disturb soil and increase its susceptibility to erosion. Removal of soils by wind or water can undermine buildings, roads, and other developments, as well as contribute siltation of local streams or water bodies. Moreover, removal of existing mature eucalyptus and other tree species along San Vicente Road could result in additional erosion-related impacts. Although the Hillside Development Standards & Guidelines contained in Appendix C of the Miravale III EIR included specific erosion control regulations, the Miravale III EIR found that additional mitigation would be warranted in order to ensure that project-related impacts are reduced to a less-than-significant level. The Miravale III EIR concluded that implementation of the project could result in substantial soil erosion or loss of topsoil which is a potentially significant impact. However, it was found that this impact could be reduced to a less-than-significant level with implementation of the following mitigation measures, including Mitigation Measure 4.1-7 (refer to discussion of Aesthetic Resources, Section 3.2).

Mitigation Measures

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.

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 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 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. The following measures shall be implemented, where appropriate, 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), 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.

4.6-5 Areas disturbed by grading shall be stabilized with adequate landscaping vegetative cover. A revegetation 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.

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 grading and/or building permit for each new structure, the project applicant shall submit an erosion control plan consistent with this measure, subject to the review and approval of the City of Soledad Public Works Director.

Liquefaction

The Miravale III EIR determined that the project could be exposed to localized liquefaction and collapse. This would represent a potentially significant impact that can be reduced to a less–than- significant level with implementation of the following mitigation measures.

Mitigation Measure

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.

Landslide, Debris Flow, Lateral Spreading

The Miravale III EIR determined that development within certain areas of the project site could be exposed to potential adverse effects from on- or off-site landslides and lateral spreading that may result in damage to proposed structures, which represents a potentially significant impact. However, the EIR concluded that the impact could be reduced to a less-than- significant level with implementation of the following mitigation measures:

Mitigation Measure

4.6-8 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) 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 3) Constructing impact walls, designed to withstand anticipated debris flow volumes and velocities. An engineering geologist shall be retained to provide site-specific geologic design criteria for debris flow hazard areas once the final project plans are available. 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.

Expansive Soils

The Miravale III EIR determined that the project could be exposed to localized soil expansion, which would represent a potentially significant impact. However, the EIR concluded that the impact could be reduced to a less-than-significant level with implementation of the following mitigation measures.

Mitigation Measure

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 Director of Public Works.

Proposed Project

The proposed project is reduced in size from the previously proposed plan and does not include hillside development above the 400 foot elevation contour. However, development consistent with the proposed specific plan would also be susceptible to similar geologic hazards including seismic ground shaking, liquefaction, landslide, debris flow, and lateral spreading. Due to the elimination of hillside development in the proposed plan, adherence to the Hillside Development Standards and Guidelines would not be applicable to this project, and while to a lesser degree, there remains the potential for erosion on the project site. Mitigation measure 4.1-7 (refer to Section 4.1) would still be required to address erosion impacts on hillsides below the 400-foot contour. Due to the currently proposed development's proximity to the debris flow hazard area, mitigation measure 4.6-8 is applicable to the currently proposed project. While implementation of the project would present fewer geologic hazards and result in less exposure to such hazards, the mitigation measures identified in the Miravale III EIR, and noted above would still be required to reduce geologic hazards to a less than significant level.

Geology, Soils, and Minerals Resources Conclusion

The specific plan would not result in new significant geologic impacts or substantially increase the severity of previously identified significant effects. Implementation of the plan would have a reduced potential for geologic hazards and expose fewer people to such hazards than the previously proposed plan. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project.

3.8 HAZARDS AND HAZARDOUS MATERIALS

Miravale III Specific Plan EIR Analysis

A Phase I Environmental Site Assessment was completed for the Miravale III Specific Plan project by D&M Consulting Engineers, Inc. (September 7, 2006). In addition, a Phase 1 Environmental Site Assessment was prepared for a portion of the project site in 1995 by Terratech, Inc. The following analysis contained in the Miravale III EIR was based, in part, on these reports.

Hazardous Material/Waste Sites

According to the Miravale III Specific Plane EIR, based on review of the hazardous materials database report, observations from the site reconnaissance, and results of the owner/operation managers' interviews, it was determined that the following potentially hazardous environmental conditions exist within and near the project site:

- Pesticide and metal residuals from longtime agricultural use on most of the site;
- Specific areas where agricultural chemicals were stored, and especially mixed;
- Specific areas where burning of grape stakes has occurred;
- Lead-based paint and pesticide residues around structures (both current and former);
- Soil staining in areas such as the various earthen building floors;
- Soil beneath the maintenance pit in the vineyard shop;
- Soil beneath the pole-mounted transformers that apparently malfunctioned;
- Infiltration of possible contaminants at the wash rack drain and shop leachfield; and
- Possible impacts from the closed landfill adjacent to north end of Parcel 26.

The Miravale III Specific Plan EIR determined that in addition to the above potential hazards, demolition of the on-site structures (excluding the Lorentzen house which would be relocated to avoid impacting a historically significant structure) including the barn and various agricultural buildings, could result in the exposure of construction personnel to asbestos-related hazards. The project proposed a variety of uses in areas that may be contaminated with hazardous materials, release of which could pose a health risk to construction workers and future uses on the site. This was determined to be a significant impact that could be reduced to a less-than-significant level with the following mitigation measures.

Mitigation Measures

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. 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. If results indicate the presence of such materials 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 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 for review and approval demonstrating compliance with this measure.

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.

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 Work 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.

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 current Department of Toxic Substances Control policies. 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.

Hazardous Materials within One-Quarter Mile of School

The Miravale III EIR found that due to the proximity of the old Soledad Sanitary Landfill site to the proposed school sites, there was the potential for hazardous emissions and/or other environmental hazards to affect the health and safety of students attending new schools within the project area. Although the landfill was listed as "closed" and no known hazardous incidents had been reported, it was found that releases of emissions may, nevertheless, adversely affect the health of students which is a potentially significant impact. The EIR found that this impact could be reduced to a less-than-significant level with the following mitigation measure.

Mitigation Measure

4.7-5 If, during the course of the Phase II Environmental Site Assessment, it is determined that the existing Soledad Sanitary Landfill would expose the proposed school sites to an environmental hazard that cannot be reduced to an acceptable level through remediation, the project applicant, in conjunction with the Soledad Unified School District and the City of Soledad, shall identify new school sites within the Miravale III project area that would not be exposed to known environmental hazards, prior to the recordation of any final map. If new school locations are necessary, the applicant shall amend the Specific Plan and submit a revised tentative map demonstrating the new school locations, subject to the review and approval of the City of Soledad, prior to the recordation of any final map. Any new school site shall be coordinated with the Soledad Unified School District.

Hazardous Materials Use

The Miravale III project included residential uses along a portion of the western edge of the project site adjacent to agricultural operations. The EIR found that this could result in exposure of residents to hazardous chemicals. However, the Miravale III EIR concluded that incorporation of the mitigation measures requiring agricultural buffers identified in the Agricultural Resources section impacts would be minimized and/or avoided.

The Miravalle III project proposed new residential, commercial, recreational uses, schools and public facility sites, and a golf course. The golf course proposed would have been surrounded by residences and located near the proposed school sites. The Miravale III EIR concluded that the golf course use could expose residents and students to pesticides and other potentially hazardous materials used to control or reduce the adverse effects of

harmful insects, unwanted plants, and pathogenic organisms, which is a significant impact. However, the EIR found that with implementation of the following mitigation measure, the impact could be reduced to a less-than-significant level.

Mitigation Measure

4.7-6 The applicant shall prepare a Chemical Application Management Plan (CHAMP). This plan shall detail the procedures to construct, operate, and maintain the golf course. The CHAMP shall provide technical public disclosure regarding pesticides, fertilizers and other chemicals to be used on the golf course, as well as methods of application and handling. This plan shall be submitted to the Monterey County Environmental Health Division for review and approval. Prior to the issuance of any permit for golf course development, the project applicant shall submit documentation to the City of Soledad demonstrating that a CHAMP has been prepared and approved by the County of Monterey. The following provisions shall be included in the CHAMP:

- Drought, pest, and disease resistant grass species shall be selected.
- Pesticides shall be handled, applied, and disposed of by a licensed (State-certified) spray technician.
- Only approved and legal chemicals shall be used. All county, state, and federal guidelines must be strictly adhered to regarding storage, handling, and application of pesticides.
- Advanced technology/monitoring equipment shall be used to insure minimal application of pesticides, herbicides, and fertilizers. This equipment shall be maintained and in proper calibration.
- A controlled and designated area/facility shall be used for the proper mixing and loading of pesticides into application equipment. The facility shall consist of an impermeable pad with controlled and contained drainage, and should be at least 50 feet from open ditches, ponds, or other water bodies. Rinse water shall be properly stored and hauled for disposal at an approved facility.
- Selection of pesticides shall be based on the ability to achieve treatment goals and criteria to minimize off-site movement. Selection of less toxic, less mobile, and less persistent pesticides shall be a priority management criterion.

- Pesticide applications shall be carefully timed and combined with other pest management practices; pests shall be accurately identified and pesticide applications made only when necessary, using the least amount required for all seasons.

- Pesticides shall not be applied when soil moisture is high during the rainy season. Applications shall be restricted prior to any anticipated late or early season storm events to preclude potential impacts from runoff.

- Irrigation applications shall be consistent with turf grass evapotranspiration requirements. Over-watering shall be avoided

Proposed Project

Hazardous Materials/Waste Sites

As with the Miravale III project, the proposed project includes uses in areas that may be contaminated with hazardous materials and demolition of buildings that may contain lead paint and asbestos, release of which could pose a health risk to construction workers and future uses on the site. Mitigation measures 4.7-1 through 4.7-4 would remain applicable to the currently proposed project and would reduce impacts to a less-than-significant level.

Hazardous Materials within One-Quarter Mile of a School

The proposed school-sites are located more than a mile from the Soledad Landfill, therefore, the Miravale III EIR mitigation measure 4.7-5 is no longer applicable to the proposed project.

Hazardous Materials Use

As with the Miravale III Specific Plan, the proposed specific plan includes areas of residential development that would be sited adjacent to agricultural lands located on the northern, eastern, and western boundaries of the project site, which has the potential to result exposure of residents to hazardous chemicals. Mitigation measures identified in the Miravale III EIR requiring adequate agricultural buffers (mitigation measures 4.2. 1 through 4.2.3) remain applicable to these areas and would reduce related impacts to less than significant.

Unlike the Miravale III Specific Plan, the proposed project does not include a golf course. Therefore, the mitigation measure identified in the Miravale III EIR (4.7-6) is not applicable to the project and there would be no impacts related to the release of hazardous materials associated with golf course maintenance.

Hazards and Hazardous Materials Conclusion

The proposed project would not result in new significant hazards or hazardous materials effects or substantially increase the severity of previously identified significant effects. The

proposed project does not include the golf course that was previously proposed and would avoid these hazardous materials impacts. The mitigation measure identified in the Miravale III EIR specific to this impact is not applicable to the currently proposed project. Changes in hazards or hazardous materials related circumstances have occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant hazards or hazardous materials impacts than were identified for the original project.

3.9 HYDROLOGY AND WATER QUALITY

Miravale III Specific Plan EIR Analysis

The Miravale III EIR based the hydrology and water quality analysis on existing information and data provided in the 2004 City of Soledad Urban Water Management Plan (UWMP), a Water Supply Assessment (WSA) prepared for the project (Byron Buck, August 2007), and available drainage and hydrologic information from the 2007 City of Soledad Storm Drain Master Plan (SDMP).

Surface Water/Water Quality

The Miravale III EIR concluded that construction and operation of the project could impact water quality through substantial soil erosion during grading activities, loss of topsoil, and surface runoff from the proposed development. This is a potentially significant impact that can be reduced to a less-than-significant level with implementation of mitigation measures 4.6-4 through 4.6-6 contained in the geology and soils section and the following mitigation measures.

Mitigation Measures

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.

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 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.

Surface Drainage/Flooding

The Miravale III EIR found that while the proposed project site is not located within a flood hazard area as delineated by the Federal Emergency Management Agency (FEMA), localized flooding had been known to occur within the project area and surrounding vicinity. Development of the proposed project, which would result in substantial grading, changes in topography, and increased impervious surface area, has the potential to result in on- and off-site flooding due to changes in existing drainage patterns. Additionally, the EIR determined that the project's preliminary design was inadequately sized and had the potential to result in additional impacts related to flooding. As a result, project specific mitigation was warranted in order to ensure that final-design level plans were consistent with adopted city standards. Implementation of the following mitigation measures were determined to be necessary to ensure that impacts would be reduced to a less-than-significant level.

Mitigation Measures

4.8-3 In order to ensure that project-induced impacts related to changes in the existing drainage patterns on the project site are minimized, the project applicant shall 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 system and retention basins shall be sized and designed in accordance with applicable City design standards and shall be appropriately sized to accommodate stormwater runoff from a 100-year storm event. Prior to the recordation of any final map, the project applicant shall submit all design-level plans and supporting details to the City of Soledad Director of Public Works for review and approval. The VTM and Specific Plan shall be revised as necessary to reflect final locations of drainage facilities, subject to the review and approval of the City of Soledad.

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, to the maximum extent feasible, 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, Examples of various LID strategies and best practices are identified as follows:

- 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.
- Alternative types of LID strategies and measures may also be approved provided evidence is submitted to the City of Soledad by a qualified engineer demonstrating that said strategies will achieve the intended result of this mitigation measure.

Proposed Project

Since the certification of the Miravale III EIR, the city revised its Urban Water Management Plan in 2016 (AKEL Engineering Group) and adopted the *Storm Drain Master Plan Update* (2015). An updated water supply assessment was also prepared for the project (AKEL Engineering Group 2017). The updated plans do not call for significant changes in the past

plans and the policies and programs of these revised and updated plans would not significantly alter the hydrology and water quality findings of the Miravale III EIR. No additional mitigations are required.

Surface Water/Water Quality

Construction and operation of the proposed project could impact water quality through substantial soil erosion during grading activities, loss of topsoil, and surface runoff similar to those identified in the Miravale III EIR, which is a potentially significant impact. While implementation of the currently proposed specific plan would require less grading than the previous proposed project, and does not include hillside development, mitigation measures 4.6-4 through 4.6-6 identified in the Geology and Soils section of the Miravale III EIR in addition to the 4.8-1 and 4.8-2 would still be required to ensure water quality impacts would be less than significant.

Surface Drainage/Flooding

The specific plan includes requirements for the provision of storm water collection and conveyance and includes policy standards for design and performance of the storm drain and storm water facilities system, and for implementation of pre- and post-construction best management practices and low impact design to capture and retain flows on the site. The proposed system consists of storm drains, collection pipes, a drainage bio-swale within the linear park, a retention basin to capture post-development runoff, and other improvements to capture, retain, and percolate storm water within the project site consistent with the requirements of the Central Coast Regional Water Quality Control Board. Storm water flows would be collected in the linear park and through an underground storm drain system and directed to a retention pond (basin) located within the southwest corner of the project site. The linear park would serve as a bio-swale, following the existing topography and leading from upper elevations to the storm water retention basin. Storm water within developed areas would be collected and conveyed in a curb, gutter and underground storm drain system to the storm water retention basin. The basin, which may serve as a dual-use facility for recreational purposes, would be sized to accept the increase in flow resulting from full buildout of the uses identified in the specific plan. The specific plan requires storm water and drainage facilities to be designed to accommodate a 100-year storm event. The preliminary design of the new storm water system within the project site is shown conceptually on Figure 2-8, Conceptual Storm Water Plan, presented earlier.

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 Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, Resolution No. R3-2013-0032, dated July 12, 2013. Should there be a storm runoff overflow from the plan area, pipes will be required

to connect with the existing Upper San Vicente drainage area, consistent with the pipe sizing and capacity improvements identified in the storm drain master plan update (City of Soledad 2015). Flows in storms of greater intensity than an approximately 100-year return period may be discharged to the downstream city storm drainage facilities consistent with the city's *Storm Water Management Plan* (2010). Any runoff that would be discharged from the storm water retention basin would be treated prior to release to existing downstream storm water facilities located on San Vicente Road, and would be released at a rate equal to or less than the historic flows of the site prior to development.

Due to the project's preliminary design of sized storm water infrastructure, elimination of hillside development, smaller area of site disturbance and potential for erosion, and reduced demand for storm water capacity, the project related impacts would be lesser than those identified in the Miravale III EIR. However, to ensure that project impacts related to changes in the existing drainage patterns on the project site are minimized the Miravale III EIR mitigation measures 4.8-3 and 4.8-4 remain applicable.

Hydrology and Water Quality Conclusion

The specific plan would not result in new significant hydrological or water quality effects or substantially increase the severity of previously identified significant effects, no changes in hydrology or water quality related circumstances have occurred, and no new information has been identified that indicates the proposed project would have new or more significant hydrology or water quality impacts than were identified for the original project.

3.10 LAND USE AND PLANNING

Similar to the project studied in the Miravale III EIR, the proposed project site adjoins the city limit and would not physically divide the community. As noted in Section 3.6 of this EIR addendum, there are no habitat or natural community conservation plans that apply to the project site. Therefore, the project would not conflict with any applicable Habitat or Natural Community Conservation Plans.

Miravale III Specific Plan EIR Analysis

The Miravale III EIR identified that the proposed project would conflict with several general plan policies intended to avoid and/or mitigate environmental impacts to biological resources and aesthetics and that this was a significant and unavoidable impact. The Miravalle III EIR also identified that the Miravale III Specific Plan has the potential to conflict with adopted planning documents pertaining to public services; however this impact could be reduced to a less-than-significant level with mitigation. These impacts are discussed in greater detail below.

Aesthetic Resources

The Miravale III EIR identified significant and unavoidable impacts due to inconsistencies with general plan policy policies L-44, L-45, L-46, C/OS-7, and policy C/OS-8, which are intended to avoid and/or mitigate environmental impacts to aesthetic resources that would result from development in the highly scenic Gabilan Mountain Range foothills, in particular areas above the 400-foot elevation contour.

The previously-proposed project included development of residential uses and related infrastructure above the 400-foot elevation contour. A number of mitigation measures are identified that would reduce the impacts to the visual quality and character of the portions of the site above the 400-foot elevation contour, but not to a less than significant level. The Miravale III EIR concluded that the project would remain inconsistent with these policies, in particular policy C/OS-7, which prohibits structures on ridgelines and steep slopes above the 400 foot elevation contour, and policy C/OS-8, which requires private development to designate hillside areas above the 400 foot elevation contour as Open Space/Grazing, Public Facility (parkland), or Agriculture.

Biological Resources

The Miravale III EIR identified significant and unavoidable impacts due to inconsistencies with general plan policy C/OS-8 which is intended to avoid and/or mitigate environmental impacts to biological resources resulting from development above the 400 foot elevation contour. The Miravale III EIR found that project development would fragment existing wildlife habitat on the site, and would encroach into the foothills of the Gabilan Mountain Range which is an important wildlife corridor, particularly in the grassland portions of the site. The Miravale III EIR identified potentially significant impacts to protected species and their habitat that would result from the proposed development of the grassland areas and portions of the site above the 400 foot elevation contour, and concluded that the impact could not be fully mitigated without project redesign. The EIR found that while implementation of identified mitigation measures (refer to Section 3.6 of this EIR addendum) would minimize the project's impacts, they could not be reduced to a less-than-significant level. Mitigation measures were identified but the impacts remain significant and unavoidable. Redesign of the project consistent with general plan policy C/OS-8 would reduce the identified impacts to less than significant.

Public Services

The Miravale III EIR identified significant impacts due to potential conflicts with then-adopted planning documents pertaining to public services and concluded that implementation of Mitigation Measure 4.9-1 would reduce the project's impact to less than significant.

Mitigation Measure

4.9-1 In order to maintain project consistency with adopted City-wide facility planning documents, the project applicant/developer shall revise Section 5.0 of the Specific Plan to incorporate revisions identified by the City of Soledad Director of Public Works, prior to project approval. The following policy revisions have been identified as necessary.

Revise Wastewater Policy 2 to read as follows, "Design and construct the wastewater treatment system for Miravale III in accordance with applicable requirements of the Soledad Urban Water Management Plan, Long-Term Wastewater Management Plan, and the Recycle Water Service Ordinance No. 645.

Revise Water Policy 1 to read as follows, "Design and construct the water supply and distribution system for Miravale III that expands upon and is integrated with the City's water distribution system and which meets the needs of future project developments of the Specific Plan area consistent with the Urban Water Management Plan and the City's 2005 Water Master Plan."

Revise Stormwater Policy 5 to read as follows, "Design and construct a stormwater collection and retention system that adequate retains peak storm flows onsite, avoids aggravating or causing offsite downstream from the project site, and ensures separation of stormwater drainage from Recycled water generated within the Plan area and that is consistent with the 2007 Stormwater Management Plan, Stormwater Master Plan, and Ordinance No. 617"

Add a new policy to the Section 5.2.2 Law Enforcement and Fire Protection/Medical Services. The new policy shall read as follows:

"9. Police and fire services will be maintained with funding from a public safety benefit assessment district or similar district."

Proposed Project

Since the Miravale III EIR was certified, the city entered into a memorandum of understanding with the County of Monterey. The city also updated its urban water management plan, and storm drain master plan, and adopted a Downtown Specific Plan that will guide development and related infrastructure improvements along Front Street and other areas in the downtown. Similar to the General Plan Consistency Alternative identified in the Miravale III EIR, the proposed project would result in less intensive urban development of the project site. The proposed project reduces potential impacts to the Gabilan Mountain Range foothills, which is considered a scenic vista and contains important wildlife habitat.

Consistency with the Soledad General Plan

As previously identified, the proposed project includes several general plan amendments in order to ensure that the proposed project is consistent with the city's general plan. The necessary general plan amendments include revisions to several land use and circulation diagrams, land use descriptions of the expansion areas, modification of various tables to demonstrate the change in holding capacity, and policy modifications/revisions.

The proposed project may include infrastructure placement above the 400 foot contour consistent with the general plan Land Use Element goals, but does not otherwise include residential development above the 400 foot elevation contour, which was the source of the Miravale III Specific Plan project inconsistency with the general plan. An updated general plan consistency analysis is presented in Appendix C of this EIR addendum. Subject to approval of the necessary general plan amendments (refer to Section 2.3) the proposed project would be consistent with applicable land uses policies and regulations. No significant impacts due to inconsistency with general plan policies would occur. The following paragraphs summarize the proposed project's consistency with general plan policies intended to mitigate or avoid impacts to aesthetic and biological resources, and with planning documents intended to guide the provision of public services.

Aesthetic Resources

Grading would no longer be necessary within the foothill areas and changes to topography would be minimal. Additionally, due to the overall reduction of units, the proposed project would also reduce the extent of visual impacts associated with development of this alternative. More specifically, the development of 2,392 residential units would be less visible from adjacent public vantage points due to the reduction in developable area below the 400 foot contour line. Additionally, less commercial area would be developed and potential aesthetic impacts associated with the development of commercial uses adjacent to residential areas would also be minimized. To the extent that the project would reduce the amount of units, the proposed alternative would still result in the conversion of a previously undeveloped site into urban uses and would therefore transform the visual character of the site permanently.

Unlike the previously proposed project, the currently proposed project does not include residential development above the 400-foot elevation contour and would not significantly degrade the aesthetic value of existing visual character of the surrounding hills and mountains. As noted in Section 3.1 Aesthetics, mitigation measures identified in the Miravale III EIR addressing environmental impacts related to residential hillside development above the 400-foot elevation contour, including mitigation measures 4.1-2 and 4.1-3, are not applicable to the proposed project, since residential development is no longer proposed on

the aesthetically valuable hillsides above the 400-foot elevation contour. Project design may necessitate infrastructure improvements above the 400 foot contour, however, other development above the 400-foot contour line is no longer proposed. Therefore, the project is consistent with general plan policies L-44, L-45, L-46, C/OS-7, and policy C/OS-8.

Biological Resources

Development of the proposed project would substantially lessen potential impacts to biological resources located within the project area. By eliminating development within the foothill portions of the project site, the proposed project would not result in the loss of an area of significant biological value. This area would remain as open space consistent with the general plan policy C/OS-8 and would retain its natural features. As a result, potentially significant impacts to resources associated with the loss of open space and related habitat would be reduced to less than significant. Therefore the proposed project is consistent with general plan policy C/OS-8.

Public Services

The proposed project would require fewer services than the project studied and addressed in the Miravale III EIR. A new plan for services and updated specific plan have been prepared for the proposed project. As demonstrated by the Plan for Services, the proposed specific plan and the analysis in Section 3.13 and 3.15 of this EIR addendum, adequate public services are available to accommodate development of the proposed uses identified in the Miramonte Specific Plan. The proposed project is consistent with the applicable planning documents and has included policy provisions that incorporate the items identified in mitigation measure 4.9-1. Therefore, mitigation measure 4.9-1 is not applicable to the currently proposed project.

Consistency with LAFCO policies

Consistency with LAFCO policy guidelines are discussed in the proposed Miramonte Specific Plan Section 2.2. The discussion includes a description of the Monterey County/City of Soledad memorandum of understanding. Consistency with LAFCO Sphere of Influence policies is presented in Table 3-1, LAFCO Sphere of Influence Policy Consistency.

Annexation Policies

Consistency with LAFCO annexation policies is presented in Table 3-2, LAFCO Annexation Policy Consistency.

Table 3-1 LAFCO Sphere of Influence Policy Consistency

LAFCO Sphere of Influence Policy	Specific Plan Consistency
II-1. LAFCO intends that its Sphere of Influence determination will serve as a master plan for the future organization of local government within the county. The spheres shall be used to discourage urban sprawl; limit proliferation of local governmental agencies; encourage efficiency, economy and orderly changes in local government; promote compact, community centered urban development; and minimize adverse impacts on lands classified as prime agriculture.	The proposed sphere of influence boundary is consistent with the geographic development limits established by the memorandum of understanding between the city and Monterey County. Therefore the proposed sphere of influence accomplishes the stated purposes of this policy and is consistent with this policy.
II-2. The Sphere of Influence lines shall be a declaration of policy which shall be a primary guide to LAFCO in the decision on any proposal under its jurisdiction. Every determination made by LAFCO shall be consistent with the Spheres of Influence of the agencies affected by those determinations.	The specific plan's sphere of influence will set the geographic limits within which the city will apply to the LAFCO for annexations, consistent with this policy (see Specific Plan Land Use Goal LU-1).
II-3. Any proposal which is inconsistent with an agency's adopted Sphere of Influence shall not be approved until LAFCO, at a noticed public hearing, has considered an amendment or revision to that agency's Sphere of Influence.	The specific plan's sphere of influence will set the geographic limits within which the city will apply to the LAFCO for annexations, consistent with this policy (see Specific Plan Land Use Goal LU-1).
II-4. Inclusion within an agency's Sphere of Influence does not assure annexation to that agency. LAFCO shall evaluate boundary change proposals as they relate to all of the relevant factors listed in the [Cortese Knox Hertzberg] Act.	The specific plan's sphere of influence will set the geographic limits within which the city will apply to the LAFCO for annexations, consistent with this policy (see Specific Plan Land Use Goal LU-1). The city will phase annexations and development within the plan area consistent with the phasing parameters presented in Section 6.4, Phasing. The phased annexation is consistent with this policy.
II-7. The adopted Sphere of Influence shall reflect city and county General Plans, plans of regional agencies, growth management policies, annexation policies, resource management policies, and any other policies related to ultimate boundary or service area of an affected agency unless those plans or policies conflict with the legislative intent of the [Cortese Knox Hertzberg] Act. Where inconsistencies between plans exist, LAFCO shall rely upon that plan which most closely follows the Legislature's directive to discourage urban sprawl, direct development away from prime agricultural land and open-space lands, and encourage the orderly formation and development of local governmental agencies based upon local conditions and circumstances.	The proposed sphere of influence boundary is consistent with the geographic development limits established by the memorandum of understanding between the city and Monterey County. The memorandum of understanding acknowledges the need for development to occur beyond the present city limits, and directs that growth to those areas where that growth will have the least adverse impact on agricultural lands. The proposed sphere of influence boundary is consistent with the geographic development limits established by the memorandum of understanding, and therefore, the specific plan is consistent with this policy.
III-1. LAFCO will designate a Sphere of Influence for each local agency representing the agency's probable physical boundary within a zero to twenty year period.	The geographic limits for the city's ultimate sphere of influence are established in the memorandum of understanding, and the specific plan sphere of influence boundaries are consistent with those limits.
III-3. LAFCO may establish urban transition areas within adopted Spheres of Influence to discourage premature pressure for development. Transition areas consist of the residual lands between designated urban service areas and the ultimate Sphere of Influence boundary. This land will most likely be used for urban expansion within approximately five (5) to twenty (20) years. Territory included within urban transition areas, but not within urban service areas, generally will not be considered eligible for annexation to receive urban services within five years.	Although there are no urban transition areas included within the specific plan, the city will phase annexations and development within the plan area consistent with the parameters presented in Section 6.4, Phasing. This approach will result in the gradual and orderly conversion of land to urban uses, consistent with this policy.

LAFCO Sphere of Influence Policy	Specific Plan Consistency
III-5. Territory not in need of urban services, including open space, agriculture, recreational, rural lands or residential rural areas, shall not be assigned to an agency's Sphere of Influence unless the area's exclusion would impede the planned, orderly and efficient development of an area.	This policy is applicable to the Hillside Open Space. The specific plan includes the Hillside Open Space within the proposed sphere of influence, and anticipates eventual annexation, so that the city or an assigned entity can provide maintenance of the designated trail system, provide alternative energy, provide other recreational activities, locate infrastructure to serve the plan area (e.g. water tank), conduct fire fuel reduction as needed, and provide efficient emergency response services within the area. The area is to be placed under a conservation easement with land uses limited to those specified by this plan or further activated in a development agreement.
IV-14. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the proposal mitigates its regional traffic impacts by, for example, monetary contribution to a regional transportation improvement fund as established by the Transportation Agency for Monterey County or otherwise.	Development within the plan area would pay the Transportation Agency for Monterey County regional traffic impact fee, and therefore is consistent with this policy.
IV-15. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the city in which the annexation or Sphere of Influence amendment is proposed has included certain goals, policies, and objectives into its General Plan that encourage mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use, and that encourages and provides planned, well-ordered, efficient urban development patterns.	Consistent with the city's general plan, which identifies the plan area as part of the Mirrasou Specific Plan Area, the specific plan includes numerous densities and types of residential units, including more than 40 percent medium and high density (up to about 23 units per acre) units, which will provide for an efficient land use development pattern. The specific plan includes more units within its boundaries than were planned for the overall Mirrasou Specific Plan Area, and includes elimination of the remaining Mirrasou Specific Plan Area as a future urban development area. The specific plan is consistent with this policy

Table 3-2 LAFCO Annexation Policy Consistency.

LAFCO Annexation Policy	Specific Plan Consistency
II-2. To the greatest possible extent, boundaries should follow existing political boundaries and natural or man-made features such as rivers, lakes, railroad tracks, and freeways. Where boundaries do not meet this standard, the proponent shall justify the reasons for non-conformance.	Exact annexation boundaries are not proposed within the specific plan, although a set of parameters are included to focus the order of land development. Boundaries are likely to follow the linear park and collector streets within the specific plan. These features will provide an interim buffer between urban development and the remaining agricultural lands. This guidance within the specific plan will ensure orderly annexation and consistency with this policy.
II-4. Whenever practicable, boundary lines of areas proposed to be annexed to cities and/or districts shall be located so that all streets and rights-of-way will be placed within the same jurisdiction as the properties which abut thereon and/or for the benefit of which such streets and rights-of-way are intended.	The plan area is bordered on the west by and served by San Vicente Road, an arterial street that provides traffic circulation to and from U.S. Highway 101. The portion of San Vicente Road adjacent to the plan area will be included in annexations, as will a strip of land to the south of the plan area necessary for ultimate expansion of San Vicente Road to four lanes. The specific plan is consistent with this policy
II-7. The following guidelines related to road right-of-way apply to all proposals submitted to LAFCO. a. The following should not be allowed: (1) City limits which include a portion of the road right-of-way. (2) Road islands of county maintained roads. (3) Islands of road caused by annexation on both sides. (4) Strip annexation roads. c. The following should be annexed to the city. These roads would have direct access to the annexing property and would serve the residents of the property: (1) Minor or local roads. (2) When the street will be used for the city sewer lines, water lines, or storm drains. (3) Piece-meal development by developer causing difficult coordination between two or more agencies. (4) Where the annexation will complicate drainage or traffic control.	The proposed sphere of influence includes the entirety of the right-of-way necessary for development of San Vicente Road, which borders the plan area to the west and provides access from the south. The specific plan boundary includes all of the local roads and utility easements necessary to serve future development within the plan area. The specific plan is consistent with this policy.
II-10. Boundaries should reasonably include all territory which would reasonably benefit from agency services.	The proposed boundaries encompass all of the areas that would need to receive services from the City of Soledad.
IV-1. Each proposal should be consistent with the appropriate city or county general and specific plans. Where the proposal does not abide by these plans, the proponent shall specify the reasons for plan non-conformance.	The specific plan includes additional residential units than proposed for the area in the General Plan. Therefore, the specific plan includes a General Plan amendment to transfer the additional units from other plan areas within the General Plan, so that overall General Plan build-out remains the same. Therefore the specific plan will be consistent with the General Plan and consistent with this policy.
VII-1. LAFCO shall discourage proposals that would have adverse financial impacts on the provision of governmental services or would create a relatively low revenue base in relationship to the cost of affected services. Applications shall describe related service	The specific plan would not have an adverse fiscal impact on the Soledad General Fund. Further, the specific plan requires the development to participate in special financing districts to fund maintenance of

LAFCO Annexation Policy	Specific Plan Consistency
and financial impacts (including revenues and expenditures) on the county, cities, and/or special districts and provide feasible measures which would mitigate such adverse impacts.	streets, storm drains, and parks providing a funding source outside of the Soledad General Fund in.
VII-3. Applications must indicate that the affected agencies have the capability to provide service. Territory shall be annexed to a city or special district only if such agency has or soon will have the capability to provide service.	The specific plan includes provision of a new fire station site, a police substation site, and parks that would facilitate cost effective provision of these services. The cost of these services is not anticipated to be substantially in excess of costs currently borne by development within the boundaries of the City of Soledad. The specific plan includes stipulations that the Miramonte development will participate in impact fee programs and special financing districts necessary to provide funding for the construction and operation of these facilities.
VII-6. LAFCO discourages proposals which will facilitate development that is not in the public interest due to topography, isolation from existing developments, premature intrusion of urban-type developments into a predominantly agricultural area, or other pertinent economic or social reason.	The plan area is contiguous to existing development on the south, and provides three street connections to the existing developed parts of the city. Urban development, excepting water tanks and trails, is kept below the 400-foot elevation contour in accordance to General Plan policies. The specific plan includes a set of phasing parameters that are designed to prevent premature conversion of agricultural land. The specific plan is consistent with this policy.
VIII-3. Proposals which contain territory which is not within a city or district's adopted urban service area and have an expected build-out extending beyond a five- to seven-year period may be considered appropriate for phasing. For the purpose of this policy, "phasing" shall be defined as a planned incremental approval of a project and "buildingout" shall be interpreted as 70 to 80 percent developed. When an exception from this policy is desired, the proponent shall justify to LAFCO the reasons why phasing is not appropriate. Included within the justification for exception, the proponent shall demonstrate the jurisdiction's ability to provide necessary public services.	The plan area is currently outside the city's sphere of influence and urban service area. Build-out of the specific plan is expected to take more than seven years. The specific plan includes a set of phasing parameters that are designed to facilitate efficient provision of services, provide for adequate circulation, and prevent premature conversion of agricultural land. Because the specific plan includes a phasing program, it is consistent with this policy.
XIII-1. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the city in which the annexation or Sphere of Influence amendment is proposed has included certain goals, policies, and objectives into its General Plan that encourage mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use, and that encourages and provides planned, well-ordered, efficient urban development patterns.	Consistent with the city's general plan, which identifies the plan area as part of the Mirrasou Specific Plan Area, the specific plan includes numerous types of residential units, including more than 40 percent medium and high density (up to about 23 units per acre) units, which will provide for an efficient land use development pattern. The specific plan includes a mixed use overlay on several parcels. The Miramonte Specific Plan represents the full residential buildout potential for the Mirrasou Specific Plan Area as well as 525 units of the identified residential potential of the Northwest Expansion Area. The specific plan effectively consolidates growth into a smaller geographic area, effectively preserving agricultural land and open space. For consistency, a general plan amendment is required to identify a reduced development potential of 525 units in the Northwest Expansion Area. The specific plan is consistent with this policy.

Preservation of Open Space and Agricultural Land

Pursuant to Government Code Section 56301, one of the primary focuses of LAFCO policy is the preservation of open space and agricultural lands located outside city boundaries. Most of the land within the plan area is designated as Prime Farmland on the Important Farmlands Map. Monterey County LAFCO uses the agricultural and open space policies presented below in assessing boundary change applications that include Prime Farmland. Consistency with LAFCO agricultural/ open space policies is presented in Table 3-3, LAFCO Agricultural/Open Space Policy Consistency.

Table 3-3 LAFCO Agricultural/Open Space Policy Consistency

LAFCO Agricultural and Open Space Policy	Specific Plan Consistency
II-1. A Proposal must discuss how it balances the state interest in the preservation of open space and prime agricultural lands against the need for orderly development. (Government Code section 56001.) Proposals that fail to discuss this balance, in the opinion of the executive officer, will be deemed incomplete. Proposals may be denied if they fail to demonstrate to the satisfaction of LAFCO that the need for orderly development is balanced against the preservation of open space and prime agricultural lands.	The memorandum of understanding acknowledges the need for development to occur beyond the present city limits, and directs that growth to those areas where that growth will have the least adverse impact on agricultural lands. The proposed sphere of influence boundary is consistent with the geographic development limits established by the memorandum of understanding. The specific plan includes a set of phasing parameters that are designed to prevent premature conversion of agricultural land. Annexation boundaries are likely to follow the linear park and collector streets within the specific plan. These features will provide an interim buffer between urban development and the remaining agricultural lands. The Miramonte Specific Plan represents the full residential buildout potential for the Mirrasou Specific Plan Area as well as 525 units of the identified residential potential of the Northwest Expansion Area. The specific plan effectively consolidates growth into a smaller geographic area, effectively preserving agricultural land and open space. For consistency, a general plan amendment is required to identify a reduced development potential of 525 units in the Northwest Expansion Area. The intensification of development within the plan area will preserve the agricultural land within the remaining Mirrasou Specific Plan, estimated to be about 30 acres, as well as additional open space below the 400-foot contour, estimated to be about 90 acres. Within the plan area, about 150 acres of hillside land above the 400-foot contour will be preserved as open space, consistent with the city's general plan. The specific plan preserves agricultural land and open space and is consistent with this policy.
II-2. A Proposal must discuss its effect on maintaining the physical and economic integrity of agricultural lands. (Government Code section 56668 (a).) Proposals that fail to discuss their effect, in the opinion of the executive officer, will be deemed incomplete. Proposals may be denied if they fail to demonstrate to the satisfaction of LAFCO that the physical and economic integrity of agricultural lands is maintained.	The specific plan will result in the preservation of about 30 acres of agricultural land to the north of the plan area by way of consolidating residential units into the plan area. On an interim basis, the phased annexation of land will include broad buffers in the form of the linear parkway and collector streets to maintain agricultural lands separate from urban uses as development occurs within the plan area.

LAFCO Agricultural and Open Space Policy	Specific Plan Consistency
	Remaining agricultural land, whether interim or permanent, will be contiguous to other agricultural land, to facilitate efficient ongoing use for agriculture. With these measures built into the specific plan, the specific plan will be consistent with this policy.
II-3. A Proposal must discuss whether it could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space land to uses other than open-space uses. (Government Code section 56377.) Proposals that fail to discuss potential conversion, in the opinion of the executive officer, will be deemed incomplete. Proposals may be denied if they fail to demonstrate to the satisfaction of LAFCO that: a) they guide development or use of land for other than open-space uses away from existing prime agricultural lands in open-space use and toward areas containing nonprime agricultural lands (Government Code section 56377 (a)); and b) development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the Sphere of Influence of a local agency will occur prior to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing Sphere of Influence of the local agency (Government Code section 56377 (b)).	The specific plan will convert the agricultural land within the plan area to urban uses. This is consistent with the memorandum of understanding which establishes geographic development limits to direct growth to locations that will have the least adverse impact on agricultural lands. The specific plan includes a set of phasing parameters that are designed to prevent premature conversion of agricultural land. The specific plan will also permanently preserve 150 acres of hillside open space, located above the 400-foot elevation contour. The specific plan includes means of preserving agricultural land on an interim basis and permanently preserves open space land, and is consistent with this policy.
II-4. A Proposal must, if applicable, provide for pre-zoning (Government Code section 56375 (a)), and must demonstrate that it is consistent with the General Plans and Specific Plans of the existing local agency and any immediately adjacent local agency (Government Code sections 56375 (a) and 56668 (g)). Proposals may be denied if they are not consistent with such plans, or, if not pre-zoned, if the Proposal does not demonstrate to the satisfaction of LAFCO that the existing development entitlements are consistent with the local agency's plans.	The specific plan includes provisions for pre-zoning of land in conjunction with annexation applications, and therefore, is consistent with this Policy.

Housing and Jobs

Table 3-4, LAFCO Housing and Jobs Policy Consistency, summarizes the project consistency with housing and jobs policies used by LAFCO when making determinations on boundary amendments.

Table 3-4 LAFCO Housing and Jobs Policy Consistency

LAFCO Housing and Jobs Policy	Specific Plan Consistency
II-1. It is the policy of LAFCO that, consistent with section 56300 (a) of the Act, Proposals must demonstrate through both quantitative and qualitative methods the relationship between the Proposal and the surplus or deficiency of local and county-wide housing supply and demand, and employment availability and creation. Additionally, the Proposal must demonstrate how its pattern of land use and transportation complements local and regional objectives and goals for the improvement of air quality and reduction of greenhouse gas (GHG) emissions and local vehicle miles traveled (VMT). These factors and their impacts, if any, shall be considered by the Commission in acting upon the Proposal.	The Association of Monterey Bay Area Governments assigned the city a Regional Housing Needs Assessment housing target of 191 units for the 2014 – 2023 time period. The specific plan includes 2,392 housing units, which more than meets this target. The specific plan also includes housing for lower income households and seniors. Development of the specific plan commercial uses and public services (e.g. schools, parks, public safety, etc.) and the increase in population resulting from new residential units creating demand, will result in the establishment of new jobs within the plan area and in the community of Soledad. The specific plan is designed to promote walking and bicycling, with an integrated trail system that connects every sub-area to each other and to the schools and commercial area. The land use and circulation pattern will promote reduced vehicle miles for shopping and school trips. The specific plan provides much needed housing, additional job opportunities, and a trail system to reduce automobile trips. The specific plan is consistent with this policy.

Monterey County/City of Soledad Memorandum of Understanding

The city entered into a memorandum of understanding with Monterey County on March 15, 2016 (included as an appendix to the Miramonte Specific Plan). The memorandum of understanding contains specific requirements regarding the conversion of agricultural land to urban uses and binds the city to a number of principles related to growth beyond the current sphere of influence. The proposed project is consistent with the provisions of the memorandum of understanding. Project consistency with the memorandum of understanding is summarized in Table 3-5, Consistency with Monterey County/City of Soledad Memorandum of Understanding.

Table 3-5 Consistency with Monterey County/City of Soledad Memorandum of Understanding

Memorandum of Understanding Provision	Specific Plan Consistency
a) To limit future long-term development within the area shown on Exhibit 'A' [see Appendix B] and designated as "Urban Growth Boundary" (the "UGB"). The purpose of the UGB is to bound and enclose the land intended for development within the 2005 Soledad General Plan.	The plan area falls within the area that the memorandum of understanding identifies for future growth. The specific plan is consistent with this provision of the memorandum of understanding.
b) To manage development of land within the UGB utilizing the best available "sustainable" practices. The intent of the city is supported by city's General Plan Policy L-2, which partially reads as follows: "Further annexations to the city may occur when a) a substantial portion of the development capacity within the	The specific plan includes about 150 acres of open space, about 35 acres of parkland, and two school sites. Scenic vistas are preserved by the provision of open space land above the 400-foot elevation contour. The specific plan is consistent with this provision of the memorandum of understanding.

Memorandum of Understanding Provision	Specific Plan Consistency
existing city limits has been developed, b) a substantial public benefit can be realized through the annexation, such as the provision of public open space, additional parkland, or the protection of scenic vistas, or natural resources..."	
c) To encourage proposals for infill development on vacant or underutilized sites within the existing city limits east of Highway 101 whenever possible, to avoid urban sprawl and postpone the conversion of agricultural land to urban uses.	Most of the annexed portion of the Miravale II Expansion Area is built out at this time, and will be further built out by the time the specific plan is adopted and entitlements are approved. The specific plan would provide additional land for future growth. The specific plan is consistent with this provision of the memorandum of understanding.
d) To require specific plans to include residential densities that ensure a compact urban form that helps protect agricultural land from premature conversion.	The specific plan includes several densities and types of residential units, including more than 40 percent medium and high density (up to about 23 units per acre) units, which will provide for an efficient land use development pattern. The Miramonte Specific Plan represents the full residential buildout potential for the Mirrasou Specific Plan Area as well as 525 units of the identified residential potential of the Northwest Expansion Area. The specific plan effectively consolidates growth into a smaller geographic area, effectively preserving agricultural land and open space. The intensification of development within the plan area will preserve the agricultural land within the remaining Mirrasou Specific Plan Area, estimated to be about 30 acres, as well as additional open space below the 400-foot contour, estimated to be about 90 acres. Within the plan area, about 150 acres of hillside land above the 400-foot contour will be preserved as open space, consistent with the city's general plan. The specific plan is consistent with this provision of the memorandum of understanding.
e) To establish a Permanent Agricultural Edge for the purpose of maintaining a clearly defined northwest and southeast boundary between the urbanized incorporated areas of city and the agricultural areas within the unincorporated County as shown on Exhibit 'A' and identified as "Permanent Agricultural Edge" [see Appendix B]. A "Temporary Agricultural Edge" is hereby established east of Bryant Canyon Road, as specifically shown on Exhibit 'A'. The Temporary Agricultural Edge may be eliminated through an amendment to this Agreement.	The Permanent Agricultural Edge identified in the memorandum of understanding is not located within or adjacent to the plan area. No Permanent Agricultural Edge, as defined in the memorandum of understanding is required in the plan area. The specific plan is consistent with this provision of the memorandum of understanding.
f) To utilize agricultural buffers within the UGB to address the compatibility between the development of urban land uses and existing or planned agricultural uses. The city's General Plan requires development within or adjacent to designated agricultural areas to minimize conflicts with adjacent agricultural uses. The county requires an agricultural buffer as typically 200 feet in width and includes other vegetation, walls, or other screening deemed necessary to ensure that property owners on both sides of the buffer may enjoy full and unencumbered use of their property for its designated use without experiencing significant deleterious effect from neighboring use.	The residential study area is the only specific plan component that is immediately adjacent to cultivated agricultural lands outside the plan area. A 100-foot wide buffer is required along the northern boundary of the residential study area site is large enough to accommodate a buffer during the site planning process. On the east side and the remainder of the north side, a buffer to the ranchland is provided by the Hillside Open Space, the dirt roadway, and rear building setbacks of the adjacent houses in Sub-area 1. On the west side, a buffer to the cultivated farmland is provided by San Vicente Road and rear building setbacks in Sub-area 10 and 11, the drainage basin/park, and landscape areas. The specific plan is consistent with this provision of the memorandum of understanding.

Memorandum of Understanding Provision	Specific Plan Consistency
g) To actively participate with the county, LAFCO and other cities within the Salinas Valley to develop a Valley-wide Agricultural Land Mitigation Program to address the loss of agricultural land due to development and conversion to urban uses.	The plan area includes Prime Farmland that would be converted to urban uses. Four options for compensation for the loss of agricultural land are provided in the memorandum of understanding, as described in the section following this table. Development within the specific plan will participate in the established mitigation program, consistent with this provision of the memorandum of understanding.
h) To utilize permanent agricultural buffers along the UGB to ensure compatibility between the development of urban land uses and agricultural uses in the unincorporated area. The city agrees to actively participate with the county, LAFCO and other cities in the Salinas Valley to develop a Valley-wide Agricultural Buffer Program to ensure compatibility of urban land use with agricultural uses in the unincorporated area.	The Permanent Agricultural Edge identified in the memorandum of understanding is not located within or adjacent to the plan area. No Permanent Agricultural Edge is required in the plan area. The specific plan is consistent with this provision of the memorandum of understanding.

The memorandum of understanding further requires that timing of annexation applications submitted for consideration by LAFCO will be based upon the approval by the city of a specific plan, which includes a phasing plan, a plan for services and public facilities and financing plans that demonstrate compliance with LAFCO standards. A plan for services has been prepared and a comprehensive fiscal analysis and financing plan are being prepared for City Council approval prior to approval of the proposed project. The proposed Miramonte Specific Plan Section 6.4, Phasing, includes phasing parameters for development.

Downtown Specific Plan

Since the Miravale III EIR was prepared, the city adopted the *City of Soledad Downtown Specific Plan* (City of Soledad 2012), which identifies the vision for the downtown area along Front Street and includes design standards for development within the city's historic downtown and adjacent residential areas. The Downtown Specific Plan boundary extends along Front Street to just south of the U.S. Highway 101/Moranda Road interchange southbound off ramp. The plan is intended to guide initiatives that capitalize on the city's unique assets with the overarching goal of revitalizing downtown and bring new life to the city's historic Front Street corridor by encouraging commercial and entertainment uses that will draw locals and visitors, and reducing development obstacles, such as environmental review, parking, and permit processing. The plan includes block and street standards calling for small town scale, walkable blocks and pedestrian-oriented streetscapes along Front Street. As shown in the Downtown Specific Plan Table 5.8b, street standards for Front Street consist of two travel lanes separated by a center landscaped median with diagonal parking, sidewalks and street trees.

Although the project is not located within or immediately adjacent to the Downtown Specific Plan area, development of the specific plan uses would generate traffic that would negatively affect a number of intersection and roadway segment operations along Front Street. Traffic

impacts to the downtown specific plan area and mitigation measures to address them are discussed in Section 3.14, Traffic and Circulation, and in Section 4.0, Cumulative Impacts. Clarifying language has been added to traffic mitigation measures to ensure consistency with the Downtown Specific Plan street standards. Subject to implementation of the revised measures, the proposed project is consistent with the Downtown Specific Plan.

Land Use and Planning Conclusion

Subject to the approval of the necessary general plan amendments by the City of Soledad City Council, and implementation of the mitigation measures identified in this EIR addendum, the proposed project is consistent with the policies of the general plan and LAFCO, and with the provisions of the memorandum of understanding. As such the proposed project eliminates the significant and unavoidable impacts resulting from the plan inconsistencies of the former project. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant effects, no significant changes in land use planning and policy-related circumstances have occurred that would cause the project to result in new or greater significant impacts, and no new information has been identified that indicates the proposed project would have new or more significant impacts related to land use and planning than those that were identified and addressed by the Miravale III EIR.

3.11 NOISE

Miravale III Specific Plan EIR Analysis

A noise report was prepared for the Miravale III Specific Plan by Illingworth & Rodkin, Inc. in March 2007. The following analysis in the Miravale III EIR was based, in part, on this noise report.

Noise and Land Use Compatibility

The Miravale III EIR determined that future residential uses developed at the project site would be exposed to exterior noise levels greater than 65 dBA CNEL, which exceeds the noise and land use compatibility standards presented in the city's general plan. Interior noise levels would be expected to exceed 45 dBA CNEL without the incorporation of noise insulation features into the project's design. The EIR concluded that this would be a significant impact but that it could be reduced to a less-than-significant level with the mitigation below:

Mitigation Measures

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 occur during project level environmental review and design. Results of the analysis shall be submitted to the City prior to issuance of a building permit.

4.10-2 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 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 along with the building plans prior to issuance of a building permit. Feasible construction techniques such as these would adequately reduce interior noise levels to 45 Ldn or lower.

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:

- 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.
- 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.

Project Generated Traffic Noise

Traffic volume information from the traffic impact analysis by Hexagon Transportation Consultants, Inc. was used in the noise report prepared for the proposed Miravale III project. According to the noise report, traffic volume increases from the project would increase traffic noise along the local roadway network. In some locations, there would be a substantial, permanent increase in noise levels at sensitive receptors. The Miravale III EIR concluded that the measures identified in the noise report that would be available to reduce the project noise level increases (repaving of area roadways, the replacement or construction of noise barriers, traffic calming, and sound insulation) involves other non-acoustical considerations. Other engineering issues may dictate continued use of dense grade asphalt. Noise barriers and sound insulation treatments must be done on private property necessitating agreements with each property owner. Therefore, it may not be reasonable or feasible to reduce project-generated traffic noise at all affected receivers. If the City determines that the mitigation measures would not be feasible, the impact would be considered significant and unavoidable.

Mitigation Measure

4.10-4 The project shall incorporate noise reduction methods, subject to the review and approval of the City of Soledad. Methods to reduce noise on the project site may include the following measures:

- 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.

- 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.

- 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 on a case-by-case basis to reduce interior noise levels to below the 45 dBA CNEL noise standard. A combination of mitigation measures such as the repaving of area roadways, the replacement or construction of noise barriers, traffic calming, and sound insulation could be implemented to reduce the effects of project generated traffic noise at affected residences along identified segments of as San Vincente Road, West Street, and Main Street.

Case studies have shown that the replacement of dense grade asphalt (standard type) with open-grade or rubberized asphalt can reduce traffic noise levels along residential-type streets by 2 to 3 dBA. A possible noise reduction of 2 dBA would be expected using conservative engineering assumptions. Table 4.10-6 in the Miravale III EIR shows the expected project noise level increases assuming the replacement of existing pavement with open-grade or rubberized asphalt. Project-generated traffic noise increases along West Street, between Market Street and Gabilan Drive could be mitigated to a less-than-significant level as the mitigated traffic noise increase would be 3 dBA CNEL and the resulting noise level would be less than 65 dBA CNEL. In order to provide permanent mitigation, subsequent repaving would also have to be "quieter" pavements. As identified in the Noise Assessment, newer residential land uses constructed in the vicinity of San Vincente Road have existing noise barriers that would provide additional shielding in rear yard areas.

Exterior noise levels, although substantially increased over existing conditions, would be less than 65 dBA CNEL in the rear yards of these homes. It is likely that these recently constructed residences were planned and constructed recognizing the future development at Miravale III. Existing noise barriers in older developments may also be sufficient to reduce exterior noise levels in rear yard areas to 65 dBA CNEL or less. Even with mitigation, noise levels might still be substantially and permanently increased in nearby residential areas. Some noise reduction levels require individual homeowner cooperation; therefore, they cannot be guaranteed. The noise impact, therefore, is considered significant and unavoidable.

Construction Noise

The Miravalle III EIR found that existing and proposed noise-sensitive land uses would be exposed to construction noise levels in excess of the significance thresholds for a period of more than one construction season (one year). The city considers construction noise lasting more than one year to be significant. The EIR concluded that although mitigation measures would reduce noise generated by construction, the impact would remain significant and unavoidable as a result of the extended period of time that adjacent receivers would be exposed to construction noise.

Mitigation Measures

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.

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. 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.

4.10-8 Utilize "quiet" air compressors and other stationery noise sources where technology exists.

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.

4.10-10 Control noise from construction workers' radios to a point that they are not audible at existing residences bordering the project site.

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.)

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.

4.10-13 Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. Predrilling reduces the number of blows required to seat the pile and is a standard construction noise control technique.

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 for review and approval.

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. 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. Prior to the issuance of any grading and/or building permit, the project proponent shall provide the City of Soledad with the contact information for the designated "disturbance coordinator."

Proposed Project

Noise and Land Use Compatibility

The proposed project site, while smaller than the previously proposed site, occupies a portion of the same project site and would result in similar impacts to those identified in the Miravale III EIR. Thus, the noise impacts of the proposed project also would exceed the noise and land use compatibility standards identified in the general plan. The mitigation measures identified in the Miravale III EIR are applicable to the currently proposed project and would reduce impacts to a less-than-significant level. For clarification, mitigation measure 4.10-1 is modified as follows:

Mitigation Measure

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) ~~occur during project level environmental review~~ and design of future development projects within the specific plan area. Results of the analysis shall be subject to review and approval by the ~~submitted to the~~ City Planning Department and all recommendations shall be incorporated into the project prior to each final map and issuance of a building permit.

Project Generated Traffic Noise

Due to the decreased size of the project, traffic noise levels resulting from project generated traffic would be reduced. However, the project's size remains significant enough such that traffic volume increases from the project would increase noise along the local roadway network that would result in a substantial, permanent increase in noise levels at sensitive receptors.

Similar to the Miravale III project, measures available to reduce the project noise level increases (repaving of area roadways, the replacement or construction of noise barriers, traffic calming, and sound insulation) involves other non-acoustical considerations. Other engineering issues may dictate continued use of dense grade asphalt. Noise barriers and sound insulation treatments must be done on private property necessitating agreements with each property owner. Therefore, the city may determine that it is not feasible to reduce project-generated traffic noise at all affected receivers; in which case the impact would be significant and unavoidable.

The impact, therefore, is considered significant and unavoidable.

Construction Noise

The Miravale III EIR determined that existing and proposed noise-sensitive land uses would be exposed to construction noise levels in excess of the significance thresholds for a period of more than one construction season. The proposed project would likely require similar construction equipment that would result in comparable noise levels during construction. Due to the reduced size of the proposed project compared to the previously proposed project and new timeline for construction, the project would result in a decreased length of time that adjacent receivers would be exposed to construction noise. However, like the Miravale III project, construction would likely continue beyond one construction season (one year). The city considers construction noise lasting more than one year to be significant. The mitigation measures identified in the Miravale III EIR are applicable to the project and would reduce noise generated by construction. However, the impact would remain significant and unavoidable as a result of the extended period of time that adjacent receivers would be exposed to construction noise.

Noise Conclusion

The specific plan would not result in new significant noise effects or substantially increase the severity of previously identified significant effects, no significant changes in noise related circumstances have occurred, and no new information has been identified that indicates the proposed project would have new or more significant noise impacts than were identified in the Miravale III EIR.

3.12 POPULATION AND HOUSING

Miravale III Specific Plan EIR Analysis

Population Growth – General Plan Residential Holding Capacity

The Miravale III Specific Plan EIR determined that implementation of the Miravale Specific Plan would result in an increase in overall residential holding capacity identified in the 2005

General Plan EIR for portions of the Mirassou, San Vincente and Northwest Expansion Areas within the project area and could be considered growth inducing if annexations and development in the remaining expansion areas exceed development potential addressed in the General Plan EIR. The Miravale III EIR concluded that this would represent a potentially significant impact; however, found that the impact could be reduced to a less-than-significant level with implementation of the following mitigation measures.

Mitigation Measures

4-11.1 Phase approval of development applications and annexations in the Mirrasou Specific Plan Area, the San Vicente West Specific Plan Area and Northwest Expansion Area to maintain holding capacity and population projections in Table 4.11-5 of the General Plan EIR. Monitor development approvals in these expansion areas to limit overall density and population growth to the holding capacity identified to ensure consistency with projections in approved City planning documents.

4-11.2 Implement General Plan policies L-2 to L-7 and other applicable policies for phased development and population growth in the project and expansion areas. General Plan policies L2 to L-7, (below) identify expansion area requirements and applicable policies for annexation of these areas:

L-2 Further annexations to the City may occur when a) a substantial portion of the development capacity within the existing city limits has been developed, b) a substantial public benefit can be realized through the annexation, such as the provision of public open space, additional parkland, or the protection of scenic vistas, or natural resources, or c) a special type of use is proposed that cannot be practically accommodated in the existing city limits, and d) the project can be found to provide a financial benefit to the City or to be fiscally neutral. The Planning Commission shall review the merits of a request for annexation based on these criteria, and make a recommendation to the City Council.

L-3 A specific plan shall be required for all annexations and development of properties designated Expansion Area. Specific plans shall be prepared in accordance with the standards provided in Appendix B of the General Plan.

L-4 The City shall promote patterns of development that allow for the efficient and timely extension of infrastructure and services.

L-5 New development shall not be allowed unless adequate public services are available to serve such new development, or that can be provided at the time of development.

L-6 New development shall pay its fair share of providing additional public services needed to accommodate such development.

L-7 Master plans for sewer, water, roads, drainage and other public improvements shall be required for new development on large undeveloped parcels and may be included in the specific plan required by policy L-3, and as determined by the City. The additional population increase (15,201) associated with buildout of the project site over the projected 15-20 years of project development represents approximately 54 percent of Soledad's existing (2008) population. Depending upon the timing of project development, this additional population represents a major portion of the projected City wide population of 28,000 by year 2020. This growth in population would increase demands on existing community facilities, requiring construction of new facilities that could cause significant environmental effects. The project also proposes office and commercial uses that would have a direct, economic growth-inducing impact by providing new employment. The project would generate an estimated 550 jobs at the project site. Residential development and residential-serving commercial development is included in the Land Use Plan to meet the needs of new employees.

The required fiscal analysis shall be completed by a qualified, independent consultant, utilizing realistic and verifiable assumptions concerning investment earnings, interest rates, property taxes, transient occupancy tax, projected home/property sale prices and sales rates, etc.

Population Growth- Growth Inducing Impacts

The Miravale III EIR found that the additional 15,201 people associated with buildout of the project site over the projected 15-20 years of project development represent approximately 54 percent of Soledad's 2008 population. Depending upon the timing of project development, this additional population represents a major portion of the projected citywide population of 28,000 by year 2020. The Miravale III EIR determined that this growth in population would increase demands on existing community facilities, requiring construction of new facilities that could cause significant environmental effects. The project also included office and commercial uses that would have a direct, economic growth-inducing impact by providing new employment. The project would generate an estimated 550 jobs at the project site. Residential development and residential-serving commercial development is included in the project land use plan to meet the needs of new employees. Although the project site is located in an area that has been identified for future population growth in city's general plan, based on the above discussion, the project would result in a significant growth-inducing impact through the introduction of new sources of employment and a significant

portion of the city's projected population growth, which would result in additional demands on existing facilities. This represents a significant and unavoidable impact that cannot be reduced to less-than-significant level with mitigation.

Housing Element

The Miravale III EIR found that the specific plan was inconsistent with the city's 2003 housing element as it did not fully integrate affordable housing with market rate housing as required by the housing element. This would represent a potentially significant impact that can be reduced to a less-than-significant level with implementation of the following mitigation measure.

Mitigation Measure

4.11.3 The applicant shall enter into a Development 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 prior to or concurrent with project approval.

Affordable Housing - Inclusionary Housing Ordinance Compliance

The Miravale III Specific Plan proposed 454 units restricted affordable pursuant to the City of Soledad's Inclusionary Housing Ordinance which represents only 11 percent of the total 4,200 units proposed. The inclusionary ordinance requires 20 percent of the affordable units to be restricted affordable units pursuant to execution of an Affordable Housing Agreement between the developer and city. Therefore, the plan would not be consistent with the city's Inclusionary Housing Ordinance which is a potentially significant impact. The EIR concluded that this impact could be reduced to a less-than-significant level with implementation of the following mitigation measure.

Mitigation Measure

4.11-4 Prior to project approval, the Specific Plan shall be revised to provide 20% of the units proposed in each Planned Development area and the Low Density Residential area to be affordable housing units. Alternatively, the project applicant shall dedicate real property for affordable housing or submit payment of in-lieu fees in order to ensure project consistency with the requirements of the City of Soledad's Inclusionary Housing Ordinance, subject to the approval of the City of Soledad. The project's consistency with the City's Inclusionary Housing Ordinance shall be evidenced in the Development Agreement (DA) prepared for the project, subject to the approval of the City of Soledad. The DA shall be reviewed concurrently with the project's General Plan amendments, Specific Plan and the Vesting Tentative Map.

Proposed Project

Population Growth – General Plan Residential Holding Capacity

Table 3-6, General Plan Holding Capacity, below, provides a summary of the General Plan development potential or "holding capacity," which is the number of dwelling units, commercial and industrial floor space, etc., that can be accommodated based on the amount of land designated for these uses.

Table 3-6 General Plan Holding Capacity

Land Use	Within City Limits	Within Expansion Areas	Total*
Residential	4,254 dwelling units	10,317 dwelling units	14,571 dwelling units
Commercial	951,351 square feet	2,554,680 square feet	3,506,030 square feet
Parks and Open Space	278	429 acres park and 515 acres open space	707 acres park and 515 acres open space

Source: City of Soledad General Plan 2005, Table 11-1

* May vary from original 2005 source table due to rounding, or addition errors in source table

Nearly 634 acres of the 647-acre specific plan is within the Mirrasou Specific Plan Area. Approximately 1.28 acres of the specific plan are within the Northwest Expansion Area and approximately 9.71 acres are within the San Vicente West Expansion Area. Approximately 2.05 acres are located in the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area. The Mirrasou Specific Plan Area consists of 1,165 acres, of which 650 are considered developable (below the 400-foot elevation contour). The specific plan consists of 633.88 acres of the 1,165 acre Mirrasou Specific Plan Area and 488.4 of 633.8 acres specific plan are considered to be developable. A comparison of the proposed specific plan with the city and the Mirrasou Specific Plan Area holding capacity is presented in table 3-7, General Plan Holding Capacity Comparison below:

Table 3-7 General Plan Holding Capacity Comparison

Land Use	General Plan Total Expansion Area Development Potential	Mirrasou Specific Plan Area Development Potential	Miramonte Specific Plan Development Potential
Residential	10,317 dwelling units	1,867 dwelling units	2,392 dwelling units
Commercial	2,554,680 square feet	100,000 square feet	100,000 square feet
Parks and Open Space	302 acres park and 515 acres open space	50* acres park and 515 acres open space	56.18 acres park and 140.4 acres open space

Source: City of Soledad General Plan 2005, page 11-19 and Table 11-1

Note: Acreage is incorrectly listed on Soledad General Plan 2005, Table 11-1

As shown in Table 3-7, the proposed specific plan exceeds the residential unit allowance as provided in the Mirrasou Specific Plan Area by 525 units. In contrast, the general plan identifies a total development potential of 10,317 dwelling units within its four expansion areas; 6,500 of these units are identified within the Northwest Expansion Area, adjacent to the western boundary of the Mirrasou Specific Plan Area (Table II-1 of the general plan). The proposed project represents the full residential buildout potential for the Mirrasou Specific Plan Area, as well as 525 units of the identified residential potential of the Northwest Expansion Area. The proposed specific plan includes policy to utilize the development potential of the Mirrasou Specific Plan Area and reduce the development potential of the Northwest Expansion Area by 525 units. A general plan amendment is required to identify a development potential of 5,975 units in the Northwest Expansion Area (6,500 identified in the current general plan less 525 reallocated to the Mirrasou Specific Plan Area). With the approval of the general plan amendment by the City Council, development of the uses identified in the proposed specific plan would be consistent with the general plan holding capacity and phased development would not be needed. The impact is less than significant and mitigation measures 4.11-1 and 4.11-2 are not required.

Population Growth - Growth Inducing Impacts

The proposed specific plan could result in a population addition of 9,712 people at build-out. This is a reduction in growth by 36.1 percent from the previously proposed project. The Miravale III EIR determined that growth in population would increase demands on existing community facilities, requiring construction of new facilities that could cause significant environmental effects. While the proposed project would also increase demands on existing facilities, it would do so to a lesser extent than the previously proposed project. The project also includes commercial uses that would generate approximately 218 jobs, with additional employment at the schools and other public facilities. This is an approximately 60 percent reduction in jobs from the Miravale III Specific Plan that would have the potential to result in direct, economic growth-inducing impact by providing new employment than proposed by the previous project. Although the project site is located in an area that has been identified for future population growth in city's general plan and would result in 36.1 percent less growth than the previously proposed project, based on the above discussion, the project would still result in a significant growth-inducing impact through the introduction of new sources of employment and a significant portion of the city's projected population growth. Consequently, additional demand would be placed on existing facilities. This remains a significant and unavoidable impact that cannot be reduced to less-than-significant level with mitigation.

Housing Element

The specific plan ensures integration of affordable housing both through design and location. The designated affordable housing is located in the specific plan core area adjacent to a park,

the elementary school, senior housing, commercial uses, and low density residential. The housing that meets the minimum 20 unit per acre standard is likewise located in the specific plan core area. Inclusionary units would be distributed throughout the plan area. The design guidelines ensure that affordable housing will blend visually with market rate housing. Locating duets or duplexes on corner lots with building massing consistent within the neighborhood and one garage accessed off each street will give the appearance of low-density family homes. The specific plan is consistent with the housing element's integrated affordable housing requirements. However, to ensure final plan consistency mitigation measure 4.11-3 identified in the Miravale III EIR remains applicable to this project.

Affordable Housing - Inclusionary Housing Ordinance Compliance

As previously discussed, the inclusionary ordinance requires 20 percent of the affordable units to be restricted affordable units pursuant to execution of an affordable housing agreement between the developer and city. Of the 2,392 proposed residential units, the specific plan includes approximately 800 affordable units (33.4 percent of the total units); 207 units would be affordable due to deed restrictions. An additional 419 units are assumed to be affordable because they will be developed at a density of 20 or more units per acre, which the Housing and Community Development Department considers affordable to low and very low income households for purposes of meeting the Regional Housing Needs Assessment targets used in housing elements (California Department of Housing and Community Development 2012 The inclusionary ordinance requires 20 percent of the affordable units to be restricted affordable units pursuant to execution of an affordable housing agreement between the developer and city. The specific plan is consistent with the ordinance, providing approximately 218 very low, 106 low, 235 moderate. Mitigation 4.11.4 identified in the Miravale III EIR is not required.

Population and Housing Conclusion

The specific plan would not result in new significant impacts or substantially increase the severity of previously identified significant effects, no significant changes in population related circumstances have occurred, and no new information has been identified that indicates the proposed project would have new or more significant impacts related to population and housing than were identified in the Miravale III EIR.

3.13 PUBLIC SERVICES AND RECREATION

Miravale III Specific Plan EIR Analysis

Police and Fire

According to the Miravale III EIR, project development would increase the Soledad population by 15,201 persons, effectively increasing the demand for both police and fire

services. The EIR concluded that increased demand for police and fire services could result in a significant impact if the demand is such that the expansion or construction of facilities is required. The project proposed at that time included a police and fire substation, the environmental effects of which were evaluated throughout the EIR. The EIR concluded that this impact could be reduced to a less-than-significant level with implementation of the following mitigation measures.

Mitigation Measures

4.12-1 Prior to the initiation of construction for Phase 2 of the proposed development, the proposed fire and police facilities located on West Street shall be constructed and operational. 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. Prior to the issuance of any building permit for new residential and commercial development in Phase 2, the project applicant shall obtain written documentation from the Soledad Fire and Police Departments indicating that the fire and police substations are operational 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 the needs of Phase 2 of the proposed project.

4.12-2 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.

4.12-3 Prior to the recordation of each final map for development within areas currently designated as "State Responsibility Areas," the applicant shall submit evidence, subject to the review and approval of the City of Soledad Fire Department, demonstrating that a minimum 100-foot defensible space will be provided around any structure constructed within the foothill area. The defensible space shall be cleared of and maintained free of brush and combustible debris, and any landscaping placed within the defensible space shall be irrigated.

Schools

The Miravale III project would be served by the Soledad Unified School District. The Miravale III EIR anticipated buildout of the plan to generate 2,449 students for grades K-6,

625 students for grades 7-8, and 1,217 students for grades 9-12 (a total of 4,291 students). The collective capacity of the K-6 schools was 3,250, with 2,394 seats filled (856 seats available), the 7-8 school capacity was 652 with 630 seats filled (22 seats available), and the grades 9-12 capacity was 1,400 with 1,093 seats filled (307 seats available). Based on enrollment figures and project generated student population, project development would exceed the capacity of existing schools within the Soledad Unified School District and would require construction of new facilities. The EIR concluded that project adherence to the General Plan and Specific Plan education policies requiring that new school facilities are constructed and operational prior to the occupation of residences that require the facilities, as well as implementation of the mitigation identified below would ensure that project-related impacts were less than significant.

Mitigation Measures

4.12-4 Prior to project approval, the project applicant shall submit evidence, including a revised Specific Plan and tentative map, demonstrating that an additional two elementary school sites of sufficient size and a 40-acre high school site will be designated within the project boundaries to meet project demands, subject to the review and approval of the City of Soledad and the Soledad Unified School District. The 40-acre high school site shall be operational prior to the issuance of any certificate of occupancy for Phase II of the proposed project, unless otherwise approved by the City of Soledad and the Soledad Unified School District. In lieu of providing said high school facilities on-site, the project shall submit payment of its proportionate share of funding towards site acquisition and construction of new school facilities, prior to the recordation of any final map. Pro-rata payment of the cost of providing a second high school shall not be construed as waiver of the previous requirement that adequate high school capacity be available to meet project demands prior to occupancy of any housing constructed in Phase II of the project.

4.12-5 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. As indicated above, the fees set forth in Government Code Section 65996 constitute the exclusive means of both "considering" and "mitigating" school facilities impacts of projects [Government Code Section 65996(a)]. They are "deemed to provide full and complete school facilities mitigation" [Government Code Section 65996(b)].

Parks and Recreation

The Miravale III EIR determined that the project did not meet the minimum required parkland ratio of five acres per 1,000 residents and determined that additional park acreage was required. The EIR concluded that lack of sufficient park acreage was a potentially significant impact. The EIR found this impact could be reduced to a less-than-significant level with implementation of the following mitigation measure.

Mitigation Measure

4.12-6 In order to ensure adequate improved parkland is provided as part of project development, the applicant shall submit detailed plans, including a revised Specific Plan and Tentative Map, demonstrating that adequate parkland (5 acres/1,000 residents) is designated within the project boundaries consistent with the requirements of Appendix B of the General Plan, prior to project approval, subject to the review and approval of the City of Soledad. Prior to the recordation of each final map, the project applicant 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 for each dedicated recreation parcel in that phase of development This plan shall also identify the appropriate types of improvements within each park parcel to meet the recreational needs of all age groups within that phase of the project.

In addition, the EIR determined that anticipated population growth of future residents of the project would also create additional demands on existing park and recreational facilities throughout the city such that physical deterioration of these facilities would occur, which is a potentially significant impact. However, the EIR concluded that this impact could be reduced to a less-than-significant level through adherence to the City of Soledad General Plan policies and the incorporation of the following mitigation measure.

Mitigation Measure

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, if determined to be applicable. All fees shall be subject to the review and approval of the City of Soledad Community Development Director.

Proposed Project

Police and Fire

The currently proposed specific plan would increase the population by 9,712 people, which is less than the 15,201-person population increase anticipated by the Miravale III and, would

therefore, result in lesser increase in service demand. However, this population growth would still increase the service demand such that new facilities would be required and mitigation measures 4.12-4 and 4.12-5, identified in Miravale III EIR, would remain applicable. The following changes apply to mitigation measure 4.12-1 to ensure compatibility with the project as currently proposed as the project does not include phasing that is consistent with that identified in the Miravale III project.

Mitigation Measure

4.12-1 Prior to the ~~initiation of~~ 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 ~~construction for Phase 2 of the proposed development~~, the proposed fire and police facilities located on ~~West Street~~ Orchard Lane shall be constructed and operational. 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. 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 ~~and commercial development in Phase 2~~, the project applicant shall obtain written documentation from the Soledad Fire and Police Departments indicating that the fire and police substations are operational 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 the needs of ~~Phase 2 of~~ the proposed project.

Schools

Like Miravale III, the plan area is served by Soledad Unified School District for grades K-12. Buildout of the proposed specific plan is expected to generate 1,062 students for grades K-6, 317 students for grades 7-8, and 468 students for grades 9-12 (a total of 1,847 students). The proposed project would provide two elementary school sites. The applicant and/or developer(s) will provide an offer to dedicate the school sites (i.e. turn over fee simple title to the land to the school district). In addition to the offer to dedicate land, the developer(s) will pay school impact fees as prescribed by the law in effect at the time of payment, unless otherwise dictated by a development agreement or permit conditions. The proposed specific plan includes a policy that requires that an agreement be established between the developer and/or successors in interest and the Soledad Unified School District that establishes the timing of the school construction or improvements and financing obligations. The proposed specific plan would generate 602 fewer children, will provide land for two new elementary

schools, and requires the payment of impact fees; therefore, mitigation measures 4.12-4 as revised below and 4.12-5 identified in the Miravale III EIR are still applicable. With implementation of the mitigation measure as revised, impacts would be less than significant.

Mitigation Measures

4.12-4 Prior to project approval, the project applicant shall submit evidence, ~~including a revised Specific Plan and tentative map,~~ demonstrating that an additional two ~~elementary~~ school sites of sufficient size ~~and a 40-acre high school site~~ will be ~~designated~~ dedicated within the project boundaries to meet project demands, subject to the review and approval of the City of Soledad and the Soledad Unified School District.. ~~The 40-acre high school site shall be operational prior to the issuance of any certificate of occupancy for Phase II of the proposed project, unless otherwise approved by the City of Soledad and the Soledad Unified School District.~~ An agreement shall be established between the developer and/or successors in interest and the Soledad Unified School District that establishes the timing of the school construction or improvements and financing obligations.

In addition to the dedication of land, ~~In lieu of providing said high school facilities on-site, the project shall submit payment of its proportionate share of funding towards site acquisition and construction of new school facilities, prior to the recordation of any final map~~ the developer(s) will pay school impact fees as prescribed by the law in effect at the time of payment, unless otherwise dictated by a development agreement or permit conditions.

~~Pro-rata payment of the cost of providing a second high school shall not be construed as waiver of the previous requirement that adequate high school capacity be available to meet project demands prior to occupancy of any housing constructed in Phase II of the project.~~

4.12-5 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. As indicated above, the fees set forth in Government Code Section 65996 constitute the exclusive means of both "considering" and "mitigating" school facilities impacts of projects [Government Code Section 65996(a)]. They are "deemed to provide full and complete school facilities mitigation" [Government Code Section 65996(b)].

Parks and Recreation

The specific plan incorporates a network of parks and pathways that form a comprehensive and thoroughly interconnected system through the plan area. Several open space and

recreational opportunities are provided including soccer or other sports fields, picnic areas, playgrounds, paved trails, and unimproved open space trails that total 196.4 acres of open space/parkland within the plan area.

The city's general plan has a *goal* of parks-to-population ratio goal of five acres per 1,000 residents (Goal 2 of the parks and recreation chapter). Policy PR-Ia of the general plan *requires* three acres per 1,000 residents, which is the maximum allowed per the Quimby Act. The anticipated population with buildout of the specific plan is 9,712 residents. To meet the city's general plan parkland *requirement* of three acres of parkland for every 1,000 residents, the specific plan would need to provide 29.1 acres of parkland. To meet the city's general plan *goal* of five acres of parkland for every 1,000 residents, the specific plan would need to provide 48.56 acres of parkland.

The specific plan calls for the provision of a minimum of five acres of parkland for every 1,000 residents in addition to the 140.4 acres of open space, which exceeds the city's parkland requirement as well as the city's general plan goal. The specific plan provides 56 acres of parkland in addition to open space and supplements the current city deficit by more than 140 acres. Because the currently proposed plan meets the city's acre per population requirements for parkland, a portion of mitigation measure 4.12-6 identified in the Miravale III EIR is not applicable to this project and is therefore edited as shown below. However, similar to Miravale III, anticipated population growth associated with the project would create additional demands on existing park and recreational facilities throughout the city such that physical deterioration of these facilities may occur, which is a potentially significant impact. Therefore, mitigation measure 4.12-7 remains applicable to the project to reduce potential impacts to a less-than-significant level.

Mitigation Measure

4.12-6 ~~In order to ensure adequate improved parkland is provided as part of project development, the applicant shall submit detailed plans, including a revised Specific Plan and Tentative Map, demonstrating that adequate parkland (5 acres/1,000 residents). is designated within the project boundaries consistent with the requirements of Appendix B of the General Plan, prior to project approval, subject to the review and approval of the City of Soledad.~~ Prior to the recordation of ~~each~~ the first final map, the project applicant 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 for each dedicated recreation parcel in that phase of development This plan shall also identify the appropriate types of improvements within each park parcel to meet the recreational needs of all age groups within that phase of the project.

Public Services and Recreation Conclusion

The proposed project would not result in new significant impacts to public services or substantially increase the severity of previously identified impacts. The proposed project is smaller than the previously proposed project and would create less of a demand for public facilities. No new information has been identified that indicates the proposed project would have new or more significant public services impacts than were identified for the original project.

3.14 TRAFFIC AND CIRCULATION

A traffic impact analysis was prepared for the Miravale III EIR by Hexagon Transportation Consultants (August 15, 2007) (2007 report).

The *Miramonte Specific Plan Traffic Impact Analysis* (Higgins 2017a) and supplemental letters *Miramonte Specific Plan Traffic Study Supplemental Analysis, Soledad, CA* (Higgins 2017b), and *Miramonte Specific Plan Replace Proposed Farmer's Community Use to Single-family or Apartment Residential – Traffic Impact Evaluation*, Soledad CA (Higgins 2018) provide an update to the 2007 report based on the proposed project and current conditions. The 2007 report is included as an appendix to the Miravale III EIR. The 2017 documents are included in Appendix D and are referred to collectively as "2017 report". The 2018 supplemental letter is referred to as "2018 supplemental report"). The 2017 report provides and update of existing and estimated background and cumulative local and regional traffic conditions without the project in and near the City of Soledad and includes a comparison between the traffic impacts resulting from the Miravale III Specific Plan project with the traffic impacts of the proposed project, to determine if new or greater impacts and related mitigation measures would be required for the proposed project. The 2018 supplemental report evaluates the environmental effects of development of 314 single-family or multifamily residences, which is slightly different than the Farmer's Community use evaluated by the earlier 2017 reports, for the proposed Sub-are 13, Residential Study Area. Unless otherwise noted the following discussion is based primarily on each of these reports.

Miravale III Specific Plan EIR Analysis

Background

The city's traffic impact fee program identifies fees to be collected from proposed development as conditions of project approval and used towards identified improvements to the roadway system within and serving the City of Soledad. The Soledad Municipal Code Section 14.06.080.D.1 allows adjustment of a project's required traffic impact fees in consideration of other mitigating actions taken or agreed to by the developer, which have a reasonable relationship to the construction or acquisition of traffic facilities to meet needs

created by the new development. The city may also negotiate with a developer to construct a street or signal improvement (or portion thereof) contained in the city's planned traffic improvement project plan.

Participation in the Transportation Agency for Monterey County (TAMC) Regional Traffic Impact Fee program was adopted by the City Council in 2008 and is codified in Soledad Municipal Code Section 3.56.030. The municipal code acknowledges that regional improvements cannot be completely funded by a single development. In lieu of one single project absorbing the total cost of regional facility improvements, the regional development impact fee program was established to address needed improvements to state highways and regional roads within Monterey County.

Trip Generation

The Miravale III EIR reports that the project would generate 34,856 vehicle trips per day.

Potentially Significant Internal Circulation Hazards

The Miravale III EIR identified potentially significant traffic hazard impacts resulting from the placement of at-grade golf cart crossings on high traffic volume collector and arterial streets. The EIR concluded that this would be a significant impact but that it could be reduced to a less-than-significant level with the mitigation below:

Mitigation Measure

4.13-1 Due to large traffic volumes and vehicle speeds, at-grade golf cart crossings shall not be permitted along streets classified as collectors or arterials unless at a traffic light. Prior to the issuance of any building and/or grading permit for development associated with the golf course facility, the project applicant shall submit detailed design-level plans demonstrating compliance with this measure, subject to the review and approval of the Director of Public Works. Improvements shall be constructed in accordance with this measure prior to the issuance of any certificate of occupancy or final permit for development associated with the golf course.

Intersection Operations

Results of the intersection level of service analysis show that 11 study intersections would be impacted by the project according to applicable level of service standards. Two additional intersections would meet signal warrants with the addition of project traffic. Several of the impacts identified in the 2007 report involve significant physical improvements to not only intersection configurations, but also potential roadway widening. In some cases, the improvements identified below will be undesirable due to the need for right-of-way acquisition and/or create inconsistency with the city's general plan. The 2007 report revealed that several of the project's impacts could be mitigated with the construction of an extension

of Gabilan Drive that would provide an alternate route to U.S. Highway 101 as called for in the general plan. The general plan calls for Gabilan Drive to be a four-lane divided arterial extended west to U.S. Highway 101 and extension of Gabilan Drive as per the general plan will provide for a more direct route to the project site and alleviate identified impacts at several intersections. Therefore, the 2007 report recommended that rather than implement undesirable roadway widening (i.e., along Front Street), the project would instead be responsible for its fair-share towards the construction costs of the extension of Gabilan Drive to U.S. Highway 101 and widening of San Vicente Road from the project south to the Gabilan Drive extension.

The Miravale III EIR identified impacts at the following intersections that could be mitigated by compliance with standard conditions of approval:

- **West Street and Front Street.** Traffic generated by development associated with the Miravale III Specific Plan project would cause signal warrants to be met at this intersection, but would not cause unacceptable level of service operations. Signalization of the intersection and protected left-turn phasing of the signal for Front Street would improve conditions at this intersection. Participation in the city's traffic impact fee program is required for new development as a condition of approval. The project developer is responsible for the payment of the city's traffic impact fees as a condition of approval prior to issuance of a building permit. Participation in the city's traffic impact fee program mitigates the project's share of the impact to a less-than-significant level.
- **Main Street and Front Street**. Traffic generated by development associated with the Miravale III Specific Plan project would cause signal warrants to be met during the PM peak hour at the intersection of Main Street and Front Street; however, the intersection would operate at LOS D or better. However, with the construction of the Gabilan Drive extension to U.S. Highway 101, the signalization of this intersection would not be necessary. The 2007 report recommended that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101. The project developer is responsible for the payment of the city's traffic impact fees as a condition of approval prior to issuance of a building permit. Participation in the city's traffic impact fee program mitigates the project's share of the impact to a less-than-significant level.
- **San Vicente Road and Market Street**. Traffic generated by development of the Miravale III Specific Plan project would cause operations to degrade from acceptable LOS to unacceptable LOS E or worse at the intersection of San Vicente Road and Market Street during AM and PM peak hours. The necessary improvements to mitigate project impacts at this intersection consist of the signalization of the intersection and widening of San Vicente Road to accommodate

two lanes in each direction. However, with the construction of the Gabilan Drive extension to U.S. Highway 101, signalization of the intersection and widening of San Vicente Road in this vicinity would not be necessary. Therefore, the 2007 report recommends that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101. The project developer is responsible for the payment of the city's traffic impact fees as a condition of approval prior to issuance of a building permit. Participation in the city's traffic impact fee program mitigates the project's share of the impact to a less-than-significant level.

- **West Street and Market Street**. Traffic generated by development of the Miravale III Specific Plan project would cause signal warrants to be met during at least one peak hour at the intersection of West Street and Market Street. The necessary improvements consist of the signalization of the intersection. However, with the construction of the Gabilan Drive extension to U.S. Highway 101, the signalization of this intersection would not be necessary. Therefore, the 2007 report recommends that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101. The project developer is responsible for the payment of the city's traffic impact fees as a condition of approval prior to issuance of a building permit. Participation in the city's traffic impact fee program mitigates the project's share of the impact to a less-than-significant level.
- **East Street and Market Street**. Traffic generated by development associated with the Miravale III Specific Plan project would cause signal warrants to be met and cause operations to degrade from acceptable LOS to unacceptable LOS E or worse during at least one peak hour at the intersection of East Street and Market Street. The necessary improvements to mitigate project impacts at this intersection consist of the signalization of the intersection. The project developer is responsible for the payment of the city's traffic impact fees as a condition of approval prior to issuance of a building permit. Participation in the city's traffic impact fee program mitigates the project's share of the impact to a less-than-significant level.

The Miravale III EIR identified additional significant operational impacts that would require mitigation in addition to standard conditions of approval at the following local intersections:

Moranda Road and Front Street: This intersection meets signal warrants with or without the project. Traffic generated by development associated with the Miravale III Specific Plan project would project would cause operations to degrade from acceptable LOS to unacceptable LOS F at the intersection of Moranda Road and Front Street. The improvement necessary to mitigate background plus project impacts at this intersection consist of the addition of a second northbound through lane and eastbound free-right-turn lane. The implementation of this improvement would require that northbound Front Street be

widened to two lanes. The roadway segment analysis also indicates the need for widening of Front Street between Moranda Road and San Vicente Road. However, with the construction of the Gabilan Drive extension to U.S. Highway 101, the improvements to Front Street described above would not be necessary. Instead, improvements associated with the Gabilan Drive extension would be made at the intersection. The 2007 report recommended that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101. The EIR determined that implementation of the following mitigation measure would reduce the project's impact to operations at the Moranda Road/Front Street intersection to a less-than-significant level.

Mitigation Measure

4.13-2 Widen northbound Front Street to two lanes, add a second northbound through lane, eastbound free-right-turn lane and widen Front Street between Moranda Road and San Vicente Road. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance in order to mitigate the impact at this location. 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 City of Soledad. Alternatively the project can contribute its fair share towards the construction of the extension of Gabilan Drive to U.S. Highway 101. If this alternative is chosen local roadways shall be monitored annually to ensure that are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. All fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the approval of the Director of Public Works.

Implementation of this mitigation measure would reduce the impact at this intersection to less than significant.

San Vicente Road and Front Street. This intersection meets the Caltrans signal warrant with or without the project. Traffic generated by development of the Miravale III Specific Plan project would cause operations to degrade from acceptable LOS C to unacceptable LOS F at the intersection of San Vicente Road and Front Street during at least one of the peak hours analyzed. The 2007 report found that improvement necessary to mitigate the project impact at this intersection would consist of the addition of two eastbound left-turn lanes and southbound free-right turn lane. The implementation of this improvement would require that northbound Front Street be widened to two lanes and northbound San Vicente Road be widened to three lanes. However, these improvements will require a significant amount of right-of-way acquisition and roadway widening of Front Street. With the construction of the

Gabilan Drive extension to U.S. Highway 101, the improvements described above would not be necessary. The 2007 report instead recommended that the project contribute towards the construction of the extension of Gabilan Drive to U.S. Highway 101 to reduce the impacts to less than significant.

With implementation of the following mitigation measure, the project's impacts would be reduced to less than significant.

Mitigation Measure

4.13-3 Widen northbound Front Street to two lanes, northbound San Vicente Road to three lanes, add two eastbound left-turn lanes and a southbound free-right-turn lane. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the City of Soledad traffic impact - fee in effect at the time of building permit issuance in order to mitigate the impact at this location. 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 City of Soledad. Alternatively the project can contribute its fair share towards the construction of the extension of Gabilan Drive to U.S. Highway 101. If this alternative is chosen local roadways shall be monitored annually to ensure that are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. All fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the approval of the Director of Public Works.

San Vicente Road and Gabilan Drive: Traffic generated by development associated with the Miravale III Specific Plan project would cause signal warrants to be met and cause operations to degrade from acceptable LOS B to unacceptable LOS F during at least one peak hour at the intersection of San Vicente Road and Gabilan Drive. The necessary improvements to mitigate project impacts at this intersection consist of the signalization of the intersection and addition of a second westbound left turn lane, exclusive northbound right-turn lane, and southbound left-turn lane. The improvement will require the widening of southbound San Vicente Road to accommodate the dual left-turn lanes from Gabilan Drive. With the construction of the Gabilan Drive extension to U.S. Highway 101, the improvements described above would not be necessary. Instead, improvements associated with the Gabilan Drive extension would be made at the intersection to serve the new movements. Therefore, it is recommended that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101. With implementation of the following mitigation measure, the project impacts to this intersection would be less than significant.

Mitigation Measure

4.13-4 Signalize this intersection and add a second westbound left turn lane, exclusive northbound right-turn lane, and southbound left-turn lane. SB San Vicente Road will need to be widened to accommodate the dual left-turn lanes from Gabilan. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance in order to mitigate the impact at this location. 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 City of Soledad. Alternatively the project can contribute its fair share towards the construction of the extension of Gabilan Drive to U.S. Highway 101. If this alternative is chosen local roadways shall be monitored annually to ensure that are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. If this alternative is selected the project applicant shall submit payment of the projects fair share towards the construction of this improvement in accordance with the traffic impact fee in effect at the time of building permit issuance for each phase of the project. All fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the approval of the Director of Public Works.

West Street and Gabilan Drive: Traffic generated by development associated with the Miravale III Specific Plan project would cause signal warrants to be met and cause operations to degrade from acceptable LOS B to unacceptable LOS F during at least one peak hour at the intersection of West Street and Gabilan Drive. The necessary improvements to mitigate project impacts at this intersection consist of the signalization of the intersection and addition of exclusive left-turn lanes with protected phasing on all approaches. With implementation of the following mitigation measure, the project impacts would be less than significant.

Mitigation Measure

4.13-5 Signalize the intersection and add exclusive left-turn lanes with protected phasing on all approaches. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance in order to mitigate the impact at this location. 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 City of Soledad. All fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the approval of the Director of Public Works.

Main Street and Gabilan Drive: Traffic generated by development associated with the Miravale III Specific Plan project would cause signal warrants to be met during at least one peak hour at the intersection of Main Street and Gabilan Drive. The necessary improvements consist of the signalization of the intersection with protected left-turn phasing along Gabilan Drive. With the construction of the Gabilan Drive extension to U.S. Highway 101, the signalization of this intersection would not be necessary. Therefore, it is recommended that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101. With implementation of the following mitigation measure the project's impacts to this intersection would be less than significant.

Mitigation Measure

4.13-6 Signalize the intersection with protected left-turn phasing along Gabilan Drive. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance in order to mitigate the impact at this location 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 City of Soledad. Alternatively the project can contribute its fair share towards the construction of the extension of Gabilan Drive to U.S. Highway 101. If this alternative is chosen local roadways shall be monitored annually to ensure that are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. All fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the approval of the Director of Public Works.

Andalucia Drive and Gabilan Drive: Traffic generated by development associated with the Miravale III Specific Plan project would cause signal warrants to be met during at least one peak hour at the intersection of Andalucia Drive and Gabilan Drive. The necessary improvements consist of the signalization of the intersection with protected left-turn phasing along Gabilan Drive. With implementation of the following mitigation measure the project's impacts to intersection operations would be reduced to a less-than-significant level.

Mitigation Measure

4.13-7 Signalize this intersection with protected left-turn phasing along Gabilan Drive. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance in order to mitigate the impact at this location. All fees shall be paid prior to the issuance of any building permit for

each phase of development and shall be subject to the approval of the Director of Public Works. 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 City of Soledad.

Orchard Land and Metz Road: Traffic generated by development associated with the Miravale III Specific Plan project would cause signal warrants to be met and cause operations to degrade from acceptable LOS C to unacceptable LOS E or worse during at least one peak hour at the intersection of Orchard Street and Metz Road. The necessary improvements to mitigate project impacts at this intersection consist of the signalization of the intersection with protected left-turn phasing on Metz Road and split phasing on Orchard Lane. With implementation of the following mitigation measure the project's impacts to intersection operations would be reduced to a less-than-significant level.

Mitigation Measure

4.13-8 Signalize this intersection with protected left-turn phasing on Metz Road and split phasing on Orchard Lane. The project applicant shall submit payment of the City of Soledad traffic impact fee in effect that the time of building permit issuance in order to mitigate the impact at this location. All fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the approval of the Director of Public Works. 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 City of Soledad.

Oak Street and Front Street and Front Street and Nestles Road. Traffic generated by development associated with the Miravale III Specific Plan would cause intersection operations to decline from acceptable LOS C to unacceptable LOS E at the intersection of Oak Street and Front Street. Signal warrants are met at this intersection with or without the project. Widening Front Street to four lanes between Nestles Road and Oak Street and adding a second eastbound left-turn lane at the intersection of Nestles Road and Front Street would improve operations to LOS B in this location. With implementation of the following mitigation measure the project's impacts to intersection operations would be reduced to a less-than-significant level.

Mitigation Measure

4.13-9 Widen Front Street to four lanes between Nestles Road and Oak Street and add a second EB left-turn lane at the intersection of Nestles Road and Oak Street. Alternatively, the construction of the U.S. Highway 101/SR 146 bypass would

alleviate impacts at this intersection. The project applicant shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit 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 approval of the Director of Public Works. 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 City of Soledad.

Regional Transportation Impacts

The Miravale III EIR determined that traffic generated by the project would affect operations on two U.S. Highway 101 ramps and four freeway segments.

Moranda Road and U.S. Highway 101 Northbound Ramps: Traffic generated by development of the project would cause unacceptable LOS D operations on the U.S. Highway 101 northbound on-ramp from Moranda Road at the Moranda Road Interchange during the AM peak hour. The necessary improvement to mitigate the project impact at this intersection will consist of the signalization of the intersection and the addition of a second northbound left-turn lane, Moranda Road to northbound U.S. Highway 101. The implementation of these improvements will require that the northbound U.S. Highway 101 on-ramp be widened to receive the two lanes. With the construction of the Gabilan Drive extension to U.S. Highway 101, the improvements described above would not be necessary. Instead, improvements associated with the Gabilan Drive extension would be made at the intersection to serve the new movements created by the extension. Therefore, the 2007 report recommended that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101. The volume of vehicles bound for northbound U.S. Highway 101 indicate the need for the reconfiguration and/or reconstruction of the U.S. Highway 101 interchange at Moranda Road/Front Street to provide more efficient access to the project site and north Soledad in general. With implementation of the following mitigation measure the significant impacts would be reduced to a less-than-significant level.

Mitigation Measure

4.13-10 Signalize the intersection and widen the NB U.S. Highway 101 on ramp to add a second NB left-turn lane. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance, including the TAMC Regional Development Impact Fees pursuant to Chapter 3.56 of the Soledad Municipal Code, in order to mitigate the impact at this location. 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 City of Soledad. If the aforementioned improvements are not implemented by the time required, the project could instead contribute its fair share towards the construction of the extension of Gabilan Drive to U.S. 101. Under this approach to mitigation, local roadways shall be monitored to ensure that are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. In addition the U.S. Highway 101 interchange at Moranda Road/Front Street will require reconfiguration/reconstruction to provide more efficient access to the project site and north Soledad in general. However, should the widening of the freeway and improvement of interchanges be deemed infeasible or not part of the fee program, the impact should be considered significant and unavoidable. All fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the approval of the Director of Public Works.

The Miravale III EIR concluded that should the proposed improvements be deemed infeasible or not part of the TAMC fee program, the impacts would be considered significant and unavoidable.

Front Street and U.S. Highway 101 Southbound Ramps: Traffic generated by development of the project would cause unacceptable LOS D operations on the U.S. Highway 101 southbound off-ramp to Moranda Road at the Moranda Road Interchange during the PM peak hour. The necessary improvements to mitigate project impacts at this intersection consist of the signalization of the intersection and addition of a second lane on the off ramp. The improvement will require the widening of southbound Front Street to two lanes. The volume of vehicles exiting southbound U.S. Highway 101 at Front Street indicate the need for widening of Front Street, between U.S. Highway 101 and Moranda Road, to two lanes southbound and/or reconfiguration/reconstruction of the U.S. Highway 101 interchange at Moranda Road/Front Street to provide more efficient access to the project site and north Soledad in general. With implementation of the following mitigation measure the significant impacts would be reduced to a less-than-significant level.

Mitigation Measure

4.13-11 Signalize this intersection, widen southbound Front Street to two lanes and add a second lane on the off-ramp. In addition, the volume of vehicles exiting southbound U.S. Highway 101 at Front Street indicate the need for widening of Front Street, between U.S. Highway 101 and Moranda Road, to two lanes southbound and/or reconfiguration/reconstruction of the U.S. Highway 101 interchange at Moranda Road/Front Street to provide more efficient access to the project site and north Soledad in general. As this is a regional improvement, the project applicant shall contribute funding towards its implementation by

submitting payment of the TAMC Regional Development Impact Fees, pursuant to Chapter 3.56 of the Soledad Municipal Code. However, should the widening of the freeway and improvement of interchanges be deemed infeasible or not part of the TAMC fee program, the impact should be considered significant and unavoidable. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the traffic impact fee in effect at the time of building permit issuance, including the Regional Development Transportation Impact Fees, in order to mitigate the impact at this location. All fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the approval of the Director of Public Works.

The Miravale III EIR concluded that should the proposed improvements be deemed infeasible or not part of the TAMC fee program, the impacts would be considered significant and unavoidable.

U.S. Highway 101 Freeway Segments. Traffic generated by development of the project would cause unacceptable LOS D operations on the following U.S. Highway 101 freeway segments:

- Northbound U.S. Highway 101 north of Gonzales-5th Street (AM peak hour).
- Northbound U.S. Highway 101 between Gonzales-5th Street to Gloria Road (AM peak hour).
- Northbound U.S. Highway 101 between Camphora Road and North Soledad (AM Peak Hour).
- Southbound U.S. Highway 101between North Soledad and Camphora Road (PM Peak Hour).

With implementation of the following mitigation measure the significant impacts would be reduced to a less-than-significant level.

Mitigation Measure

4.13-12 The project applicant shall be required to pay towards the city's TIF program, which includes regional improvements, and shall also pay the city's adopted Regional Development Impact Fees established in Chapter 3.56 of the Municipal Code. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the Regional Development Impact Fee and City of Soledad traffic impact fees in effect at the time of building permit issuance in order to mitigate the impacts at identified locations. The payment of fees is considered mitigation for project impacts to highway and regional facilities. All fees shall be subject to the approval of the Director of Public Works.

> Should the widening of the freeway and improvement of interchanges be deemed infeasible or not part of the fee program, the impact should be considered significant and unavoidable.

The Miravale III EIR concluded that should the proposed improvements be deemed infeasible or not part of the TAMC fee program, the impacts would be considered significant and unavoidable.

Traffic Mitigation Triggers

The Miravale III EIR also determined that due to the size of the project the two major roadway improvements, Gabilan Drive Extension and reconstruction of the U.S. Highway 101/Moranda Road interchange, which would serve to mitigate many of the project's traffic impacts, would require substantial funding that cannot be provided at the initial stages of the development or by the proposed development alone. Therefore, the 2007 report and Miravale III EIR identify development triggers that determine the level of development that could occur before implementation of the two major roadway improvement projects would be necessary to maintain acceptable traffic level of service. Traffic monitoring is included in the mitigation to assure that improvements are phased with development. The traffic monitoring shall be established and maintained by the city and funded by the developer.

Gabilan Extension Development Level Trigger

Analysis was conducted at intersections and roadway segments along San Vicente Road to determine at what development level the extension of Gabilan Drive would need to be implemented to support project traffic. The 2007 report indicated that the most critical point of constraint is the intersection of San Vicente Road and Front Street. San Vicente Road would operate at LOS D until 75 percent (approximately 26,142 daily trips) of the project traffic is added to the roadway system. However, the intersection of San Vicente Road and Front Street would be unable to serve this level of development and traffic would spill over onto adjacent streets, such as West Street, that provide an alternate access to San Vicente Road.

The capacity of the eastbound left-turn movement, Front Street to San Vicente, during the PM peak hour is the critical movement at the intersection. Under background conditions the intersection was shown to meet traffic signal warrants. With installation of a signal the intersection would operate at LOS D. The Miravale III EIR notes that although LOS D intersection operations may be acceptable at this location, the number of left-turning vehicles under background conditions indicated the need for a second left-turn lane and subsequent widening of San Vicente Road to receive the two left-turn lanes. Until this improvement is made, the intersection would maintain LOS D operations until 50 percent (17,428 daily trips) would be maintained at the intersection with up to 50 percent of the project development traffic.

U.S. Highway 101 and Moranda Road Interchange Improvement Development Level Trigger

The Miravale III EIR analysis states that existing freeway ramps at Moranda Road and U.S. Highway 101 are not designed to accommodate existing traffic volumes and the addition of project traffic, as well as background traffic, would compound the need for improvement of the ramps. The U.S. Highway 101 southbound off-ramp to Moranda Road will be the constraint on any further development. The 2007 analysis of ramp capacities indicated that LOS D ramp operations would be maintained with up to 25 percent (approximately 8,714 daily trips) of the project traffic added to the roadway system. The intersection level of service analysis indicated that with signalization of the ramp termini intersections, up to 50 percent (17, 428 daily trips) of the project development traffic could be accommodated; however, even with the signalization of the intersections, the ramps would continue to operate an unacceptable level of service.

Proposed Project

The 2017 report evaluated peak-hour signal warrants and roadway and freeway level of service analysis based on PM peak-hour levels of service. The AM peak hour is not analyzed because the previous study documented that the PM peak hour was the higher volume, controlling condition. In other words, no future impacts would be experienced during the AM peak hour that are not already experienced during the PM peak hour. The levels of service in the current study were prorated where appropriate based on current volumes and forecasts. The 2018 supplemental report adjusts the 2017 report conclusions to account for a slight increase in overall project trips that would result from development of sub-area 13 with low- to medium-density residential uses instead of a "Farmers Community". According to the 2017 report and the 2018 supplemental report, traffic from the proposed project would affect the same intersections and traffic facilities identified and addressed in the certified Miravale III EIR, although to a somewhat lesser extent.

Existing Setting

The 2017 report found that the background traffic volumes resulting from currently approved development traffic added to 2017 volumes are about 8.5 percent higher than those predicted in the 2007 report. This means that much of the background traffic assumed in the 2007 report is now on area roadways as part of the existing conditions scenario in the 2017 report. Since the Miravale III EIR was certified, the city adopted the City of Soledad Downtown Specific Plan that includes block and street standards calling for small town scale, walkable blocks and pedestrian-oriented streetscapes along Front Street (City of Soledad 2012). As shown in the Downtown Specific Plan Table 5.8b, street standards for Front Street consist of two travel lanes separated by a center landscaped median with diagonal parking, sidewalks and street trees.

Off-site Regional Improvements

In the vicinity of Soledad, three regional improvement projects are identified since the Miravale III EIR was certified. The State Route 146 Bypass (Pinnacles Parkway) project and improvements to the U.S. Highway 101 North and South interchanges are included in the 2014 Monterey County Regional Transportation Plan (TAMC 2014). The north interchange project will modify the north Soledad interchange and construct related northbound and southbound ramp improvements, which could accommodate future widening of U.S. Highway 101 to six lanes. It is assumed that planned improvements to the north interchange will also include design considerations for connection to the future extension of Gabilan Drive, which is identified in the Soledad general plan.

The south interchange project will modify the south Soledad interchange and construct related ramp improvements to accommodate possible future widening of U.S. Highway 101 to six lanes. The Pinnacles Parkway project would extend Los Coches Road from U.S. Highway 101 to Metz Road. The latter project is identified as a priority street improvement for the City of Soledad in the TAMC Measure X investment program. Measure X is a three-eighths cent Monterey County sales tax measure that voters approved in November 2016. The City of Soledad is projected to receive approximately $12,000,000 over the next 30 years, which will be supplemented by city and regional development fees. Measure X funds should be able to attract additional state and federal funds for local and regional facility improvements.

Similar to the formerly proposed project, access to the site will be provided via extensions of San Vicente Road, West Street, and Orchard Lane (refer to Figure 2-5). West Street and Orchard Lane currently terminate at the northern city limit adjoining the project site. The former project included modifications to San Vicente Road by the developer, and the roadway would have been realigned west of its current location and widened to meet city standards for collector streets. The proposed project also includes widening San Vicente Road along the western boundary of the site and city limit from the site to Gabilan Drive as part of a city-desired circulation improvement that would provide access from the site to U.S. Highway 101 via the Gabilan Drive extension once the extension is constructed. The extension of San Vicente Road as a collector route would ultimately provide access to the future Gabilan Drive extension to U.S. Highway 101. A potential roadway alignment is shown on Figure 2-5, Miramonte Specific Plan Land Use Diagram. Other long term future access also will be provided via planned roadways to Camphora/Gloria Road when other development associated with the general plan buildout is completed several decades from now.

San Vicente Road

The existing 40 foot right of way for San Vicente Road extends south following the existing City limit line from the southwest corner of the project. This includes two right angle turns. To approximate the capacity of this alignment each right angle can be considered an intersection. According to the 2017 report, level of service calculations indicate that each right angle turn would operate at acceptable LOS A, with about 9.3 seconds of average delay. The total delay would be approximately 18 seconds. Although the overall level of service would be acceptable, traversing this segment will be circuitous and slow, which could be a disincentive to use this access route and cause additional volumes on West Street and Orchard Lane.

The proposed alignment and modification includes an "S" curve (refer to Figure 2-5) that would reduce travel time along San Vicente Road and is recommended as its preferred alignment. Assuming that this feature has 300-foot radius curves it can be designed to accommodate a speed of about 30 miles per hour. This curve would operate satisfactorily with proper curve warning and advisory speed signing. The city's proposed modifications to San Vicente Road occur within the boundary of the former project studied in the Miravale III EIR.

This section provides clarification of previously-identified impacts and mitigation measures in the certified EIR including those that address the facilities along San Vicente Road for which the construction of improvements and/or collection of traffic impact fees was previously proposed by the applicant and that would now be the responsibility of the project developer.

Existing and Background Traffic Scenarios

All study intersections analyzed in the Miravale III EIR currently operate at an acceptable LOS D or better. Five of the unsignalized study intersections evaluated in the 2007 report have since been signalized:

- San Vicente Road and Front Street;
- Front Street and Nestles Road;
- Front Street and U.S. Highway 101 northbound Ramps;
- West Street and Gabilan Drive; and
- Oak Street and Front Street.

Similar to the previously proposed project, signal warrants are met during at least the PM peak hour at several intersections under 2017 report background conditions without the project. Intersection operations under background conditions and the improvements necessary to correct the deficiencies are as follows:

- Moranda Road and Front Street. The intersection is projected to operate at unacceptable LOS F during the PM peak hour and meet signal warrants under background conditions. The necessary improvements consist of the signalization of the intersection with protected left-turn phasing on Front Street and the addition of a second eastbound right-turn lane. Intersection operation levels would improve to LOS C with implementation of these improvements.
- East Street and Front Street. The intersection is projected to operate at unacceptable LOS F during the PM peak hour and meet signal warrants under background conditions. The necessary improvements consist of the signalization of the intersection with protected left-turn phasing on Front Street and the addition of a second southbound left-turn lane and exclusive westbound right-turn lane. Intersection operation levels would improve to acceptable LOS C with implementation of these improvements.
- East Street and North Street/Metz Road. The intersection is projected to meet signal warrants under background conditions. The necessary improvements consist of the signalization of the intersection with protected left-turn phasing on Metz Road.

All three intersections also met peak hour signal warrants in 2007 under existing or background conditions without traffic from the formerly proposed project.

The following projects have been built and occupied since 2007:

- Gabilan Square – 9,960 square feet of commercial space and 183 Townhomes/Apartments, located south of Gabilan Drive at Orchard Lane.
- Monterey Street Public Housing Facility – 52 multi-family units, located along the north side of Monterey Street between First and Second streets.
- Benito Street Public Housing – 143 units, located between West and Benito streets, and Gabilan Drive and North Street.

Several other projects, including AutoZone, ARCO Gas Station and Los Coches Mini Storage were approved but not complete at the time of traffic counts for the current study. These projects will impact the vicinity of the U.S. Highway 101/South Front Street interchange. The traffic generated by these projects was added to the existing conditions to estimate background conditions in that part of the study area.

The 2017 report found that all study roadway segments, including San Vicente Road north of Gabilan Drive, and study freeway segments operate at an acceptable LOS C or better under existing and background conditions without the project. Traffic volumes under existing conditions were obtained from 2017 traffic counts at each of the interchange intersections and were found to be greater than historical Caltrans ramp counts, but all freeway ramps

continue to operate at LOS B or better, although the report confirms that the ramp design deficiencies identified in the 2007 report are outdated and as aligned are insufficient to adequately feed large ramp volumes into the greater traffic volumes on the freeway.

Trip Generation and Distribution

For the purposes of this report proposed project trip generation includes trips generated by the eventual development of Sub-area 13 (Residential Study Area) with low-density residential uses, which generate more trips per day. A higher density use could result in fewer daily trips; the specific plan identifies 314 low- to medium-density residential units in the Residential Study Area, and the plan includes policies and standards that allow the number to change if traded to other Sub-areas. For example, if a greater number of mixed use or multi-family dwelling units are developed within the plan area core, the increase in units for core areas would not affect the total number of residential units within the plan area because the number of dwelling units allowed in Sub-area 13 would be decreased by that amount. To be conservative, the following discussion addresses traffic volumes that include development of Sub-area 13 with single-family uses.

The proposed project would generate a total of 20,888 daily net vehicle trips (Higgins 2018, page 2) with approximately 14,142 trips generated by the proposed residential uses and 6,747 trips generated by proposed commercial uses. The commercial component is expected to primarily serve the residents within and immediately adjacent to the specific plan area and residential trips are adjusted to accommodate internal trips.

The overall trip generation of the proposed project represents 13,968 (approximately 40 percent) fewer daily trips than the 34,856 trips that would have been generated by the Miravale III Specific Plan project. The proposed project trip distribution patterns and percentages are identical (Higgins 2017a, Figure 8) to those identified in the 2007 report. All reports show that 10 percent of project-generated trips would utilize the local street network while 70 percent of project traffic would use northbound U.S. Highway 101 and 20 percent would use southbound U.S. Highway 101. Residential uses would be expected to generate the largest amount of traffic on area roadways.

Traffic Mitigation Triggers

The 2017 report and 2018 supplemental report update the development level trigger points identified in the general plan and the 2007 report for two future major roadway improvements that would provide mitigation for many traffic facility impacts caused by any growth into the general plan expansion areas or, by or contributed to by the proposed project: Gabilan Drive Extension, and reconstruction of the U.S. Highway 101/Moranda Road interchange. An estimate of timing for San Vicente Road realignment/widening improvements is included in this discussion as it relates to the trigger points for the two major off-site facility improvements. However, implementation of the three improvements

would require substantial funding that cannot be provided at the initial stages of the development or by the proposed development alone. The trigger points identified in the reports identify the levels of development within the plan area that can occur before implementation of the three major transportation facility improvement projects would be necessary to maintain acceptable traffic levels of service at study intersections. The number of building permits and certificates of occupancy issued for proposed residential uses would be limited by the amount of project traffic that can be accommodated by acceptable levels of service. The anticipated costs of these improvements and the project's proportionate share of costs of construction will be identified in the comprehensive financing plan prepared as part of the required development conditions on the tentative map, the results of which will be implemented through a development agreement subject to the review and recommendations of city staff and approval of the City Council.

Similar to the conclusions of the Miravale III EIR, the 2017 report finds that the effectiveness of the planned Gabilan Drive extension and proposed widening of San Vicente Road to a collector roadway are predicated on the volume and operational capacity of the U.S. Highway 101/Moranda Northbound interchange, which currently operates at LOS C and is expected to operate at LOS F under background plus project conditions without the Gabilan Drive extension.

Both reports note that widening Front Street to four lanes or construction of the Gabilan Drive extension would sufficiently alleviate impacted intersections. As noted previously, the city in 2012 adopted a downtown specific plan with standards that would not allow widening Front Street to the extent necessary to reduce the project impacts. Widening Front Street within the downtown specific plan boundary would require amendment to the block and street standards of the downtown specific plan. Instead, City staff recommend that the Gabilan Drive Extension mitigate the project impacts (Brent Slama, personal communication, August 29, 2017). With implementation of the Gabilan Drive Extension called for in the general plan, roadway widening along the city's visually quaint and pedestrian-oriented core would not be necessary. The 2017 report also found that implementation of the planned Pinnacles Parkway would provide an additional access connecting U.S. Highway 101 south of the Front Street interchange and Los Coches business park with the northern and western portions of Soledad. According to the 2017 traffic report, about half of the Miramonte traffic using this section of Front Street via East Street will likely be diverted to Pinnacles Parkway under the cumulative plus project scenario. Construction of the Pinnacles Parkway would eliminate the need to widen Front Street to four lanes between East Street and Nestles Road.

The 2017 report confirms the Miravale III EIR determination that existing freeway ramps at Moranda Road and U.S. Highway 101 are not designed to accommodate existing traffic volumes and the addition of project traffic, as well as background traffic, would compound the need for improvement of the interchange and reconfiguration of the ramps..

Consequently, the U.S. Highway 101 southbound off-ramp to Moranda Road will be the constraint on any further development in the City of Soledad. The 2018 analysis of ramp capacities indicates that LOS D ramp operations would be maintained until 38 percent of the project traffic, or approximately 7,937 vehicle trips generated by the project are added to the system.

Necessary improvements to the U.S. Highway 101/Moranda Road interchange improvements cannot be completely funded by a single development. In lieu of one single project absorbing the total cost of freeway interchange reconstruction, the TAMC regional development impact fee program has been established for state highways and regional roads within Monterey County. The payment of fees is considered mitigation for project impacts to freeway facilities.

Clarifying language has been added to mitigation measures to reflect the steps necessary for their implementation based on the reduction in anticipated traffic volumes generated by the project and anticipated trigger points that would require construction of improvements to maintain acceptable facility operations.

Gabilan Extension Development Level Trigger

The Gabilan Drive extension will provide a four-lane arterial for a more direct route to the northern portion of the city and to the specific plan site. The extension would alleviate project impacts at several intersections within the current city limits, and would serve as an incentive to divert traffic from the more circuitous routes through existing surface streets that lead to the freeway via Front Street. Figure 12 of the 2017 report shows the change in travel patterns of the project that would result with the extension of Gabilan Drive to U.S. Highway 101. The diagram illustrates that the extension would minimize or even avoid impacts to the intersection of San Vicente Road and Front Street, funnel northbound traffic more directly to U.S. Highway 101 and points north, which would reduce the traffic volumes along Front Street as well. Therefore, similar to the conclusions of the Miravale III EIR the 2017 report recommends that rather than implement undesirable roadway widening along Front Street within the downtown specific plan area, that the project impacts are instead mitigated by either constructing or contributing fair-share of costs towards the construction costs of the extension of Gabilan Drive.

According to the 2017 roadway segment analysis, the segment of San Vicente Road from the project site to Front Street would operate at LOS D and accommodate all project traffic that would use this route if the Gabilan Drive extension is not completed. If modified, the segment would operate at an acceptable LOS A without the Gabilan Drive extension. However, the 2017 report confirms that the most critical point of constraint will be the

intersection of San Vicente Road and Front Street, which would operate at LOS D until about 75 percent of project traffic (approximately 15,581 daily trips) is added to the roadway system. However, the intersection of San Vicente Road and Front Street would be unable to serve this level of development and traffic would spill over onto adjacent streets within the current city limits, such as West Street and Front Street, that provide an alternate access to the site. The report notes that although LOS D roadway segment and intersection operations may be acceptable, a second left-turn lane on Front Street and subsequent widening of San Vicente Road between Front Street and Gabilan drive would be necessary to receive the two left-turn lanes.

However, as noted above, this traffic volume would also impact the operations and capacity of the southbound exit ramp at the US Highway 101/Moranda Road interchange, which, as noted previously is projected to accommodate only 38 percent of project traffic before reconfiguration and improvement would be needed. Construction of the Gabilan Drive extension would eliminate the need for additional lanes, but would also require interchange improvements to connect to the U.S. Highway 101/Moranda Road interchange. Construction of a new US Highway 101/Moranda Road interchange in addition to the Gabilan Drive extension would minimize impacts to all intersections along Front Street, and avoid the need for undesirable widening of this thoroughfare within the Downtown Specific Plan area.

Construction of the Gabilan Drive extension or participation in the city's traffic impact fee program toward its construction would mitigate many of the project impacts to local intersections (discussed in greater detail later in this section) within the city limit and would eliminate the need for undesirable widening of Front Street. Clarifying language is added to the applicable mitigation measures identified in the Miravale III EIR to reflect the interrelated traffic patterns between the Gabilan Drive extension and the U.S. Highway 101/Moranda Road interchange, the reduced traffic volumes of the project, development triggers that would require construction of improvements, and the level of monitoring required to ensure that development is phased with necessary improvements.

San Vicente Road Development Level Trigger

The San Vicente Road realignment along the westerly boundary of the project site to Gabilan Drive would operate at an acceptable LOS A once modified, and at LOS D prior to modification. Both traffic reports estimate that San Vicente Road would carry 22 percent of the proposed project traffic at buildout of the specific plan.

According to the proposed specific plan (Chapter 6) the first phases of development are expected to occur south of the linear park in Sub-areas 1 – 4, and north of the park in Sub-area 10 (refer to Figure 2-5). Development of the specific plan uses in these Sub-areas would consist primarily of low and medium density single family residential uses and would accommodate about 617 dwelling units excluding secondary units. Access to these areas

would be provided by West Street and Orchard Lane. According to the specific plan, Section 6.4, Phasing, subsequent development of single-family uses in the northern portion of the plan area (Sub-areas 11 - 14, or 15) requires three connections to San Vicente Road by the time three of these Sub-areas are developed. The specific plan further calls for completion of the San Vicente Road re-alignment during the initial phases of development at the time the second connection to San Vicente Road is made. The roadway alignment improvement would be expected to occur upon the city's acquisition of sufficient right of way, at minimum with construction of the fifth Sub-area, which could consist of as few as approximately 168 additional dwelling units. Combined with the first four Sub-areas, this represents approximately 785 units or about 33 percent of the proposed residential development. However, even if the roadway realignment improvement is not made at this point in time, the operations along San Vicente Road would continue to operate at LOS D, which is a less than significant impact.

It is assumed that the project will be developed over many years with access initially provided by extensions of West Street and Orchard Lane into the site, and the near-term improvements to San Vicente Road identified above. About 70 percent of the project uses (1,865 dwelling units, or approximately 14,468 overall trips) can be developed on the site before San Vicente Road begins carrying higher volumes of project traffic and "offloading" West Street and Orchard Lane to the extent that operations along these roadways and related intersections would degrade to unacceptable levels. However, as noted previously, operations at the intersection of San Vicente Road and Front Street and at the U.S. Highway 101/Moranda Road interchange would reach an unacceptable and likely unsustainable level F at 38 percent (7,938 vehicle trips) of project development (Higgins 2018). Realignment of San Vicente Road, construction of the Gabilan Drive extension to U.S. Highway 101 and reconfiguration to the U.S. Highway 101/Moranda Road interchange and ramps would mitigate these impacts and many of the project's impacts to other local intersections (identified and discussed later in this section). Therefore, the 2017 report recommends that the project coordinate its proposed improvements to San Vicente Road with construction of the Gabilan Drive extension and related U.S. Highway 101/Moranda Road interchange improvements.

In the interim, the specific plan calls for the developer to construct several improvements to San Vicente Road, including all of the east-side improvements adjacent to the specific plan boundary, as well as southbound turn lanes and adjacent median where needed to serve the plan area, the eastern half of the median including curb and landscaping (except in locations where a northbound turn lane will be needed, and a temporary asphalt curb should be provided), and the southbound travel lane in its ultimate position. Between the north end of the storm water basin parcel and the point about 300 feet north of Vista del Soledad, the specific plan developer will upgrade San Vicente Road in its existing alignment to include two 13-foot lanes with two-foot shoulders for temporary use until the city's desired roadway modifications can be implemented.

Development Trigger Summary

A conceptual example of development levels across residential product types based on the development trigger evaluations of the 2017 report and 2018 supplemental report are summarized in Table 3-8, Summary of Residential Development Triggers.

Table 3-8 Summary of Residential Development Triggers[1,2]

Development Levels by Type	Size	38 Percent	70 Percent	75 Percent
		Units	Units	Units
Single-family Detached Housing[3]	1,318 units	501	923	989
Multifamily[3]	626 units	238	439	470
Senior Housing Detached	134 units	51	94	101
Residential Study Area[3,4]	314 units	120	220	236
Total [4]	2,392 units	910	1,676	1796

SOURCE: Higgins (2017a; 2108); EMC Planning Group 2018

NOTE:

1. Numbers may vary due to rounding.
2. Conceptual only.
3. Affordable units are dispersed in Sub-areas.
4. Assumes single-family units. Duplex, triplex, or fourplex development and/or trading units between higher density areas such as the mixed uses in the plan area core result in fewer trips.

Regional Transportation Impacts

The 2017 report determined that although traffic volumes would be reduced by about 40 percent from the volumes studied in the Miravale III EIR, the traffic generated by the proposed project would also affect operations on the two U.S. Highway 101 ramps at U.S. Highway 101/Moranda Road, and four freeway segments.

Moranda Road and U.S. Highway 101 NB Ramps: Traffic generated by the proposed project would cause LOS F operations on the U.S. Highway 101 northbound on-ramp from Moranda Road at the Moranda Road Interchange. This is a significant impact. The necessary improvement to mitigate to return operations to acceptable levels would consist of signalization of the intersection and the addition of a second northbound left-turn lane, Moranda Road to northbound U.S. Highway 101. Implementation of these improvements will require that the northbound U.S. Highway 101 on-ramp be widened to receive the two lanes. With the construction of the Gabilan Drive extension to U.S. Highway 101 and related roadway widening improvements to San Vicente Road, the improvements described above would not be necessary. Instead, improvements associated with the Gabilan Drive extension would be made at the intersection to serve the new movements created by the extension. Therefore, it is recommended that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101.

This impact was identified in the Miravale III EIR as a potentially significant and unavoidable impact despite implementation of Mitigation Measure 4.13-10, which identifies the above-described improvements. Changes or alterations to this intersection that would address service level deficiencies are within the responsibility of Caltrans and already are included in planned interchange improvements identified in the regional traffic impact fee program. The proposed project would be required to pay for its proportionate fair share toward the costs of the improvement. Participation in the regional traffic impact fee program would reduce the proposed project's impact to existing operations at this intersection to less-than-significant. Implementation of the following mitigation measure ensures that the significant impacts would be reduced to a less-than-significant level. Clarification is provided in the mitigation measure to reflect the updated regional transportation plan list of projects covered under the regional transportation impact fee program.

Mitigation Measure

4.13-10 ~~Signalize the intersection and widen the NB U.S. Highway 101 on ramp to add a second NB left-turn lane.~~ The project developer shall contribute its fair share of costs towards the construction improvements to the U.S. Highway 101 interchange at Moranda Road. Prior to the issuance of any building permit for each phase of development, the project ~~applicant~~ developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance, including ~~the~~ TAMC Regional Development Impact Fees for the project's proportionate share of costs to construct improvements to the intersection and northbound ramps of U.S. Highway 101 interchange at Moranda Road. The improvements may include signalization of the intersection and widening the northbound U.S. Highway 101 on ramp to add a second northbound left turn lane. Implementation of these improvements would require widening the northbound ramp to accommodate two lanes. ~~to mitigate the impact at this location. 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 City of Soledad.~~ If the aforementioned improvements are not implemented by the time required, the project could ~~instead~~ either construct or contribute its fair share towards the construction of the extension of Gabilan Drive to U.S. Highway 101. Under this approach to mitigation, local roadways shall be monitored by the city at the developer's expense to ensure that ~~LOS~~ levels of service are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. In addition the U.S. Highway 101 interchange at Moranda Road/Front Street will require reconfiguration/reconstruction to provide more efficient access to the project site and north Soledad in general. However, improvements to this interchange are

within the jurisdiction of Caltrans and not under the control of the city. ~~should the widening of the freeway and improvement of interchanges be deemed infeasible or not part of the fee program, the impact should would be considered significant and unavoidable.~~ 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 approval of the Director of Public Works.

Front Street and U.S. Highway 101 SB Ramps: Traffic generated by the proposed project would cause LOS F operations on the U.S. Highway 101 southbound off-ramp to Moranda Road at the Moranda Road Interchange during at least one peak hour. The necessary improvements to mitigate project impacts at this intersection consist of the signalization of the intersection and addition of a second lane on the off ramp. The improvement will require the widening of southbound Front Street to two lanes. The volume of vehicles exiting southbound U.S. Highway 101 at Front Street indicate the need for widening of Front Street, between U.S. Highway 101 and Moranda Road, to two lanes southbound and/or reconfiguration/reconstruction of the U.S. Highway 101 interchange at Moranda Road/Front Street to provide more efficient access to the project site and north Soledad in general. According to the development trigger analysis the improvements would be required to accommodate greater than 38 percent of trips generated by development of the specific plan area, without exceeding operational levels of service at this interchange. As noted earlier, improvements to this interchange are included in the regional transportation plan and the payment of regional transportation fees would mitigate the project's impact to this regional facility.

However, with the construction of the Gabilan Drive extension to U.S. Highway 101 and related roadway widening improvements to San Vicente Road, the improvements described above would not be necessary. Instead, improvements associated with the Gabilan Drive extension would be made at the intersection to serve the new movements created by the extension. Therefore, the 2017 report recommends that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101. However, since the necessary improvements are under the jurisdiction of Caltrans and not under the control of the city, should the interchange improvements not be undertaken in time to address the project's impact, this impact would be significant and unavoidable.

This impact to the regional facility was identified in the Miravale III EIR as a potentially significant and unavoidable impact despite implementation of Mitigation Measure 4.13-11, which includes the above-described improvements. Clarification is provided in the mitigation measure to reflect the updated regional transportation plan list of projects covered under the regional transportation impact fee program. With implementation of the following revised mitigation measure the significant impacts would be reduced, but not to a less-than-significant level.

Mitigation Measure

4.13-11 ~~Signalize this intersection, widen southbound Front Street to two lanes and add a second lane on the off-ramp. In addition, the volume of vehicles exiting southbound U.S. Highway 101 at Front Street indicate the need for widening of Front Street, between U.S. Highway 101 and Moranda Road, to two lanes southbound and/or reconfiguration/reconstruction of the U.S. Highway 101 interchange at Moranda Road/Front Street to provide more efficient access to the project site and north Soledad in general. As this is a regional improvement, t~~The project ~~applicant~~ developer shall pay the project's fair share of TAMC regional development Impact fees ~~te funding towards its implementation~~ for the construction of interchange improvements that may include signalization of the intersection the addition of a second lane on the off- ramp and/or reconfiguration/reconstruction of the US 101 interchange at Moranda Road/Front Street. Widening Front Street (a city traffic facility) to two lanes southbound, between US 101 and Moranda Road is also necessary, to provide more efficient access to the project site and north Soledad in general. ~~by submitting payment of the TAMC Regional Development Impact Fees, pursuant to Chapter 3.56 of the Soledad Municipal Code. However, should the widening of the freeway and improvement of interchanges be deemed infeasible or not part of the TAMC fee program, the impact should be considered significant and unavoidable.~~

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 be deemed infeasible by the Caltrans, or the widening of Front Street be deemed infeasible by the city, the impact would be considered significant and unavoidable. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the traffic impact fee in effect at the time of building permit issuance, including the Regional Development Transportation Impact Fees, in order to mitigate the impact at this location. 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 approval of the Director of Public Works.

U.S. Highway 101 Freeway Segments. Traffic generated by development of the project would cause unacceptable LOS D operations on the following U.S. Highway 101 freeway segments:

- Northbound U.S. Highway 101 north of Gonzales-5th Street (AM peak hour).
- Northbound U.S. Highway 101 between Gonzales-5th Street to Gloria Road (AM peak hour).

- Northbound U.S. Highway 101 between Camphora Road and North Soledad (AM Peak Hour).
- Southbound U.S. Highway 101between North Soledad and Camphora Road (PM Peak Hour).

The Miravale III EIR identified this impact as less than significant with implementation of Mitigation Measure 4.13-12; however, with implementation of Mitigation Measure 4.13-10 and Mitigation Measure 4.13-11, the significant impacts to the interchanges and affected roadway segments would be reduced to a less-than-significant level. As noted previously, the two projects would widen portions of U.S. Highway 101 to six lanes in the vicinity of the northbound and southbound interchanges, which would alleviate traffic congestion on these freeway segments. Payment of the project's proportionate share of regional traffic impact fees would reduce the project's impact to the regional system to less than significant. Implementation of Mitigation Measure 4.13-12, as revised, ensures that the proposed project pays the appropriate regional traffic impact fee to cover the costs of its proportionate share of the impact to the freeway segments.

Mitigation Measure

4.13-12 ~~The project applicant shall be required to pay towards the city's TIF program, which includes regional improvements, and shall also pay the city's adopted Regional Development Impact Fees established in Chapter 3.56 of the Municipal Code.~~ Prior to the issuance of any building permit for each phase of development, the project ~~applicant~~ developer shall submit payment of the Regional Development Impact Fee in effect at the time of building permit issuance in order to mitigate the project's impacts ~~at identified locations~~ to the identified freeway segments. The payment of fees is considered mitigation for project impacts to highway and regional facilities. All fees shall be subject to the approval of the Director of Public Works. ~~Should the widening of the freeway and improvement of interchanges be deemed infeasible or not part of the fee program, the impact should be considered significant and unavoidable.~~

Internal Circulation Hazards

The proposed project does not include a golf course; therefore no internal circulation conflicts between vehicles and golf carts would occur. There would be no impact and mitigation measure 4.13-1 is no longer necessary.

Local Intersection Operations

The 2017 report and 2018 supplemental report determined that although background plus project scenario traffic volumes will generally be lower than the same scenario analyzed in the 2007 report, the results show that no new impacts or impacts of greater magnitude would result from the proposed project that were not already identified and addressed by the 2007

report and Miravale III EIR. Similar to the conclusions of the Miravale III EIR, the 2017 report identified significant impacts that can be mitigated to a less than significant level through compliance with standard conditions of approval at the following local intersections:

- **West Street and Gabilan Drive**: According to the 2017 report, traffic volumes would be reduced by 18 percent at this intersection, but the impact would still be significant. Also, since the Miravale III EIR was prepared, the intersection has since been signalized. The 2018 supplemental report confirms that with the addition of project traffic, including traffic generated bydevelopment of 314 single-family residential units instead of farmworker housing, the intersection would operate at an acceptable LOS B; therefore proposed project's impact to this intersection would be less than significant and no mitigation is required. Implementation of Mitigation Measure 4.13-5 identified in the Miravale III EIR is not required for the proposed project. Participation in the city's traffic impact fee program is required for new development and would further reduce the project's impacts to this intersection. Compliance with the city's traffic impact fee program is required for the proposed project as a condition of project approval with fees to be paid prior to issuance of building permits.
- **West Street and Front Street.** According to the 2017 report, traffic volumes would be reduced by about 2.9 percent at this intersection, but the impact would still be significant. The Miravale III EIR determined that participation in the city's traffic impact fee program would reduce the impacts to this intersection to less than significant. The 2018 supplemental report confirms that traffic generated by the proposed project, including traffic generated by development of 314 single-family residential units instead of farmworker housing,would not result in a new or greater impact to this intersection that was not already identified and addressed in the certified Miravale III EIR. Compliance with the city's traffic impact fee program is required for the proposed project as a condition of project approval with fees to be paid prior to issuance of building permits.
- **Main Street and Front Street**. According to the 2017 report, traffic volumes would be reduced by about 9.7 percent at this intersection, but the impact would still be significant. The Miravale III EIR determined that participation in the city's traffic impact fee program would reduce the impacts to this intersection to less than significant. The 2018 supplemental report confirms that traffic generated by the proposed project, including traffic generated by development of 314 single-family residential units instead of farmworker housing, would not result in a new or greater impact to this intersection that was not already identified and addressed in the certified Miravale III EIR. Compliance with the city's traffic impact fee program is required for the proposed project as a condition of project approval with fees to be paid prior to issuance of building permits.

- **East Street and Front Street.** According to the 2017 report, traffic volumes would be reduced by about 10.6 percent at this intersection, but the impact would still be significant. The Miravale III EIR determined that participation in the city's traffic impact fee program would reduce the impacts to this intersection to less than significant. The 2018 supplemental report confirms that with the addition of project traffic, including traffic generated by development of 314 single-family residential units instead of farmworker housing, the proposed project would not result in a new or greater impact to this intersection that was not already identified and addressed in the certified Miravale III EIR. Compliance with the city's traffic impact fee program is required for the proposed project as a condition of project approval with fees to be paid prior to issuance of building permits.
- **San Vicente Road and Market Street**. According to the 2017 report, traffic volumes would be reduced by about 22.1 percent at this intersection, but the impact would still be significant. The Miravale III EIR determined that participation in the city's traffic impact fee program would reduce the impacts to this intersection to less than significant. The 2018 supplemental report confirms that traffic generated by the proposed project, including traffic generated by development of 314 single-family residential units instead of farmworker housing, would not result in a new or greater impact to this intersection that was not already identified and addressed in the certified Miravale III EIR. Compliance with the city's traffic impact fee program is required for the proposed project as a condition of project approval with fees to be paid prior to issuance of building permits.
- **West Street and Market Street**. According to the 2017 report, traffic volumes at this intersection would be reduced by about 20.2 percent, but the impact would still be significant. The Miravale III EIR determined that participation in the city's traffic impact fee program would reduce the impacts to this intersection to less than significant. The 2018 supplemental report confirms that traffic generated by the proposed project, including traffic generated by development of 314 single-family residential units instead of farmworker housing, would not result in a new or greater impact to this intersection that was not already identified and addressed in the certified Miravale III EIR. Compliance with the city's traffic impact fee program is required for the proposed project as a condition of project approval with fees to be paid prior to issuance of building permits.
- **East Street and Market Street**. According to the 2017 report, traffic volumes at this intersection would be reduced by about 12.2 percent, but the impact would still be significant. The Miravale Specific Plan EIR determined that participation in the city's traffic impact fee program would reduce the impacts to this intersection to less than significant. The 2018 supplemental report confirms that traffic generated by the

proposed project, including traffic generated by development of 314 single-family residential units instead of farmworker housing, would not result in a new or greater impact to this intersection that was not already identified and addressed in the certified Miravale III EIR. Compliance with the city's traffic impact fee program is required for the proposed project as a condition of project approval with fees to be paid prior to issuance of building permits.

The proposed project would result in significant operational impacts requiring mitigation at the following local intersections:

Moranda Road and Front Street: Although traffic volumes would be reduced by approximately 17 percent at this intersection, traffic generated by the proposed project would cause operations to degrade from acceptable LOS C to unacceptable LOS F (Higgins 2018a; 2018). This is a significant impact. This intersection meets signal warrants with or without the proposed project, and the additional improvement necessary beyond those identified under background conditions to mitigate the project impact at this intersection would consist of adding a second northbound through lane and eastbound free-right-turn lane. The implementation of this improvement would require that northbound Front Street be widened to two lanes. The roadway segment analysis also indicates the need for widening of Front Street between Moranda Road and San Vicente Road or constructing the Gabilan Drive extension to improve intersection levels of service to LOS B or better.

Construction of the Gabilan Drive extension would eliminate the need to add lanes to Front Street and the improvements to the intersection of Moranda Road and Front Street described above would not be necessary. Instead, improvements associated with the Gabilan Drive extension would be made at the intersection. Therefore, the 2017 report recommends that the project impacts would be mitigated by construction of or payment of the project's fair share of traffic impact fees towards the construction of the extension of Gabilan Drive to U.S. Highway 101. As reported in the discussion of development triggers, improvements to the U.S. Highway 101/Moranda Road interchange would also be necessary to accommodate the Gabilan Drive extension; however, the interchange is a Caltrans facility and not under the jurisdictional authority of the city.

This impact was identified in the Miravale III EIR as less than significant with mitigation. The necessary improvements to mitigate project impacts are identified in mitigation measure 4.13-2 of the Miravale III EIR. No additional mitigation is required; however, the language of mitigation measure 4.13-2 has been revised for clarification based on the roadway improvements called for in the proposed specific plan, the reduced project size, the configuration of allowable uses under the specific plan, and the analysis of traffic "triggers" discussed earlier in this section. Clarification of a monitoring regime is necessary because a number of roadway improvements, including the Pinnacles Parkway, may be operational

before the implementation phase of the proposed project has been completed. These improvements could affect traffic patterns and distribution of project traffic over the 35-year timeframe for project implementation.

Implementation of the following revised Mitigation Measure 4.13-2 in addition to implementation of revised Mitigation Measure 4.13-10 and revised Mitigation Measures 4.13-11, would reduce the project's impact to this intersection to less than significant.

Mitigation Measure

4.13-2 Widen northbound Front Street to two lanes, add a second northbound through lane, eastbound free-right-turn lane and widen Front Street between Moranda Road and San Vicente Road orconstruct the Gabilan Drive Extension. This improvement is necessary with or without the project. The Moranda Road/Front Street intersection would operate at LOS B with construction of the Gabilan Drive Extension.

The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. The developer shall mitigate the project impacts to this intersection in one of the following ways:

Prior to the issuance of any building permit for each phase of development, the project ~~applicant~~ developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the construction of the Gabilan Drive Extension in order to mitigate the project's share of impacts at this location or construct the Gabilan Drive Extension.

~~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 City of Soledad~~

~~Alternatively, the project can contribute its fair share towards the construction of extension of Gabilan Drive to U.S. Highway 101, If this alternative is chosen l~~ The project developer shall also be responsible for monitoring the intersection of Moranda Road/Front Street to determine when the improvement identified above is necessary. Local roadways shall be monitored ~~annually~~ by the city at the developer's expense to ensure that ~~LOS~~ acceptable levels of service are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. ~~All fees shall be paid prior to the issuance of any building permit for each phase of development.~~ Monitoring shall commence upon issuance of the first building permit and shall be conducted in at least three stages or until the

intersection improvements or Gabilan Drive Extension are complete: prior to issuance of the 700th, 1,000th, and 1,865th residential building permit (excluding secondary units). Monitoring shall include the following:

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 necessary to maintain acceptable levels of service at this intersection.

The project developer shall install the required improvements at the intersection if directed in writing to do so by the City of Soledad Director of Public Works and so long as the city issues any required permits. The developer's costs associated with the required improvements may be subject to partial reimbursement; however, the developer's obligation to install the improvements shall not be dependent on receipt of any reimbursement. The developer shall be obligated to install the identified improvements promptly upon notification from the city of the need to do so.

All required traffic impact fees shall be paid prior to the issuance of any building permit for each phase of development. No certificates of occupancy shall be issued for any development warranting the improvement until the Gabilan Drive extension or necessary intersection improvements are installed, subject to the review and approval of the City of Soledad Director of Public Works.

In the alternative, if the City of Soledad Director of Public Works determines that the improvements to the intersection of Moranda Road and Front Street the Gabilan Drive extension is not needed at the time of issuance of the building permit for the project's 1,800th residential unit, or if the City of Soledad does not approve the installation of the traffic signal, the project developer shall comply with the following.

If the Gabilan Drive Extension is expressly covered in the city's then-current traffic impact program, then the developer's payment of the applicable traffic impact fee shall constitute a fair share contribution toward the improvement of Gabilan Drive. If the Gabilan Drive Extension is not expressly covered in the then-current traffic impact fee program, the developer shall pay its fair share contribution (based on its pro rata contribution of trips) of costs to the City of Soledad for the construction of the Gabilan Drive extension. The developer may choose to construct the improvement and may be subject to partial reimbursement at the discretion of the City of Soledad.

Traffic facility improvement plans or traffic impact fees ~~and~~ shall be subject to ~~the~~ review and approval ~~of~~ by the Director of Public Works.

San Vicente Road and Front Street. Although traffic volume would be reduced, traffic generated by the proposed project would cause operations to degrade from acceptable LOS B to unacceptable LOS F at the intersection of San Vicente Road and Front Street during at least one of the peak hours analyzed (Higgins 2017a; 2018). This is a significant impact. As noted previously, this intersection is expected to operate at acceptable levels of service until about 75 percent of project traffic is added to the system. The 2017 report found that the improvement necessary to mitigate the project impact at this intersection would consist of the addition of two eastbound left-turn lanes and southbound free-right turn lane. Construction of this improvement would require widening northbound Front Street to two lanes and northbound San Vicente Road widened to three lanes, which would require a significant amount of right-of-way acquisition. With the construction of the Gabilan Drive extension to U.S. Highway 101, the improvements described above would not be necessary. The 2017 report instead recommends that the project either construct, or contribute towards the construction of, the extension of Gabilan Drive to U.S. Highway 101 to reduce the impact to less than significant.

This impact was identified in the Miravale III EIR as less than significant with mitigation. The intersection has since been signalized. The necessary improvements to mitigate the project's share of impacts are identified in mitigation measure 4.13-3 of the Miravale III EIR. No additional mitigation is required; however, the language of mitigation measure 4.13-3 has been revised for clarification based on the roadway improvements called for in the proposed specific plan, the reduced project size, the configuration of allowable uses under the specific plan, and the analysis of traffic "triggers" for the timing of improvements to San Vicente Road and the extension of Gabilan Drive discussed earlier in this section. Clarification of a monitoring regime is necessary because a number of roadway improvements, including the Pinnacles Parkway, may be operational before the implementation phase of the proposed project has been completed. These improvements could affect traffic patterns and distribution of project traffic over the 35-year timeframe for project implementation. With implementation of the following revised Mitigation Measure 4.13-3, the proposed project's impacts to the intersection of San Vicente Road and Front Street would be reduced to less than significant.

Mitigation Measure

4.13-3 The intersection of San Vicente Road and Front Street would operate at LOS B with the construction of the Gabilan Drive extension or by widening. ~~Widen~~ northbound Front Street to two lanes, northbound San Vicente Road to three lanes, add two eastbound left-turn lanes and a southbound free-right-turn lane.

The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. The developer shall mitigate the project impacts to this intersection in one of the following ways:

Prior to the issuance of any building permit for each phase of development, the project ~~applicant~~ developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the construction of the intersection improvements or the Gabilan Drive Extension in order to mitigate the project's share of impacts at this location. Alternatively, the developer may construct the Gabilan Drive Extension.

The project developer shall be responsible for monitoring the intersection of San Vicente Road and Front Street to determine when the improvement identified above is necessary. Local roadways shall be monitored ~~annually~~ by the city at the developer's expense to ensure that ~~LOS~~ acceptable levels of service are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. ~~All fees shall be paid prior to the issuance of any building permit for each phase of development.~~ Monitoring shall commence at issuance of the first building permit and shall be conducted in at least three stages, prior to issuance of the 600th, 900th, and 1,800th residential building permit (excluding secondary units) or until the intersection improvements are complete. Monitoring shall include the following:

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 necessary to maintain acceptable levels of service at this intersection.

The project developer shall commence to construct the Gabilan Drive Extension if directed in writing to do so by the City of Soledad Director of Public Works and so long as the city issues any required permits. The developer's costs associated with the required improvements may be subject to partial reimbursement; however, the developer's obligation to install the improvements shall not be dependent on receipt of any reimbursement. The developer shall be obligated to install the identified improvements promptly upon notification from the city of the need to do so.

All required traffic impact fees shall be paid prior to the issuance of any building permit for each phase of development. No certificates of occupancy shall be issued for any development warranting the improvement until the Gabilan Drive extension or necessary intersection improvements are installed, subject to the review and approval of the City of Soledad Director of Public Works.

In the alternative, if the City of Soledad Director of Public Works determines that the Gabilan Drive extension is not needed at the time of issuance of the building permit for the project's 1,800th residential unit, the project developer shall comply with the following.

If the Gabilan Drive Extension is expressly covered in the city's then-current traffic impact program, then the developer's payment of the applicable traffic impact fee shall constitute a fair share contribution toward the improvement of Gabilan Drive. The developer may choose to construct the improvement and may be subject to partial reimbursement at the discretion of the City of Soledad. If the Gabilan Drive Extension is not expressly covered in the then-current traffic impact fee program, the developer shall pay its fair share contribution (based on its pro rata contribution of trips) of costs to the City of Soledad for the construction of the Gabilan Drive extension.

Traffic facility improvement plans or traffic impact fees ~~and~~ shall be subject to ~~the~~ review and approval ~~of~~ by the Director of Public Works.

San Vicente Road and Gabilan Drive: Although traffic volumes would be reduced, traffic generated by the proposed project would cause signal warrants to be met and cause operations to degrade from acceptable LOS B to unacceptable LOS F during at least one peak hour at the intersection of San Vicente Road and Gabilan Drive. This is a significant impact. The necessary improvements to mitigate project impacts at this intersection consist of signalizing the intersection and adding a second westbound left turn lane, exclusive northbound right-turn lane, and southbound left-turn lane. The improvements will require the widening of southbound San Vicente Road to accommodate the dual left-turn lanes from Gabilan. The proposed 80-foot width of San Vicente Road right-of-way would be sufficient to accommodate the improvements to Gabilan Drive. However, with the construction of the Gabilan Drive extension to U.S. Highway 101, the improvements described above would not be necessary. Instead, improvements associated with the Gabilan Drive extension would be made at the intersection to serve the new movements. Therefore, the 2017 report recommends that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101.

The Miravale III EIR identified this impact as less than significant with mitigation. The necessary improvements to mitigate project impacts are identified in mitigation measure

4.13-4 of the Miravale III EIR. No additional mitigation is required; however, the language of mitigation measure 4.13-4 has been revised for clarification. With implementation of the following mitigation measure, the project impacts to this intersection would be less than significant.

Mitigation Measure

4.13-4 Signalize this intersection and add a second westbound left turn lane, exclusive northbound right-turn lane, and southbound left-turn lane. SB San Vicente Road will need to be widened to accommodate the dual left-turn lanes from Gabilan. Alternatively, the developer could construct the Gabilan Drive Extension.

The intersection of San Vicente Road and Gabilan Drive would operate at LOS A with the construction of the Gabilan Drive extension.

The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. The developer shall mitigate the project impacts to this intersection in one of the following ways:

Prior to the issuance of any building permit for each phase of development, the project ~~applicant~~ developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the construction of the Gabilan Drive Extension in order to mitigate the project's share of impacts at this location, construct the improvement, or construct the Gabilan Drive Extension.

The project developer shall be responsible for monitoring the intersection of San Vicente Road and Gabilan Drive to determine when the improvement identified above is necessary. Local roadways shall be monitored ~~annually~~ by the city at the developer's expense to ensure that ~~LOS~~ acceptable levels of service are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. ~~All fees shall be paid prior to the issuance of any building permit for each phase of development.~~ Monitoring shall commence at issuance of the first building permit and shall be conducted in at least three stages, prior to issuance of the 600^{th,} 900th, and 1,800th residential building permit (excluding secondary units) or until the intersection improvements are complete. Monitoring shall include the following:

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 necessary to maintain acceptable levels of service at this intersection.

The project developer shall commence to construct the Gabilan Drive Extension if directed in writing to do so by the City of Soledad Director of Public Works and so long as the city issues any required permits. The developer's costs associated with the required improvements may be subject to partial reimbursement; however, the developer's obligation to install the improvements shall not be dependent on receipt of any reimbursement. The developer shall be obligated to install the identified improvements promptly upon notification from the city of the need to do so.

All required traffic impact fees shall be paid prior to the issuance of any building permit for each phase of development. No certificates of occupancy shall be issued for any development warranting the improvement until the Gabilan Drive extension or necessary intersection improvements are installed, subject to the review and approval of the City of Soledad Director of Public Works.

In the alternative, if the City of Soledad Director of Public Works determines that the Gabilan Drive extension is not needed at the time of issuance of the building permit for the project's 1,800th residential unit, the project developer shall comply with the following.

If the Gabilan Drive Extension is expressly covered in the city's then-current traffic impact program, then the developer's payment of the applicable traffic impact fee shall constitute a fair share contribution toward the improvement of Gabilan Drive. The developer may choose to construct the improvement and may be subject to partial reimbursement at the discretion of the City of Soledad. If the Gabilan Drive Extension is not expressly covered in the then-current traffic impact fee program, the developer shall pay its fair share contribution (based on its pro rata contribution of trips) of costs to the City of Soledad for the construction of the Gabilan Drive extension.

Traffic facility improvement plans or traffic impact fees ~~and~~ shall be subject to ~~the~~ review and approval ~~of~~ by the Director of Public Works.

Main Street and Gabilan Drive: Although traffic volumes would be reduced, traffic generated by development associated with the proposed project would cause signal warrants to be met during at least one peak hour at the intersection of Main Street and Gabilan Drive (Higgins 2017a, 2018). This is a significant impact. The necessary improvements consist of signalizing the intersection with protected left-turn phasing along Gabilan Drive. However,

with the construction of the Gabilan Drive extension to U.S. Highway 101, signalization of this intersection would not be necessary. Therefore, it is recommended that the project contribute instead towards the construction of the extension of Gabilan Drive to U.S. Highway 101.

The Miravale III EIR determined that impact to this intersection would be less than significant with mitigation. The necessary improvements or actions to mitigate project impacts are identified in mitigation measure 4.13-6 of the Miravale III EIR. No additional mitigation is required; however, the language of mitigation measure 4.13-6 has been revised for clarification. With implementation of the following mitigation measure, as revised, the project's impacts to this intersection would be less than significant.

Mitigation Measure

4.13-6 ~~Signalize the~~ 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.

The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. The developer shall mitigate the project impacts to this intersection in one of the following ways:

Prior to the issuance of any building permit for each phase of development, the project ~~applicant~~ developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the construction of the Gabilan Drive Extension in order to mitigate the project's share of impacts at this location or construct the Gabilan Drive Extension.

The project developer shall be responsible for monitoring the intersection of Main Street and Gabilan Drive to determine when either improvement identified above is necessary. Local roadways shall be monitored ~~annually~~ by the city at the developer's expense to ensure that ~~LOS~~ acceptable levels of service are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. ~~All fees shall be paid prior to the issuance of any building permit for each phase of development.~~ Monitoring shall commence at issuance of the first building permit and shall be conducted in at least three stages, prior to issuance of the 600^{th,} 900th, and 1,800th residential building permit (excluding secondary units) or until the improvements are complete. Monitoring shall include the following:

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 necessary to maintain acceptable levels of service at this intersection.

The project developer shall commence to construct the Gabilan Drive Extension if directed in writing to do so by the City of Soledad Director of Public Works and so long as the city issues any required permits. The developer's costs associated with the required improvements may be subject to partial reimbursement; however, the developer's obligation to install the improvements shall not be dependent on receipt of any reimbursement. The developer shall be obligated to install the identified improvements promptly upon notification from the city of the need to do so.

All required traffic impact fees shall be paid prior to the issuance of any building permit for each phase of development. No certificates of occupancy shall be issued for any development warranting the improvement until the Gabilan Drive extension or necessary intersection improvements are installed, subject to the review and approval of the City of Soledad Director of Public Works.

In the alternative, if the City of Soledad Director of Public Works determines that the Gabilan Drive extension is not needed at the time of issuance of the building permit for the project's 1,800th residential unit, the project developer shall comply with the following.

If the Gabilan Drive Extension is expressly covered in the city's then-current traffic impact program, then the developer's payment of the applicable traffic impact fee shall constitute a fair share contribution toward the improvement of Gabilan Drive. The developer may choose to construct the improvement and may be subject to partial reimbursement at the discretion of the City of Soledad. If the Gabilan Drive Extension is not expressly covered in the then-current traffic impact fee program, the developer shall pay its fair share contribution (based on its pro rata contribution of trips) of costs to the City of Soledad for the construction of the Gabilan Drive extension.

Traffic facility improvement plans or traffic impact fees ~~and~~ shall be subject to ~~the~~ review and approval ~~of~~ by the Director of Public Works.

Andalucia Drive and Gabilan Drive: Traffic generated by the proposed project would cause signal warrants to be met during at least one peak hour at the intersection of Andalucia Drive and Gabilan Drive (Higgins 2017a, 2018). This is a significant impact, which was also identified in the Miravale III EIR as less than significant with mitigation. The necessary

improvements consist of the signalization of the intersection with protected left-turn phasing along Gabilan Drive. These improvements are identified in mitigation measure 4.13-7 of the Miravale III EIR. No additional mitigation is required; however, the language of mitigation measure 4.13-7 has been revised for clarification. With implementation of the following mitigation measure, as revised, the project's impacts to intersection operations would be reduced to a less-than-significant level.

Mitigation Measure

4.13-7 ~~Signalize this~~ The intersection of Andalucia Drive and Gabilan Drive will operate at unacceptable level of service with protected left-turn phasing along Gabilan Drive. The project developer is responsible for the construction of this improvement. ~~Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance in order to mitigate the impact at this location. All intersection fees shall be paid prior to the issuance of any building permit for each phase of development and shall be subject to the approval of the Director of Public Works.~~ 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 ~~City of Soledad~~ Director of Public Works.

Orchard Lane and Metz Road: Although traffic volumes would be reduced at this intersection, traffic generated by the proposed project would cause signal warrants to be met and cause operations to degrade from acceptable LOS C to unacceptable LOS E or worse during at least one peak hour at the intersection of Orchard Street and Metz Road (Higgins 2017a; 2018). The necessary improvements to mitigate project impacts are identified in mitigation measure 4.13-8 of the Miravale III EIR. No additional mitigation is required; however, the language of mitigation measure 4.13-8 has been revised for clarification. With implementation of the following mitigation measure, as revised, the project's impacts to intersection operations would be reduced to a less-than-significant level.

Mitigation Measure

4.13-8 ~~Signalize this~~ The intersection of Orchard Lane and Metz Road will operate at an acceptable LOS with signalization and protected left-turn phasing on Metz Road and split phasing on Orchard Lane. The project ~~applicant~~ developer is responsible for the construction of ~~shall~~ the improvement. ~~submit payment of the City of Soledad traffic impact fee in effect that the time of building permit issuance in order to mitigate the impact at this location. All fees shall be paid prior to the issuance of any building permit for each phase of development and shall be~~

~~subject to the approval of the Director of Public Works.~~ 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 ~~City of Soledad~~ Director of Public Works.

Oak Street and Front Street and Front Street and Nestles Road. Although traffic volumes would be reduced at this intersection, traffic generated by proposed project would cause intersection operations to decline from acceptable LOS C to unacceptable LOS E (Higgins 2017a; 2018). This is a significant impact. Widening Front Street to four lanes between Nestles Road and Oak Street and adding a second eastbound left-turn lane at the intersection of Nestles Road and Front Street would improve operations to LOS B in this location.

This impact was identified in the Miravale III EIR as less than significant with mitigation. At that time signal warrants were met at this intersection with or without the project. A signal has since been installed. Also, at the time the Miravale III EIR was prepared, the city was in early discussions of a bypass route to provide an alternative connection between U.S. Highway 101 and State Route 146 (Los Coches Road extension), but regional traffic facility improvements associated with Measure X had not yet been identified. Clarification is provided in the mitigation below; which, if implemented would reduce the project impacts to a less-than-significant level.

Mitigation Measure

4.13-9 Construction of the Pinnacles Parkway project would improve intersection operations to acceptable levels of service: ~~Widen Front Street to four lanes between Nestles Road and Oak Street and add a second EB~~ eastbound ~~left-turn lane at the intersection of Nestles Road and Oak Street~~. The project developer is responsible for the project's fair share contribution of costs to mitigate the impact to this intersection. The project ~~applicant~~ developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance. ~~Alternatively, the construction of the U.S. Highway 101/SR 146 bypass would alleviate the impacts at this intersection. The project applicant shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit 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 approval of the Director of Public Works. ~~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 City of Soledad~~.

~~Alternatively the project can contribute its fair share towards the construction of the extension of Gabilan Drive to U.S. Highway 101, If this alternative is chosen local roadways shall be monitored annually to ensure that LOS levels are maintained in accordance with the City of Soledad's adopted standards until the extension is complete.~~

Transit and Pedestrian Analysis

The 2017 report assumes up to a three percent transit mode share, which is probably the highest that could be expected, yields an estimate of 57 PM transit trips during each of the peak hours. This demand along with existing and other future demand for transit service will justify the need for establishing a plan and expansion of the transit system serving the City of Soledad.

Pedestrian facilities in the project area will consist primarily of sidewalks along the streets. Sidewalks will be provided along virtually all streets and at intersections within the project area. There are no existing bicycle facilities that can be extended into the project area. The residential uses of the project along with existing and future Sub-areas will justify the need for a continuous bicycle facility system throughout the City of Soledad. All pedestrian and bicycle lanes of the project should provide for future connection to existing sidewalks and streets.

Traffic and Circulation Conclusion

The proposed project would result in fewer traffic impacts than the previously proposed Miravale III Specific Plan project. Mitigation Measure 4.13-1 is not relevant to the proposed project, and Mitigation Measure 4.13-5, which required signalization of the intersection of West Street and Gabilan Drive is no longer necessary, as the intersection has since been signalized and as a result the proposed project's impact to this intersection is less than significant. No additional mitigation measures are required for any development scenario. The proposed project would not result in new significant traffic impacts or substantially increase the severity of previously identified significant impacts. No changes in transportation-related circumstances have occurred and no new information has been identified that indicate the proposed project would have new or more significant traffic impacts than were identified for the original project.

3.15 Utilities and Service Systems

Miravale III Specific Plan EIR Analysis

Water Supply

A Water Supply Assessment (WSA) and Verification of Supply was prepared for the Miravale III project by the City of Soledad and Byron Buck & Associates (August 2007).

The WSA determined that project development would result in an annual water demand of approximately 2,521.21 acre feet per year (AFY). Net consumptive demand after considering the use of recycled water was estimated at approximately 1,566.3 AFY. Taking into account historical agricultural uses on the project site, development of the proposed project would result in an overall net reduction in groundwater extraction of 501.2 AFY. Actual water demands, however, would vary depending on the ultimate mix of specific uses, water use behavior, and landscape development/maintenance practices. In any given year, consumption is expected to vary depending on weather and precipitation. However, as identified in the WSA, the City of Soledad has sufficient water available to accommodate project generated demand during normal, single dry and multiple dry years.

The EIR concluded that payment of water impact fees as required by the City would further ensure that project-related impacts are less-than-significant.

Water System

According to the city's 2005 Water Master Plan prepared by Schaaf & Wheeler (City of Soledad 2005c), the City-operated water distribution system requires a number of improvements to address system deficiencies. In addition to requiring improvements, the EIR determined that the existing system would need to be extended to provide water services to the project area. As such, additional on-site infrastructure improvements would be warranted. Moreover, development of the proposed project would result in the introduction of new residences and commercial uses outside of the two existing pressure zones previously described above. In order to accommodate the Miravale III project a new pressure zone, Zone C, would be necessary to accommodate development outside of the existing pressure zones. The Miravale III project would allow the development of 4,200 units, in addition to commercial and public uses. Based on the assumed buildout of 3,000 units, the Soledad Water Master Plan determined that the water distribution system would be insufficient to meet maximum day demand and at least two additional wells would need to be drilled, permitted, and connected to the existing system.

Additionally, new and/or upgraded booster pump stations would also be warranted in Zone B and the new pressure zone, "Zone C." Additional storage tanks would also be necessary to accommodate project development. Preliminary estimates identified in the Soledad Water Master Plan determined that a 1.2 million gallon tank in Zone B would be necessary.

Project development would also require the construction of additional distribution and storage systems, transmission mains and improvements. According to the EIR, potential significant environmental effects could result from construction of the facilities if not planned and constructed consistent with City-wide infrastructure improvement plans. The EIR concluded that this was a potentially significant impact that could be reduced to a less-than-significant level with implementation of the following mitigation measures.

Mitigation Measures

4.14-1 Design and construct the water supply and distribution system for the project that is integrated with the City's water distribution system and consistent with the Urban Water Management Plan and the City's 2005 Water Master Plan. 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.

4.14-2 All water and recycled 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. 4.14-3 All water and recycled 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.

4.14-4 The project shall be required to construct new infrastructure that is of adequate capacity to serve the project's projected water and fire flow demand in addition to the provider'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.

Wastewater

The City of Soledad would be responsible for providing sanitary sewer services within the project area and the collection system would be extended to provide services to the project site. New wastewater infrastructure (i.e. distribution lines, treatment facility, etc.) would need to be constructed in order to provide services to the project area. According to the City's Long-Term Wastewater Management Plan, the City's total permitted wastewater treatment and disposal capacity was 4.1 mgd and infrastructure would need to be expanded in order to support projected growth. At the time of the Miravale III EIR, the City was in the process of expanding its existing treatment capacity to 5.5. mgd with a 4.3 mgd disposal capacity increasing the treatment capacity to 6,160 AFY with approximately 4,816 AFY of disposal capacity. The Miravale III EIR determined that development of the project would potentially exceed existing and planned wastewater treatment capacity which would be a potentially significant impact. However, the EIR determined that the following mitigation measures would reduce the impact to a less-than-significant level.

Mitigation Measures

4.14-5 In order to ensure that the proposed wastewater treatment system is consistent with the applicable requirements of the Soledad Urban Water Management Plan, Long-Term Wastewater Management Plan, and Chapter 13.11 Recycled Water Service, the project applicant shall submit detailed design-level plans in accordance with these requirements, prior to approval of the first Final Map, subject to the review and approval of the City of Soledad Public Works Director.

4.14-6 Prior to the approval of the first final map within the Specific Plan area, all required permits for the on-site recycled water facility, including, but not limited to, a Waste Discharge Permit from the Regional Water Quality Control Board and approval of the system design, shall be obtained. The project applicant shall submit written evidence to the City of Soledad documenting compliance with this measure.

4.14-7 In order to ensure that adequate wastewater treatment is available to accommodate each phase of project development, the treatment capacity for the on-site recycled water facility shall be increased to accommodate each phase of the project prior to the final approval of the first building permit or occupancy permit for each of the respective project phases as appropriate. Subject to the review and approval of the Director of Public Works, excess treatment capacity and related infrastructure shall be added to the plant and disposal facilities, as needed, for each phase of the project, to accommodate future increases in wastewater flow rates, based on estimates of future development. In addition, flows shall be metered and records of the flows shall be provided to the City for review and approval. No building permits shall be issued unless sufficient capacity exists to accommodate additional phases of development.

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 development in accordance with the adjusted impact fee in effect at the time of building permit issuance. Additionally, the applicant/developer shall submit payment of all fees necessary to fund the construction of the expansion of the treatment plant located within the project site, as required by the City of Soledad. All fees shall be subject to the review and approval of the Director of Public Works.

Development of the proposed project would require or result in the construction of new water or wastewater treatment facilities and expansion of existing facilities, including the construction of water and wastewater facilities, transmission mains and improvements

which could cause significant environmental effects through construction of the facilities if not planned and constructed consistent with Citywide infrastructure improvement plans. This would represent a potentially significant impact that can be reduced to a less-than-significant level with implementation of the following mitigation measures.

Mitigation Measures

4.14-9 All water and 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 evidence, including but not limited to design level infrastructure plans, consistent with the requirements of this mitigation, subject to the approval of the Director of Public Works.

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.

4.14-11 The project would be required to construct new infrastructure that is of adequate capacity to serve the project's projected demand. Prior to the 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 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.

Solid Waste

According to the Miravale III EIR, the Salinas Valley Solid Waste Authority identified solid waste generation averages for its service area as approximately 5.0 pounds per capita per resident per day. Based on a solid waste generation rate of 5.0 pounds per person per day, upon buildout, the project would generate about 76,005 pounds of solid waste per day, or 13,870 tons per year. According to Salinas Valley Solid Waste Authority, project generated solid waste would be disposed of primarily at the Johnson Canyon Landfill, which is permitted to receive 300 tons of solid waste per day. In 2000, the facility received an average of 132 tons of solid waste per day from six jurisdictions. Development of the proposed project would contribute an additional 38 tons of solid waste per day.

The EIR determined that the Johnson Canyon Landfill had adequate capacity to serve its service area, including the development of the proposed project site, however, found that project construction would result in significant construction-generated waste. The following mitigation was identified by the Salinas Valley Solid Waste Authority to ensure that all construction-generated waste is recycled to the greatest extent feasible to minimize impacts to existing facilities within their jurisdiction. The EIR concluded that this was a potentially significant impact that could be reduced to a less-than-significant level with mitigation.

Mitigation Measure

4.14-12 Prior to the commencement of construction related activities, the applicant/developer shall prepare and submit a Construction and Demolition Diversion Plan consistent with the requirements of the City's adopted Diversion Plan Ordinance, subject to the review and approval of the Salinas Valley Solid Waste Authority and the City of Soledad. This plan shall identify ongoing implementation measures for the diversion and separation of construction waste to ensure that all construction-generated solid waste is recycled to the greatest extent possible.

Energy

The Miravale III EIR determined that development of the proposed project would increase demands on electricity (30.2M kWh).and natural gas (0.000094 T Btu per year). To ensure that project impacts related to increased energy consumption were minimized to the extent feasible, the Miravale III Specific Plan included policies to reduce energy consumption, minimize the wasteful use of energy, and ensure that planning and building efforts are coordinated to maximize energy conservation. In addition, the City of Soledad implements Title 24 requirements as part of their building code to ensure that energy conservation measures are incorporated into project design. The Miravale III EIR found that while adherence to existing Title 24 requirements generally reduce project-induced impacts, the increased energy consumption, albeit relatively insignificant from a regional perspective, would still result in the permanent commitment of a non-renewable resource which is a significant impact. The implementation of additional project-specific mitigation would ensure that energy use is minimized to the greatest extent feasible and thereby ensure that project-impacts would be considered less-than-significant.

Mitigation Measure

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 to the maximum extent feasible. 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. For new structures that are unable to incorporate these principles, the project applicant shall submit detailed evidence, such as site plans, landscape plans, and similar, to the City of Soledad Public Works Director demonstrating that there are no viable design alternatives to accommodate these principles. 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 for review and approval.

Proposed Project

Water Supply

According to the updated water supply assessment (AKEL Engineering Group 2017, page 3) the water demand for the specific plan is 980 afy. This amount is 99 afy greater than the water demand of 881 afy identified in the city's 2005 water master plan for a similarly-sized use using 2005 water demand coefficients. However, the water supply assessment also notes that the existing agricultural water demand on the site is approximately 1,568 afy. When compared with the existing water demand on the site, the net water demand from the proposed project would be 587 afy less than the approximately 1,568 afy water demand for the existing agricultural use of the site (AKEL Engineering Group 2017, page 4). The Miravale III EIR identified that buildout of the Miravale project would have a water demand of 2,521.21 afy, which would be reduced to 1,566.3 afy, through the use of recycled water. Therefore, the proposed project, with a projected water demand of 980 afy would demand 587 fewer afy than the existing agricultural use on the site, and 586.3 fewer afy than the Miravale III project.

As noted in the urban water management plan (page 6-15) the City's groundwater supply has been adequate to meet the City's historical demands. In order to meet growing demand for new development not annexed into the City's sphere of influence, the urban water management plan concludes that new groundwater wells will have to be constructed and paid for by future development applicants. The City intends to continue to use groundwater as the sole source of supply. However, domestic water supplies would be augmented by the city's recycled water distribution system, which is expected to come online in 2020 (AKEl Engineering 2016). The proposed project would connect to the municipal water distribution system. The reliable supply will serve a projected 2035 demand of 143,250 afy (AKEL Engineering 2018). The development of the plan area will contribute to this demand but would be accommodated by the city's supply once project and planned infrastructure improvements are made to connect to the current municipal distribution system.

Water System

Future development of the plan area will connect to the municipal water system and be served by Zone C, D, or greater. Two existing on-site agricultural wells, with a combined capacity of 3,600-3,900 gpm, are located on the east side of the plan area and may be retained to provide non-potable irrigation water for use on public parks and open space areas (Nader Agha, telephone conversation, June 7, 2017). To serve the plan area, new domestic wells will need to be constructed, including a back-up well. An additional one million gallon storage tank will also need to be placed on the site above the 400-foot elevation, possibly adjacent to the two existing city-owned storage tanks to meet the future water demands. Furthermore, supplemental pumps are required to provide service to the development on the northeastern side of the plan area that is above the 340-foot contour line. The new water system would be gravity fed with the water tank(s) located within the plan area and distributed throughout the area by a system of underground water mains. The underground water main distribution system will involve pipes with a 12-inch diameter extending throughout the commercial and multi-family areas. The residential areas will be provided with 8-inch diameter pipes, the city's required minimum, as well as fire hydrants distributed throughout the plan area. In the southeast corner of the plan area two existing water pipes that currently serve Miravale II and La Cuesta Views, one of these pipes is 12 inches in diameter and one is 16 inches in diameter and shall remain in place.

As a standard condition of approval and prior to recordation of the first final map for development of the uses consistent with the specific plan, a project-specific water master plan is required to be prepared consistent with city specifications to identify infrastructure improvements and performance standards for the necessary water supply and distribution infrastructure. The plan is subject to review and approval by the Director of Public Works.

The mitigation measures identified in the Miravale III EIR remain applicable to the current project and guide the preparation of the required water master plan. Mitigation measures 4.14-1, 4.14-2 and 4.14-3 shall be modified as follows as the project no longer includes a recycled water facility.

Mitigation Measures

4.14-1 Design and construct the water supply and distribution system for the project that is integrated with the City's water distribution system and consistent with the Urban Water Management Plan and the City's ~~2005~~ Water Master Plan. 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.

4.14-2 All water ~~and recycled 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.

4.14-3 All water ~~and recycled 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.

Wastewater

Once the permitting process is complete, the water reclamation facility will have sufficient capacity to accommodate the addition of this plan area's wastewater, because the water reclamation facility upgrade was originally designed to accommodate developments outside of the city limits. Since the water reclamation facility upgrade, little or no development has occurred outside of the city limits creating an abundance of available capacity for the plan area (AKEL Engineering Group 2016). Existing flows consist of 1.2 mgd from within the City of Soledad and approximately 1.2 mgd for the California Department of Corrections facilities for a capacity total of approximately 2.4 mgd through the city's water reclamation facility (Donald Wilcox, email message, June 8, 2017). Bestor Engineers calculated the sewage generation for the project site based on a previous version of the project that had a larger projected population. Therefore, the following analysis based on these calculations may be conservative and could over estimates the potential sewage generation., The sewage projected to be generated by the plan area at buildout is approximately 1.5 mgd (Patrick Ward, email submission to consultant, May 5, 2017). The current flow of 2.4 mgd with the addition of the projected flow from the plan area of 1.5 mgd would result in a total wastewater flow to the plant of 3.9 mgd which is well under the total facility treatment capacity of 5.7 mgd.

The City of Soledad Public Works Department, along with the city's Water Quality Control Division, is in control of the management and preservation of the city's sanitary sewer system and the water reclamation facility (Regional Water Management Group 2012). Known line capacity of sanitary sewer collection facilities in the city are based on operational observations made by city staff. The city is currently developing a wastewater collection system master plan that will identify existing and necessary line sizes and capacity upgrades for future development including the project site. Design and construction of the new sewer system within the plan area will be designed, funded, and constructed by the developer,

with plans subject to the review and approval of the City Engineer. All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by developer designed, funded, and constructed wastewater system improvements.

The proposed project no longer includes a recycled water facility and thus mitigation measures 4.14-5, 4.14-6, and 4.14-7 identified in the Miravale III EIR are not applicable to the proposed project. Mitigation measure 4.14-8 has been revised to eliminate reference to an on-site treatment plant. The remainder of the mitigation measures are still applicable and would ensure that impacts related to construction of the sewer system within the plan area would be less than significant.

Mitigation Measure

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 ~~development~~ land use in accordance with the adjusted impact fee in effect at the time of building permit issuance~~. Additionally, the applicant/developer shall submit payment of all fees necessary to fund the construction of the expansion of the treatment plant located within the project site, as required by the City of Soledad. All fees shall be~~, subject to the review and approval of the Director of Public Works.

Solid Waste

According to CalRecycle, Soledad produces an average of 1.9 pounds of solid waste per person per day (CalRecycle 2017). Future development of the plan area will consist of 2,392 residential units in total, with an approximate population of 9,712 people. This increase in population would generate about 18,452.8 pounds per day, or approximately 3,367.6 tons per year of solid waste from the plan area. Considering the maximum amount of 185,000 tons of solid waste received annually at the Johnson Canyon Landfill and the 3,367.6 tons of solid waste projected to be generated annually by the plan area at buildout, the total solid waste the landfill will receive annually at buildout is approximately 188,367.6 tons. With the current capacity of 13,871,250 tons, the landfill will have the availability to serve the disposal needs of the plan area at buildout. However, mitigation measure 4.14-12 identified in the Miravale III remains applicable to the project to ensure a reduction in construction-generated solid waste so as not result in significant environmental impacts.

Energy

The proposed project is smaller than the previously proposed project and would thus require less energy and natural gas. However, it would still result in a significant increase in energy and natural gas demand which is a potentially significant impact. Implementation of Mitigation Measure 4.3-3, which requires the preparation of an Emissions Reduction Plan will require the identification of energy-efficiency measures to reduce emissions from on site

and down-stream energy consumption for on-site water, heating and electricity. The required Emissions Reduction Plan includes a Transportation Demand Management program that will identify the measures to be incorporated into the project that will reduce emissions from vehicle miles travelled, which will also reduce energy consumption of vehicle fuels. Like Miravale III, the specific plan includes policies to promote energy conservation and discourage waste. Specific plan policy LU – F states that prevailing winds, shade trees, window and door orientation, and the positioning of buildings on the site should all be coordinated to maximize energy conservation. Passive solar heating and cooling shall be demonstrated in construction drawings and the Title 24 energy calculations, and shall achieve at least 50 percent of the heating load within each Sub-area will be reduced. Compliance with this policy and with many of the reduction measures that will be implemented as part of Mitigation Measure 4.3-3 address a portion of Mitigation Measure 4.13-1. The following revised Mitigation Measure 4.13-1 remains applicable to the project to ensure energy consumption impacts would be reduced to a less-than-significant level.

Mitigation Measure

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 to the maximum extent feasible. 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. ~~For new structures that are unable to incorporate these principles, the project applicant shall submit detailed evidence, such as site plans, landscape plans, and similar, to the City of Soledad Public Works Director demonstrating that there are no viable design alternatives to accommodate these principles.~~ 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 for review and approval.

Utilities and Service Systems Conclusion

The specific plan would not result in new significant effects related to utilities and service systems or substantially increase the severity of previously identified significant effects, no significant changes in utilities related circumstances have occurred, and no new information has been identified that indicates the proposed project would have new or more significant impacts than were identified in the Miravale III EIR.

4.0
Cumulative Impacts

Section 15130 of the State CEQA Guidelines requires an EIR to generate impacts that may be individually limited, but could be significant when taken together with other similar projects in the area (cumulative impacts). As defined by Section 15355 of the State CEQA Guidelines, a cumulative impact is an impact that is created as a result of the combination of the proposed project and related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

4.1 Miravale III Specific Plan EIR Analysis

The Miravale III EIR determined that development of the Miravale II Specific Plan project would contribute to a number of potentially significant cumulative impacts. Mitigation for impacts included implementation of mitigation measures identified in the EIR and adherence to applicable general plan policies. The level of significance after mitigation was determined to be reduced to a less-than-significant level for cumulative impacts to geology and soils, utilities and service systems. However, significant unavoidable cumulative impacts would remain for aesthetics, agricultural resources, air quality, biological resources, and transportation and traffic.

4.2 Proposed Project

The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant cumulative impacts previously identified in the Miravale III EIR and would be mitigated to the maximum extent practicable by the incorporation of all feasible and applicable mitigation measures.

Traffic reports have been prepared for the proposed specific plan: *The Miramonte Specific Plan Traffic Impact Analysis* (Higgins 2017a) and supplemental letter *Miramonte Specific Plan Traffic Study Supplemental Analysis, Soledad, CA* (Higgins 2017b) (collectively "2017 report"), and *Miramonte Specific Plan Replace Proposed Farmer's Community Use to Single-family or Apartment Residential – Traffic Impact Evaluation*, Soledad CA (Higgins 2018) provide an update to the 2007 report based on the proposed project and current conditions. The 2007 report is

included as an appendix to the Miravale III EIR. The 2017 documents are included in Appendix D and are referred to collectively as "2017 report". The 2018 supplemental letter is referred to as "2018 supplemental report). The 2017 report provides and update of existing and estimated background and cumulative local and regional traffic conditions without the project in and near the City of Soledad and includes a comparison between the traffic impacts resulting from the Miravale III Specific Plan project with the traffic impacts of the proposed project, to determine if new or greater impacts and related mitigation measures would be required for the proposed project. The 2018 supplemental report evaluates the environmental effects of development of 314 single-family or multifamily residences, which is slightly different than the Farmer's Community use evaluated by the earlier 2017 reports, for the proposed Sub-area 13, Residential Study Area. As the cumulative scenario included updated project conditions, the cumulative traffic impacts are discussed in specific detail below.

The 2017 and 2018 reports assume that the roadway network and intersection configurations under cumulative no project conditions would be the same as described under background conditions with improvements, with the exception of conditions at the following two intersections:

- Moranda Road and Front Street. Under the cumulative scenario an additional east leg would be necessary at this intersection to provide access to the proposed Soledad Plaza Shopping Center project site. The 2017 report notes that, although the application for the Soledad Plaza Shopping Center project is inactive, it is included as a cumulative project because it is reasonable to assume that a future project similar to the Soledad Plaza Shopping Center has a high probability of occurring in this location, and therefore, is reasonably foreseeable.
- San Vicente Road and Gabilan Drive. The cumulative scenario assumes that a west leg will be needed at this intersection to serve development of the Soledad Plaza Shopping Center project site.

The 2017 and 2018 reports analyzed the respective project contributions to cumulative conditions with and without the Gabilan Drive extension to U.S. Highway 101 identified in the general plan.

The cumulative traffic volumes in the 2017 and 2018 reports include trips associated with the three projects described below. City staff provided the list of cumulative developments.

- The Village at Soledad. 140,000 square foot shopping center and a 68-room hotel, located along the east side of Nestles Road south of Los Coches Drive.
- Soledad Plaza Shopping Center. 536,224 square foot shopping center, located along the west side of San Vicente Road between Moranda Road and Gabilan Drive.

- 263 Front Street. 12,200 square foot retail center and 102 apartments/condominiums, located along the north side of Front Street between West Street and Benito Street.

Traffic volumes for cumulative conditions were estimated by adding traffic associated with pending developments to background traffic volumes for the cumulative without project scenario and the proposed project for the cumulative with project scenario. The magnitude of traffic added to the roadway system by each of the pending developments is estimated by multiplying the applicable trip generation rates to the size of the development.

The 2017 report estimates that these cumulative projects would generate a combined total of 30,731 daily trips. The type of land use, size, and trip estimates of each development is presented in Table 22 of the 2017 report. Cumulative growth traffic volumes with the project are shown on Figure 13 of the 2017 report. Comparison of cumulative plus project traffic estimates in 2017 report with the 2007 forecasts reveals that the 2017 network forecasts are about 13.2 percent less than the network forecasts reported in the 2007 cumulative plus project scenario. As noted in Section 3.14, Traffic and Circulation, the Pinnacles Parkway project that will extend Los Coches Road and Palm Ave to Metz Road will provide additional access connecting the southern U.S. Highway 101 / Front Street interchange and Los Coches business park with the northern and western portions of Soledad. According to the 2017 traffic report, about half of the Miramonte traffic using this section of Front Street via East Street may be diverted to the Pinnacles Parkway under the cumulative plus project scenario. Construction of the Pinnacles Parkway would preclude the need to widen Front Street to four lanes between East Street and Nestles Road. The 2018 supplemental report confirms the findings of the 2017 report with the addition of 2,338 project trips if Sub-Area 13 is developed with single-family residences instead of the Farmers Community described in the 2017 report.

Cumulative Intersection Impacts

Miravale III EIR

The Miravale III EIR found that under cumulative conditions, all study intersections would operate at an acceptable LOS C and D with and without the project. Signal warrants are met at the intersection of Moranda Road and U.S. Highway 101 Northbound Ramps and the intersection of San Vicente Road and Market Street under cumulative conditions. However, the necessary improvements to correct LOS deficiencies that would occur under background plus project conditions (refer to Section 3.14) included signalization of these intersections or the payment of city and regional development impact fees (refer to related discussion in Section 3.14), which would also address the warrants for these intersections under cumulative conditions with and without the project. Therefore, implementation of Mitigation Measure 4.13-10 (presented in Section 3.14of this EIR addendum) would reduce the project

impacts to the intersection of Moranda Road and U.S. Highway 101 Northbound Ramps to less than significant. Compliance with municipal code requirements for the payment of traffic impact fees as conditions of project approval would also reduce the project's contribution to San Vicente Road and Market Street to less than significant. Therefore, no additional mitigation is required.

The Miravale III EIR determined that the project would contribute to cumulative impacts from operational deficiencies at the intersection of Moranda Road and Front Street and the intersection of San Vicente Road and Gabilan Drive that would occur with or without the project. The project's contribution was found to be cumulatively considerable, but the Miravale III EIR determined that implementation of Mitigation Measure 4.13-13 and Mitigation Measure 4.13-14 would reduce the project's contribution to the cumulative impact to less than cumulatively considerable.

Mitigation Measures

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.

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 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.

Proposed Project

The proposed project would cause signal warrants to be met at the intersection of Moranda Road and U.S. Highway 101 Northbound Ramps and the intersection of San Vicente Road and Market Street under cumulative conditions (Higgins 2017a, Table 24).The 2017 report also determined that the reduced traffic volumes would cause the intersection of Moranda Road and U.S. Highway 101 to operate at LOS A with the Gabilan Drive extension (Higgins 2017a, Table 23). The 2018 supplemental report confirmed that no new impacts or impacts greater than those identified and addressed in the Miravale III Specific Plan would occur if the Farmers Community analyzed in the 2017 report was replaced with single-family uses (314 units). As noted in Section 3.14, improvement of the intersection of Moranda Road and

U.S. Highway 101 Northbound Ramps is identified in the Monterey County Regional Transportation Plan and is included in the regional traffic impact fee program. With implementation of revised Mitigation Measure 4.13-10 (refer to Section 3.14) the cumulative impact to this intersection resulting from the proposed project would be less than cumulatively considerable. No additional mitigation is required.

With the proposed project, the intersection of San Vicente Road and Market Street would operate at LOS A with and without the Gabilan Drive extension. Compliance with general plan policies and with implementation of Mitigation Measures 4.13-10, 4.13-11, and with the payment of required local and regional traffic impact fees prior to building permit issuance, the project's cumulative impact to this intersection is less than cumulatively considerable.

The 2017 report confirms that the proposed project despite having lower traffic volumes also would contribute to cumulative impacts from operational deficiencies at the intersection of Moranda Road and Front Street and the intersection of San Vicente Road and Gabilan Drive. The 2017 report notes that implementation of Mitigation Measure 4.13-13 and Mitigation Measure 4.13-14 identified in the Miravale III EIR would reduce proposed project's contribution to the cumulative impact to less than cumulatively considerable. The 2018 supplemental report confirmed that no new impacts or impacts greater than those identified and addressed in the Miravale III Specific Plan would occur if the Farmers Community analyzed in the 2017 report was replaced with single-family uses (314 units).

The proposed project would not result in new or greater impacts to intersection operations that were not already identified and addressed in the Miravale III EIR.

Cumulative Roadway Segment Impacts

Miravale III EIR

According to the 2007 roadway segment analysis all of the studied roadway segments were projected to operate at LOS D or better during both peak hours under cumulative no project conditions, with the exception of Front Street, between East Street and Nestles Road (westbound). This roadway segment would operate at LOS E with or without the project. The 2007 roadway segment analysis for cumulative conditions indicated that the addition of project traffic would cause three roadway segment operations to deteriorate to LOS E or worse during at least one peak hour under the cumulative plus project conditions at the following four roadway segments:

- Front Street - between Moranda Road and San Vicente Road (eastbound).
- Front Street - between East Street and Nestles Road (eastbound).
- San Vicente Road-between Market Street and Gabilan Drive (northbound & southbound).

The 2007 report notes that degradation of the Front Street roadway segment levels of service indicates the need for roadway widening or construction of the Gabilan Drive extension identified in Mitigation Measures 4.13-2 - 4.13-4, and/or the U.S. Highway 101/State Route 146 Bypass (Los Coches Road extension) identified in Mitigation Measure 4.13-9 to reduce the impacts to less than significant. At the time, the Los Coches Road extension was not an identified roadway improvement project included in either the city or regional traffic impact fee program. As a consequence, the Miravale III EIR determined that if the improvements were not constructed and the payment of traffic impact fees only would be required, the impact would be reduced, but not to a less-than-significant level and the project's contribution to the cumulative impact would be cumulatively considerable and significant and unavoidable.

Proposed Project

According to the 2017 report, the reduced traffic volumes generated by the proposed project would result in LOS E or worse operations on only two roadway segments: the segment of Front Street between East Street and Nestles Road would degrade from an acceptable LOS D to unacceptable LOS F, and the segment of San Vicente Road between Gabilan Drive and Market Street would degrade from acceptable LOS A to unacceptable LOS E. All other study roadway segments would operate at acceptable LOS D or better.

Construction of the Gabilan Drive extension identified in the Miravale III EIR Mitigation Measures 4.13-2 - 4.13-4, and/or the U.S. Highway 101/State Route 146 Bypass (Los Coches Road extension) identified in Mitigation Measure 4.13-9 would reduce the project's contribution to cumulative impacts to less than cumulatively considerable. Construction of the Gabilan Drive extension, and/or the U.S. Highway 101/State Route 146 Bypass (Los Coches Road extension) would reduce the need for roadway widening on each segment.

Since the Miravale III EIR was certified, the Pinnacles Parkway improvement project has been added to the Monterey County Regional Transportation Plan and is identified as a priority project for partial funding through revenues generated by Measure X. As discussed in Section 3.14, payment of the project's proportionate share of city and regional traffic impact fees would mitigate the project's impact to the roadway segments and intersections along Front Street segment to a less-than-significant level and roadway widening would not be required. Mitigation Measures 4.13-2 – 4.13-4 and 4.9 have been revised to reflect the change in regional improvement projects and funding availability (refer to Section 3.14) and with implementation of these mitigation measures, the project's contribution to cumulative impacts at on the Front Street segment between East Street and Nestles Road is less than cumulatively considerable and less than significant.

With the proposed project, operations along the affected segment of San Vicente Road would improve from the LOS F operations identified in the Miravale III EIR; however, without the project this roadway would operate at LOS B or better under the cumulative conditions. Therefore, the project's traffic volumes on this segment would still be cumulatively considerable. However, with construction of the Gabilan Drive extension (identified in Mitigation Measures Mitigation Measures 4.13-2 – 4.13-4, 4.13-6, and 4.13-9) volumes would be reduced. Payment of the project's proportionate share of city traffic impact fees would mitigate the project's impact to the San Vicente Road segment. With implementation of Mitigation Measures 4.13-2 – 4.13-4, 4.13-6, and 4.13-9 the project's cumulative impact to this segment is less than cumulatively considerable. No additional mitigation is required.

Cumulative Freeway Segment Impacts

Miravale III EIR

The 2007 freeway segment analysis indicates that all but one of the studied roadway segments are projected to operate at acceptable LOS C or better during both peak hours under cumulative no project conditions. The freeway segment analysis indicates that under cumulative plus project conditions the following U.S. Highway 101 freeway segment operations would deteriorate to unacceptable LOS D during at least one peak hour:

1. North Gonzales and Gonzales-5th Street (AM Peak Hour).
2. Gonzales-5th Street and Gloria Road (AM Peak Hour).
3. Camphora and North Soledad (AM and PM Peak Hours).

The Miravale III EIR concluded that implementation of Mitigation Measure 4.13-12 (payment of regional traffic impact fees) would mitigate the project's contribution to cumulative freeway segment impacts to a less than significant level.

Proposed Project

The Miravale III EIR identified this impact as less than significant with implementation of Mitigation Measure 4.13-12. With implementation of Mitigation Measure 4.13-10 and Mitigation Measure 4.13-11, the significant impacts to the interchanges and affected roadway segments would be reduced to a less-than-significant level. As noted previously, the two planned regional interchange improvement projects would accommodate widened portions of U.S. Highway 101 to six lanes in the vicinity of the northbound and southbound interchanges, which would alleviate traffic congestion on these freeway segments. Mitigation Measure 4.13-12 has been revised for clarification to reflect the changes to regional improvement projects and funding availability (refer to Section 3.14). Payment of the project's proportionate share of regional traffic impact fees would reduce the project's contribution to cumulative impacts to the regional system to less than cumulatively

considerable. Implementation of Mitigation Measure 4.13-12, as revised, ensures that the proposed project pays the appropriate regional traffic impact fee to cover the costs of its proportionate share of the impact to the freeway segments. With implementation of this mitigation measure, the project's contribution to cumulative impacts to the affected freeway segments would be less than cumulatively considerable.

Year 2035 Long-Term Analysis

Both the 2007 and 2017 reports found that long-term traffic analysis of the proposed development levels for the originally-proposed project and the current proposed project in addition to growth identified in the general plan and in the region would contribute to significant cumulative traffic impacts identified in the City of Soledad General Plan EIR for to regional and local facilities serving the city. Although lesser in magnitude than the previously proposed project studied in the Miravale III EIR, The proposed project's contributions to the cumulative traffic impacts is cumulatively considerable. Implementation of the Miravale III EIR mitigation measures as revised in this EIR addendum would reduce the project's contribution to traffic impacts on regional and local traffic facilities serving the city, but not to a less than significant level. Therefore, similar to the conclusion of the Miravale III EIR, the project's contribution to these impacts is cumulatively considerable and significant and unavoidable. Nonetheless, the proposed project as well as other development projects within the City of Soledad will be required to contribute to the regional development impact fee program as described under near-term project conditions.

Conclusion

The proposed project would not result in new or greater cumulatively considerable contributions to cumulative traffic impacts that were not already identified and addressed in the Miravale III EIR. According to the 2017 report, the cumulative impacts and project contributions will either be less than cumulatively considerable or reduced to a less-than-cumulatively-considerable level with implementation of standard conditions of project approval and implementation of the mitigation measures identified in this section.

Cumulative Impact Conclusion

The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant cumulative impacts previously identified in the Miravale III EIR and would be mitigated to the maximum extent practicable by the incorporation of all feasible and applicable mitigation measures.

5.0
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EXHIBIT C
City of Soledad Resolution No. 5431

FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND FACTS AND EVIDENCE IN SUPPORT OF FINDINGS FOR THE MIRAMONTE SPECIFIC PLAN AND VESTING TENTTIVE MAP PROJECT

Pursuant to the requirements of California Public Resources Code Section 21000 et seq. and Title 14, California Code of Regulations Section 15000 et seq. the City of Soledad as Lead Agency adopts the following findings, along with the facts and evidence upon which each finding is based.

I

BACKGROUND

The Miramonte Specific Plan and Tentative Map proposes a mixed-use development consisting of approximately 1,318 low-density residential units, 626 medium-density residential units, 134 senior housing units, 100,000 square feet of retail commercial space, 140 acres of open space, and 56 acres of parkland. The specific plan also includes a 35.9-acre residential study area that would provide an opportunity for additional parklands and/or an additional 314 low density residential or medium density residential lots, or a mix of both to provide flexibility as growth within the plan area proceeds. Land uses would be arranged around a core area of neighborhood commercial and higher density residential uses. Some parcels within the core area provide a mixed-use opportunity. The specific plan would allow a variety of residential types, including apartments, townhouses, and detached homes on small and large lots. The specific plan also would create opportunities for two elementary school sites, a fire/police substation, storm water facilities, paved pathways, a community park, and an unimproved trail system within the hillside open space.

A. The Final EIR, incorporated herein by reference, for the project consists of the Draft EIR for the Miravale III Subdivision and the Appendices to the Draft EIR prepared for the City of Soledad by Denise Duffy and Associates, dated October 2008; and the Final EIR for the Miravale III Subdivision prepared for the City of Soledad by Denise Duffy and Associates, dated August 10, 2010. The Final EIR analyzes and evaluates approval and development of a similar, but larger project in approximately the same location as the project described above. The final EIR was certified by the City Council at a duly-noticed public hearing September 1, 2010 (City of Soledad City Council Resolution No. 4564).

B. Addendum to the Miravale III Specific Plan EIR:

The Addendum to the Final EIR and Appendices (EIR Addendum), prepared for the City of Soledad by EMC Planning Group Inc., dated April 5, 2018, including Errata to the Addendum to the Miravale III Specific Plan EIR

(Exhibit D of City Council Resolution 5431), analyze and evaluate approval and development of the project as described above.

II

ENVIRONMENTAL EFFECTS OF THE PROJECT MITIGATED TO A LESS-THAN- SIGNIFICANT LEVEL

The following subsections briefly explain the manner in which each of the recommended mitigation measures have been incorporated or will be implemented into the project plans or conditions and supply the rationale for the finding that the following potential significant effects, as identified in the Miravale III Specific Plan EIR for the Miravale III Specific Plan project (Miravale III) and the Addendum to the Final EIR prepared for the Miramonte I Specific Plan and vesting tentative map project (Miramonte), have been reduced to an acceptable level.

The environmental effects of the project identified in the Final Miravale III EIR and clarified in the Addendum to the Miravale III EIR and mitigation measures required in the Miravale III Final EIR and clarified in the Addendum to the Miravale III EIR to mitigate each impact to a less-than-significant level are listed below.

(a) Aesthetics

Project Impact (Significant). Scenic Vistas. Implementation of the Miravale III project would introduce substantial new development, including structures of various heights and densities in visually sensitive areas above the 400-foot contour line of the Gabilan foothills. The project would change the natural visual character of open space hillside vistas to urban development. Increased visibility and intensity of development of the hillsides, in particular, above the 400-foot contour line, impacts the aesthetic value of the scenic vista.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Specifically, development consistent with the Miramonte specific plan reduces the size of the formerly proposed project boundary by 273 acres and the development density by 2,081 residential units. Scenic open space areas above the 400-foot contour are designated as Hillside/Open Space and are protected in perpetuity by a recorded conservation easement; thereby, eliminating potential new sources of light and glare from this area. Additionally, the following mitigation measures imposed upon the project mitigate impacts to less-than-significant levels:

Mitigation Measure

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.

4.1-4. Final design plans for proposed development shall utilize natural 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.

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.

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.

4.1-8. Land alterations within areas above the 400 foot elevation shall be minimized by keeping cuts and fills to a minimum, limiting grading to the smallest practical area of land, limiting land exposure to the shortest practical amount of time, replanting graded areas to insure establishment of plant cover before the next rainy season, and creating grading contours that blend with the natural contours on site or look like contours that would naturally occur. Prior to the issuance of any grading permit, the project applicant shall submitted detailed grading plans consistent with the intent of this mitigation, subject to the review and approval of the City of Soledad.

Evidence. In addition to the reduced scale of the project, Mitigation Measures 4.1-1, 4.1-4 – 4.1-6, and 4.1-8 require adherence to specific design and development standards that minimize impacts to the aesthetic value of scenic vistas in the specific plan area. Design requirements include limits on grading and exposed soils and the use of vegetation screening, use of natural colors and materials, and utilization of natural landforms and vegetation to screen infrastructure improvements. As a condition of project approval the project applicant will be required to submit detailed plans, including elevations, site plans, landscape plans and/or other documentation detailing

compliance with applicable development standards, subject to the review and approval of the City of Soledad. As a condition of project approval, the developer will implement Mitigation Measures 4.1-1, 4.1-4 – 4.1-6, and 4.1-8, which will reduce the impact to a less-than-significant level.

Project Impact (Significant). Light and Glare. The proposed project would increase the intensity of development within an existing undeveloped area, and therefore the amount of artificial light produced by the site. The Highway 101 corridor and surrounding urban uses would be most affected by this increase in light and glare. Artificial lighting within the project site would impact nighttime views by altering the natural landscape and potentially lighting up the nighttime sky and reducing the visibility of astronomical features. The additional lighting within the project site, especially unshielded light, could result in spillover light that could impact surrounding land uses. Further, daytime glare could occur as light reflects off pavement, vehicles, rooftops, and structures.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Specifically, the following change in the size and intensity of development that would be allowed by the Miramonte Specific Plan mitigates the impact to a less-than-significant level: Development consistent with the Miramonte specific plan reduces the size of the formerly proposed project boundary by 273 acres and the development density by 2,081 residential units. Scenic open space areas above the 400-foot contour are designated as Hillside/Open Space and are protected in perpetuity by a recorded conservation easement; thereby, eliminating potential new sources of light and glare from this area. Additionally, the following mitigation measure imposed upon the project mitigates impacts to less-than-significant levels:

Mitigation Measures

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 Planning Department prior to the issuance of any 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 incorporated into site lighting, subject to the review and approval of the Soledad Planning Department.

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 Planning Department.

Evidence. Mitigation Measures 4.1-14 through 4.1-16 require the applicant to prepare an exterior lighting plan that includes light minimization measures such as down-lit illumination, screening, and limited operational times that will directly reduce the amount of ambient light produced by the project. The applicant will be required to provide documentation that these measures have been incorporated into the site lighting. As a condition of project approval, the developer will implement Mitigation Measures 4.1-15 through 4.1-16 which will reduce potential lighting impacts to a less-than-significant level.

(b) Agricultural Resources

Project Impact (Significant) Land Use Conflicts-Land Use Compatibility. The proposed specific plan includes areas of single-family residential development that would be sited adjacent to agricultural lands located on the northern, eastern, and western boundary of the project site, which has the potential to cause significant land use compatibility impacts.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measures

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 Appendix T-1 of the Miravale EIR. 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. The County of Monterey Agricultural Commissioner shall be consulted regarding the adequacy of the proposed buffers and physical barriers and evidence of said consultation and recommendation shall be submitted to the city prior to approval of the tentative map. 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

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:

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.

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.

4.2-3. Prior to the issuance of any certificate of occupancy for residences adjacent to 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 improvements have been installed and/or constructed within the buffer, subject to the review and approval of the City of Soledad Community Development Director.

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 on-going 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.

Evidence. Mitigation Measure 4.2-1 requires the implementation of buffers and physical barriers between urban and agricultural uses ensures adequate separation of residential/commercial and agricultural uses to lessen the likelihood of conflicts. To ensure the adequacy of the buffers and physical barriers, , and prior to the recordation of any final map, the project applicant must submit evidence in the form of agricultural setbacks delineating buffer locations consistent with the recommendations contained in the Agricultural Resources Report consistent with the 2016 Monterey County/City of Soledad Memorandum of Understanding. Additionally, to further ensure the adequacy of the agricultural buffer located along the western boundary of the project site, mitigation measure 4.2-2 and 4.2-3 require the project applicant to submit a detailed landscape plan that includes vegetative screening in addition to physical barriers subject to review and approval by the city. These measures will ensure adequate separation of urban and agricultural uses thereby lessening the potential for land use conflicts. The Miramonte Specific Plan incorporates buffers along the northern and western boundary to implement this measure and prohibits residential development above the 400-foot elevation contour on the east side of the site in perpetuity through recorded conservation easement(s). Mitigation Measure 4.2-5 requires the developer to record right-to-farm notices on parcels adjacent to active agricultural operations. As a condition of project approval, the developer will implement Mitigation Measures 4.2-1 through 4.2-3, and Mitigation Measure 4.2-5, which reduces the potential for land use conflicts to a less-than-significant level.

(c) Air Quality

Project Impact (Significant) Construction Impacts-Construction Dust. Construction activities associated with implementation of the Specific Plan would include clearing, excavation and grading operations, construction vehicles traffic on unpaved ground, and wind blowing over exposed earth that would generate dust and particulate matter that could significantly degrade air quality.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously

identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measures

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:

- 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 all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily if visible soil material is deposited onto the adjacent roads.
- 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.

Evidence. If grading cannot be limited to 2.5 acres daily, Mitigation Measure 4.3-1 requires the project applicant or contractor to submit a construction dust mitigation plan to the City of Soledad Public Works Department which specifies the methods of dust control that would be utilized to ensure a direct reduction in visible dust during construction activities. This will ensure the reduction in dust and particulate matter that could significantly degrade air quality. As a condition of project approval, the applicant or contractor will implement Mitigation Measures 4.3-1 which will reduce the construction dust impacts to a less-than-significant level.

Project Impact. Construction Impacts-Diesel Emissions. Grading of the site would generate diesel particulate emissions from equipment exhaust during the construction period. Diesel particulate matter includes air contaminants that could impact sensitive receptors including residences that border the project site as well as new on-site residences constructed during earlier phases of the project.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.3-2a. Prior to each final map and use permits, 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 Planning Department and all recommendations shall be implemented during construction.

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:

- The following equipment may be used without control devices or additional mitigation

  • No engineers greater than 750HP are used; and

  • 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.

- The following equipment may be used without causing acute adverse health effects, if retrofitted with a catalyzed diesel particulate filter (CDPF):

  • Engines greater than 750 HP; if model year 2006 and newer; and

  • All engines less than 749 HP, regardless of model year.

- If construction equipment uses B99 biodiesel, no acute adverse health effect would be expected in the following:

  • 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.

Evidence. Mitigation Measure 4.3-2a requires the developer to have a construction air quality report prepared by a qualified air quality consultant, subject to review and approval by the City. All recommendations contained within this report will be implemented during construction, which will directly reduce diesel particulate matter emissions. In addition to the construction air quality analysis required in mitigation measure 4.3-2a, Mitigation Measure 4.3-2b adds control measures for the type of equipment that can be utilized during construction to further reduce diesel particulate emissions from on-site construction equipment. Implementation of these measures will be required as a condition of project approval and will reduce impacts to a less-than-significant level.

(d) Biological Resources

Project Impact (Significant) Vegetation. The proposed project would cause temporary and permanent impacts to agricultural fields and to non-cultivated

grassland habitat below the 400-foot elevation contour Temporary impacts to vegetation include grubbing and grading associated with site preparation and permanent impacts include the conversion of open vegetated areas to urban housing through placement of structures, homes, roads, driveways, etc.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measures

4.4-2. Prior to the onset of construction, trees and vegetation not planned for removal 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 monitor retained by the developer shall verify that adequate protective measures are in place prior to construction and remain intact throughout the construction phase.

4.4-3. Following construction, the disturbed areas that are proposed as parks and native 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 to the extent feasible 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 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.

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.

4.4-5. Grading, excavating, and other activities that involve substantial soil disturbance shall be planned and carried out in consultation with a qualified hydrologist, engineer, or erosion control specialist retained by the developer, 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.

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.

Evidence. Mitigation Measures 4.4-3 through 4.4-6 require the implementation of a variety of vegetation protection and restoration measures to ensure that vegetation is avoided when possible and restored to pre-project contours. The developer would be required to utilize locally-occurring native species and native erosion control seed mix for re-vegetation when impacts cannot be avoided. Prior to the issuance of any grading and/or building permit, the project applicant would be required to submit landscape plans prepared by a licensed landscape architect for review and approval by the City of Soledad. The Miramonte Specific Plan incorporates a portion of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). As a condition of project approval, the developer will implement Mitigation Measures 4.4-3 through 4.4-6 which will reduce potential impacts to vegetation to a less-than-significant level.

Project Impact (Potentially Significant). Special Status Plant Species-Lemmon's Jewelflower. The presence/absence of jewelflower could not be determined during site surveys, but appropriate habitat was present within project boundaries in the grassland areas. This species could be permanently impacted by grading and other activities associated with potential infrastructure improvements in the grassland areas that may result in the permanent loss or disturbance of individual jewelflower plants and/or jewelflower habitat.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition

to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.4-7. A qualified botanist shall be retained by the developer 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). 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. Avoidance shall be confirmed by the City prior to approval of the first final map. 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). The CNPS and CDFW shall be consulted to evaluate the suitability for transplanting the impacted species to suitable habitat within the identified and established preserve/restoration area. These details shall be described and included in the mitigation plan. Restoration and preservation strategies shall be developed in coordination with the CNPS and CDFW. The City of Soledad Planning Department shall be provided verification of CDFW concurrence and satisfaction prior to issuance of grading permits.

Evidence: Mitigation Measure 4.4-7 requires that in the event Lemmon's jewelflower is found on the site, a mitigation plan approved by CDFW would be required prior to initiation of construction. This plan would require the avoidance of jewelflower, or, in the event avoidance is infeasible, on or off-site preservation will be required to ensure that impacts to Lemmon's jewelflower are less than significant. The Miramonte Specific Plan incorporates a portion of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). A condition of approval requires implementation of this measure, which reduces the project impact to less than significant.

Project Impact (Significant). Wildlife Corridors, Movement, and Nurseries. An increase in the permanent on-site presence of homes, roads, and infrastructure may fragment habitats surrounding the project site, which would be a significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously

identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.4-8. Areas above the 400 foot elevation contour shall be protected from development in perpetuity. Prior to recordation of the first final map, the applicant shall prepare and submit to the city for review and approval a draft conservation easement for all areas above the 400 foot elevation contour. 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. The developer shall record the conservation easement concurrent with recordation of the first final map or the onset of any other site disturbance.

Evidence. Mitigation Measure 4.4-8 requires recordation of a conservation easement prior to the recordation of the first final map, which limits the type of activities that can take place on the property above the 400 foot contour. The portion above the 400 foot contour is where the most sensitive habitat, wildlife corridors, and nurseries are most likely to occur. Limiting allowable uses and activities in this area will reduce the potential for impacts to wildlife corridors, movement, and nurseries. The Miramonte Specific Plan incorporates a portion of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). As a condition of project approval, the developer will implement Mitigation Measure 4.4-8, which will reduce potential impacts to vegetation to a less-than-significant level.

Project Impact (Significant). Special Status Wildlife Species-San Joaquin Kit Fox. Due to the presence of suitable habitat on and in proximity to the site, there is the possibility for the San Joaquin kit fox to occur on the site. Construction of the proposed project could result in unintended harassment, habitat removal, or direct mortality of this special status species which would be a significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition

to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measures

4.4-9. The applicants shall enter into consultation with USFWS and CDFWCDFW and shall provide evidence of their compliance with applicable requirements of the federal Endangered Species Act and California Endangered Species Act to the City prior to the issuance of building permits.

4.4-10. Pre-construction surveys for kit fox dens shall be required for all development phases of the future project. 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. 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.

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, as stated above in Mitigation Measure 4.4-9. 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:

a) Restrict project-related vehicle speed to 20 mph on project roads.

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.

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 or more overnight periods for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way.

d) Contain all food-related trash items in closed containers and remove food related trash at least once a week from the project site.

e) No firearms shall be allowed on the project site.

f) No pets shall be permitted on the project site.

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.

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.

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: 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.

j) In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the Service shall be contacted for advice.

k) To the extent feasible, nighttime construction shall be avoided.

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:

- 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.

Evidence. Mitigation Measure 4.4-9 requires the applicant to provide evidence of compliance with applicable requirements of the federal Endangered Species Act and California Endangered Species Act to the City prior to the issuance of building permits. Further, Mitigation Measure 4.4-10 requires pre-construction surveys for kit fox dens. In the event that an active kit fox den is found the applicant will be required to consult with USFWS and CDFW and will implement site specific strategies determined sufficient based on this consultation. Implementation of these mitigation measures would reduce the likelihood of the harassment or mortality of kit fox in the event it is found to occur on the site, thereby reducing the potential for impacts. The Miramonte Specific Plan incorporates a portion of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). As a condition of project approval, the developer will implement Mitigation Measures 4.4-9 and 4.4-10 which will reduce potential impacts to the San Joaquin kit fox to a less-than-significant level.

Project Impact (Significant). Special Status Wildlife Species - American Badger. Due to the presence of suitable habitat within and in proximity to the site, there is the possibility for the American Badger to occur. Construction of the proposed project could result in unintended harassment, habitat removal, or direct mortality of this special status species which would be a significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measure

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:

- 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.

- If the qualified biologist determines the presence of active dens, the location of these dens shall be documented and reported to CDFW. 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.

- If the qualified 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. 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.

Evidence. Mitigation Measure 4.4-11 requires focused preconstruction surveys to determine whether American badger are present on the site and provides for specific avoidance measures in the event badgers or badger dens are found. Implementation of these measures will ensure that the potential for harassment or mortality of badger individuals is reduced. The Miramonte Specific Plan incorporates a portion of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). As a condition of project approval, the developer will implement Mitigation Measure 4.4-11 which will reduce potential impacts to the American Badger to a less-than-significant level.

Project Impact (Significant). Special Status Bat Species. The Townsend's big-eared bat and pallid bat have the potential to occur on the project site. Construction of the proposed project could result in unintended harassment or direct mortality of this special status species which would be a significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measure

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:

- 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.
- 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 the biologist determines that disruption of a maternity roost cannot be avoided, a depredation permit would be required.

Evidence. Mitigation Measure 4.4-12 requires site surveys for special status bats prior to the issuance of a grading permit. If it is determined that bats are utilizing the site and would likely be impacted by the proposed project, preconstruction surveys will be required no more than 30 days prior to modification, demolition, or removal of onsite buildings and/or any other occupied habitat. Mitigation Measure 4.4-12 requires the implementation of exclusion or protection measures dependent upon what is found during the preconstruction survey. If during an active maternity roost is detected, work in the vicinity of the roost (and/or demolition of the structure) will be postponed until the qualified biologist monitoring the roost(s) determines that the young have fledged and are no longer dependent on the roost. In the event single bats or only adult bats are found to be roosted, Mitigation Measure 4.4-12 requires the implementation of

exclusion techniques. Mitigation Measure 4.4-12 ensures that the likelihood of the harassment or loss of bat individuals is minimized. The Miramonte Specific Plan incorporates portions of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). As a condition of project approval, the developer will implement Mitigation Measure 4.4-12 which will reduce potential impacts to special status bats to a less-than-significant level.

Project Impact (Significant). Special Status Wildlife Species - Salinas Pocket Mouse. The Salinas pocket mouse has the potential to occur on the project site. Construction of the proposed project could result in unintended harassment or direct mortality of this special status species which would be a significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.4-13. The applicant shall contract a qualified biologist to coordinate with CDFW and prepare a mitigation and monitoring plan for the 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.

Evidence. Mitigation Measure 4.4-13 requires the applicant to contract with a qualified biologist to prepare a mitigation and monitoring plan for the Salinas pocket mouse in coordination with CDFW. This mitigation and monitoring plan must include measures to directly reduce impacts to the species. The applicant will be required to submit verification of CDFW's approval or concurrence of the plan to the City of Soledad prior to the issuance of a grading permit. The Miramonte Specific Plan incorporates a portion of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). As a condition of project approval, the developer will implement Mitigation Measure 4.4-13 which will reduce potential impacts to the Salinas pocket mouse to a less-than-significant level.

Project Impact (Significant). Special Status Bird Species. The following special-status bird species were observed foraging within or in proximity to the project site: Western burrowing owl, Northern harrier, white-tailed kite, loggerhead shrike, and Northern harrier. In addition, golden eagle, merlin, prairie-falcon, and horned lark were identified as having the potential to utilize the site for foraging. Harassment or mortality of these species would be a significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measures

4.4-14. Burrowing owls are known to occupy burrows in mixed grassland, active agricultural, and fallow agricultural portions of the Miravale 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. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. The 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). If occupied burrows are found the avoidance and mitigation measures regarding burrowing owl identified in the Preliminary BA (June, 2008) may be implemented based on the results of these surveys..

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).

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. Non-invasive techniques include light shining into the roost space for one or two nights and days. 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. 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.

Evidence. Mitigation Measures 4.4-14 and 4.4-16 require a pre-construction survey for burrowing owls and other nesting birds. In the event burrowing owls, barn owls, or other nesting birds, or evidence of burrowing owls, barn owls, or other nesting birds are discovered, avoidance or mitigation in accordance with CDFW requirements must be implemented. Additionally, Mitigation Measure 4.4-15 requires preconstruction surveys if construction activities will initiate during avian nesting season and implementation of buffers, other avoidance measures, or mitigation techniques in accordance with CDFW requirements. Additionally, surveys must be conducted no more than 14 days prior to the modification, demolition, or removal of onsite buildings and appropriate protocol must be implemented in the event any are observed. Implementation of these measures would directly reduce the potential for harassment or mortality of special status birds. The Miramonte Specific Plan incorporates a portion of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). As a condition of project approval, the developer will implement Mitigation Measures 4.4-14 through 4.4-16 which will reduce potential impacts to vegetation to a less-than-significant level.

Project Impact (Significant). Special Status Reptile and Amphibian Species. California Red-Legged Frog, Western Spadefoot Coast Horned Lizard, Black Legless Lizard, and San Joaquin Coachwhip. The California red-legged frog, Western

spadefoot, Coast horned lizard, Black legless lizard, and San Joaquin coachwhip have the potential to occur on the project site, harassment or mortality of which would be a significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measures

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 (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. 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.

4.4-18. The applicant shall retain a qualified biologist to conduct a construction monitoring program for black legless lizards, coast horned lizards, and San Joaquin coachwhip 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 memorandum of understanding 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 adjacent

suitable habitat outside of the area of impact, pursuant to the memorandum of understanding.

4.4-19. The applicant shall conduct an employee education program for construction crew and City staff prior to construction activities. A biological monitor shall meet with the construction crew at the onset of construction to educate the construction crew on the following: 1) the appropriate access route in and out of the construction area; 2) how biological monitor will examine the area and agree upon a method which will ensure the safety of the monitor during such activities, 3) the special-status species that may be present; 4) the specific mitigation measures that will be incorporated into the construction effort; and 5) the proper procedures if a special-status animal or any other animal is encountered within the project site.

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" 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

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.

Evidence. Mitigation Measure 4.4-17, requires protocol-level surveys for CRLF (these surveys would also identify western spadefoot, if present, given their overlapping habitat characteristics). If it is determined that CRLF or Western spadefoot are present, the applicant must coordinate with the USFWS to determine the appropriate course of action per the requirements of the federal ESA which would reduce the potential for impacts to these species. Mitigation Measure 4.4-18 requires that a qualified biologist conduct a construction monitoring program for black legless lizards, coast horned lizards, and San Joaquin coachwhip which includes procedures for capture and release in accordance with the memorandum of understanding with CDFW which would reduce the potential for impacts to these species. Mitigation Measure 4.4-19 requires the applicant to conduct an employee education program for the construction crew to aid the crew in identifying and avoiding impacts to any special status species. Additionally, Mitigation Measure 4.4-20 requires a City appointed representative to be onsite every day to 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. Finally Mitigation Measure 4.4-21 requires the adequate disposal of trash so as to avoid attracting

mammalian or avian predators to the construction site thereby reducing the potential for them to be harmed. The Miramonte Specific Plan incorporates portions of these measures into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). As a condition of project approval, the developer will implement Mitigation Measures 4.4-17 through 4.4-21 which will reduce potential impacts to vegetation to a less-than-significant level.

Project Impact (Significant). Special Status Wildlife Species-California Tiger Salamander. No impacts to California tiger salamander were identified in the Miravale III EIR after coordination with USFWS regarding ESA jurisdiction over onsite hybrid/non-native tiger salamanders determined that tiger salamanders present at Miravale Pond 1 (onsite reservoir) are not subject to regulation under ESA and are therefore not within the regulatory jurisdiction of USFWS regulation. However, a CDFW report, A Status Review of the California Tiger Salamander, includes a recommendation that even hybrid populations with small amounts of native genetic material should not lose their protected status. Coordination with the CDFW is required to determine whether the CDFW will take jurisdiction over the on-site tiger salamander population.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measure

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.

Evidence. The Miramonte Specific Plan incorporates much of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour, including the former agricultural pond, and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). Mitigation Measure 4.4-22 requires the applicant to consult with CDFW to determine appropriate measures to be taken for the protection of hybridized California tiger salamander populations in accordance with the ESA. This will ensure protection of the California

tiger salamander in the event CDFW takes jurisdiction over the on-site hybridized populations. As a condition of project approval, the developer will implement Mitigation Measures 4.4-21 which will reduce potential impacts to the California tiger salamander to a less-than-significant level.

(e) Cultural Resources

Project Impact (Significant). Historic Resources. The proposed project requires the removal of the historically significant Morris Lorentzen House in order to accommodate project development, which is a potentially significant impact due to the historical significance of structure.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project mitigates impacts to less-than-significant levels:

Mitigation Measure

4.5-1. Relocation of House. 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. 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, and the Mitigation Monitoring and Reporting Plan (MMRP) for the project. Prior to recordation of the final map, the project applicant shall submit a relocation plan prepared by a qualified professional in accordance with the general recommendations of Moving Historic Buildings, a publication of the National Park Service, to the City of Soledad for review and approval. The relocation plan shall discusses 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. 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. In addition, the structure shall be relocated prior to the issuance of any building and/or grading permit for development within the Specific Plan area.

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. 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.

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 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.

4.5-4. Professional Standards. All activities regarding historical architectural resources and historic preservation carried out as part of this project shall be carried out by or under the direct supervision of persons meeting, at a minimum, the Secretary of the Interior’s professional qualifications standards (48 FR 44738-9) in these disciplines. Prior to the relocation of the Lorentzen House, the applicant shall submit evidence to the City of Soledad demonstrating compliance with this measure.

4.5-5 Monitoring. The mitigation measures applying to the relocation of the Lorentzen House shall be set forth in a Mitigation Monitoring and Reporting Program (MMRP) for the project. The MMRP will guide project-specific mitigation, monitoring, and/or reporting programs for various aspects of mitigation monitoring, reporting, and enforcement in order to ensure full compliance with the conditions of project approval.

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.

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. This level of recordation would include:

- 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.

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.

Evidence. Mitigation Measures 4.5-1 through 4.5-3 require the applicant to submit a relocation plan for the Lorentzen House prepared by a qualified professional. The applicant will be required to protect the character-defining features of the building from damage during relocation and ensure that any inadvertent damage to the character-defining features resulting from the relocation is repaired in accordance with the applicable standards. Mitigation Measure 4.5-4 through 4.5-7 require the implementation of professional qualification standards, coordination with interested parties, and recordation and documentation to Historic American Building Survey standards. The relocation, protection from damage, repair of any inadvertent damage, strict adherence to professional standards, and recordation of the Lorentzen house would all serve to reduce impacts to this historic resource. As a condition of project approval, the developer will implement Mitigation Measures 4.5-1 through 4.5-7 which will reduce potential impacts to the historic resource to a less-than-significant level.

Project Impact (Significant) Archeological Resources and Human Remains. A records search and field reconnaissance conducted for the Miravale III EIR found no evidence of archaeological resources or human remains on the project site. However, it was determined that construction of the project could potentially uncover unknown buried archaeological resources or human remains during excavation and clearing activities which is a potentially significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.5-8. In order to ensure that project-impacts to potentially unknown resources are avoided, the project proponent shall be responsible for on-going monitoring of project construction. Prior to the issuance of any grading permit, the project proponent shall provide the City of Soledad with documentation identifying construction personnel that will be responsible for on-site monitoring.

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.

4.5-9 In order to ensure that the proposed project does not impact buried human remains during project construction, the project proponent shall be responsible for on-going monitoring of project construction. Prior to the issuance of any grading permit, the project proponent shall provide the City of Soledad with documentation identifying construction personnel that will be responsible for on-site monitoring. 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.

Evidence. Mitigation Measure 4.5-8 reduces the potential for impacts to previously undiscovered archaeological resources by requiring that all work halt within 150 feet of any archaeological discovery. A qualified archaeologist will be required to evaluate the resource and recommend appropriate actions to adequately salvage the resource before construction can reconvene. Additionally Mitigation Measure 4.5-9 reduces the potential for impacts to human remains by requiring an on-site monitor

during construction and that construction work cease in the area in the event of a discovery. If the remains are determined to be Native American, then the NAHC must be notified and the designated Most Likely Descendants contacted to provide recommendations for the treatment of the remains. Work will not be allowed to 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. This will avoid impacts to previously undiscovered human remains. The Miramonte Specific Plan incorporates a portion of this measure into the land use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s). As a condition of project approval, the developer will implement Mitigation Measures 4.5-8 and 4.5-9 which will reduce potential impacts to archaeological resources and human remains to a less-than-significant level.

(f) Geology and Soils

Project Impact (Significant) Seismic Hazards. The Reliz-Rinconada fault zone, passes within six miles of the project site and the San Andreas Fault Zone passes within 12 miles of the site. The project could be exposed to potential adverse effects from strong seismic ground shaking that may result in damage to proposed structures which would represent a potentially significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measures

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.

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 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. In addition, all structures shall be designed to the most current standards of the California Building Code, at a minimum.

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 Officials for review and approval.

Evidence. Mitigation Measures 4.6-1 and 4.6-2 minimize the potential impacts from strong seismic ground shaking on the project by requiring adherence to the most current standards of the California Building Code and incorporation of recommendations in the project-specific geotechnical analysis into final design plans. The applicant will be required to submit design level plans demonstrating incorporation of these recommendations. Additionally, Mitigation Measure 4.6-3 requires site-specific probabilistic seismic hazards assessments for public facilities for review and approval by the city. Development consistent with the Miramonte Specific Plan would reduce the size of the project boundary by 273 acres and the development density by 2,081 residential units; thereby reducing exposures to seismic risks, but not to a less than significant level. As a condition of project approval, the developer will implement Mitigation Measures 4.6-1 through 4.6-3, which will reduce potential impacts related to seismic ground shaking to a less-than-significant level.

Project Impact (Significant). Erosion. Site preparation and construction activities would disturb soil and increase its susceptibility to erosion. Removal of soils by wind or water can undermine buildings, roads, and other developments, as well as contribute siltation of local streams or water bodies. Moreover, removal of existing mature eucalyptus and other tree species along San Vicente Road could result in additional erosion-related impacts. Implementation of the project could result in substantial soil erosion or loss of topsoil which is a potentially significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously

identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measures

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.

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 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 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. 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), 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.

4.6-5. Areas disturbed by grading shall be stabilized with adequate landscaping vegetative cover. A revegetation 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.

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 grading and/or building permit for each new structure, the project applicant shall submit an erosion control plan consistent with this measure, subject to the review and approval of the City of Soledad Public Works Director.

Evidence. Mitigation Measure 4.1-7 requires a site-specific geotechnical report for any development of infrastructure in the hillside portion of the project site which will include erosion and sediment control measures, such as temporary vegetation sufficient to stabilize disturbed areas, to decrease susceptibility to erosion. Mitigation Measure 4.6-4 requires preparation of an erosion control plan and Storm Water Pollution Prevention Plan that incorporate Best Management Practices consistent with National Pollution Discharge Elimination Requirements to minimize wind and water erosion during site preparation, construction, and post-construction periods. Additionally, Mitigation Measure 4.6-5 requires preparation and implementation of a revegetation and landscaping plan that will ensure stabilization of disturbed areas to minimize the erosion potential. Mitigation Measure 4.6-6 requires that all drainage is captured and carried to neighborhood storm sewers or natural drainages to control runoff which effectively minimizes the potential for erosion. Development consistent with the Miramonte specific plan would reduce the size of the project boundary by 273 acres and the development density by 2,081 residential units. The Miramonte Specific Plan incorporates portions of

these measures into the land use map, and reduces risks of erosion by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s), but not to a less-than-significant level. As a condition of project approval, the developer will implement Mitigation Measures 4.5-8 and 4.5-9 which will reduce potential erosional impacts to a less-than-significant level.

Project Impact (Significant). Liquefaction. The project will increase risks of seismically-induced liquefaction that could lead to human harm and property damage, which is a potentially significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measure

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.

Evidence. Mitigation Measure 4.6-7 requires preparation of project specific geotechnical analyses. The project geotechnical engineer will 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. The analyses will include recommendations to reduce the risk of localized liquefaction and collapse, and allow for adequate foundation and structural fill support that must be incorporated into project design and specifications and will be subject to review by the City. Development consistent with the Miramonte Specific Plan would reduce the size of the project boundary by 273 acres and the development density by 2,081 residential units; thereby reducing impacts related to seismicity, but not to a less than significant level. As a condition of project approval, the developer will implement Mitigation Measures 4.6-7, which will reduce potential seismically-induced liquefaction impacts to a less-than-significant level.

Project Impact (Significant). Landslide, Debris Flow, Lateral Spreading. Development within certain areas of the project site could be exposed to potential adverse effects from on- or off-site landslides and lateral spreading, or debris flow from hillside areas that may result in human harm or property damage, which is a potentially significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.6-8. 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) 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 3) 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. 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.

Evidence. Mitigation Measure 4.6-8 requires development within portions of the project site in the debris flow hazard area to incorporate design measures, such as impact or diversion walls, that minimize the landslide, debris flow, and lateral spreading impacts to acceptable levels in accordance with standard engineering practices. Prior to the recordation of each final map, the project applicant must submit evidence demonstrating that adequate design measures have been incorporated consistent with engineering standards. Development consistent with the Miramonte specific plan would reduce the size of the project boundary by 273 acres and the development density by 2,081 residential units. Scenic open space areas above the 400-foot contour are designated as Hillside/Open Space and are protected in perpetuity by a recorded conservation easement; thereby reducing risks of debris flow from development in this area. The Miramonte Specific Plan incorporates a portion of this measure into the land

use map, by prohibiting residential development above the 400-foot elevation contour and requiring the preservation of hillside areas in perpetuity through recorded conservation easement(s).As a condition of project approval, the developer will implement Mitigation Measures 4.6-8, which will reduce the impacts of human harm and property damage resulting from potential landslide, debris flow, and lateral spreading to a less-than-significant level.

Project Impact (Significant). Expansive Soils. The project could be exposed to localized soil expansion, which would result in increased risks of property damage, and is a potentially significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant soils impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level: Mitigation Measure

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.

Evidence. Mitigation Measure 4.6-9 requires the evaluation of project site soils for expansion potential as part of a site specific geotechnical study. The recommendations of the geotechnical engineer for mitigating soil shrink-swell hazards shall be incorporated into project design to ensure hazards are reduced to an acceptable level of geotechnical and Uniform Building Code practices. The applicant will be required to submit evidence that these recommendation shave been incorporated prior to the recordation of each final map. Development consistent with the Miramonte Specific Plan would reduce the size of the project boundary by 273 acres and the development density by 2,081 residential units; thereby reducing the risks of damage from development on unstable soils, but not to a less-than-significant level. As a condition of project approval, the developer will implement Mitigation Measure 4.6-9, which will reduce potential impacts related to expansive soils to a less-than-significant level.

(g) Hazards and Hazardous Materials

Project Impact (Significant). Hazardous Materials/Waste Sites. According to a Phase 1 Assessment, portions of the project site may be contaminated with hazardous materials from agricultural use and within existing buildings that may contain lead paint and asbestos, the release of which could pose a health risk to construction workers and future uses on the site.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant hazards or hazardous materials effects or substantially increase the severity of previously identified significant effects. Changes in hazards or hazardous materials related circumstances have occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant hazards or hazardous materials impacts than were identified for the original project. The following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

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. 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. If results indicate the presence of such materials 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 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 for review and approval demonstrating compliance with this measure.

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.

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 Work 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.

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 current Department of Toxic Substances Control policies. 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.

Evidence. Mitigation Measure 4.7-1 requires the preparation of a Phase II Environmental Site Assessment which will identify any required remedial actions for the safe handling, removal and special needs for hazardous materials. If results indicate the presence of hazardous materials in excess of screening levels for residential, educational, or commercial uses, a Remediation Plan will 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 local regulatory requirements. Mitigation Measure 4.7-2 requires the applicant to obtain approval of a Soil Management Plan from the Monterey County Division of Environmental Health, which establishes management practices for handling potentially contaminated soil to prevent exposure to hazardous contaminates. Mitigation Measure 4.7-3 and 4.7-4 require surveys for lead paint and asbestos and adherence to applicable standards and guidelines in the event a qualified consultant determines lead or asbestos is present. This would ensure construction personnel are not exposed to asbestos or lead related-hazards. As a condition of project approval, the developer will implement Mitigation Measures 4.7-1 through 4.7-4, which will reduce potential impacts related to hazardous materials sites to a less-than-significant level.

Project Impact (Significant). Hazardous Materials Use. The proposed specific plan includes areas of residential development that would be sited adjacent to agricultural lands located on the northern, eastern, and western boundaries of the project site, which has the potential to result exposure of residents to hazardous chemicals.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant hazards or hazardous materials effects or substantially increase the severity of previously identified significant effects. Changes in hazards or hazardous materials related circumstances have occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant hazards or hazardous materials impacts than were identified for the original project. Specifically, Mitigation Measures 4.2-1 and 4.2-3, previously discussed, imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Evidence. Mitigation Measure 4.2-1 requires the implementation of buffers and physical barriers between urban and agricultural uses ensures adequate separation of residential/commercial and agricultural uses which effectively lessens the likelihood of urban exposure to hazardous chemicals. To ensure the adequacy of the buffers and physical barriers, the applicant will be required to consult with the County of Monterey Agricultural Commissioner, and prior to the recordation of any final map, the project applicant must submit evidence in the form of agricultural setbacks delineating buffer locations consistent with the recommendations contained in the Agricultural Resources Report. Additionally, to further ensure the adequacy of the agricultural buffer located along the western boundary of the project site, mitigation measure 4.2-2 requires the project applicant to submit a detailed landscape plan that includes vegetative screening in addition to physical barriers subject to review and approval by the city. These measures will ensure adequate separation of urban and agricultural uses thereby lessening the potential for the exposure of urban uses to hazardous chemicals. As a condition of project approval, the developer will implement Mitigation Measures 4.2-1 and 4.2-2 which will reduce the impacts related to hazardous materials use to a less-than-significant level.

Project Impact (Significant). Surface Water/Water Quality. Construction and operation of the project could impact water quality through soil erosion during grading activities, loss of topsoil, and surface runoff from the proposed development. This is a potentially significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Changes in circumstances have occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant impacts than were

identified for the original project. Therefore, the proposed project would not result in new significant effects or substantially increase the severity of previously identified significant effects. Specifically, Mitigation Measure 4.6-4 through 4.6-6 previously discussed in Geology and Soils, and the following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

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.

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 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.

Evidence. Mitigation Measure 4.8-1 requires a project design that incorporates BMP standards to minimize impacts to water quality through onsite runoff treatment. A Construction Management Plan will be required that identifies a designated construction supervisor who will be responsible for the continued implementation of BMPs. Further, Mitigation Measure 4.8-2 requires a bi-annual maintenance report to be submitted to the City that demonstrates that basins have been properly maintained and cleaned in accordance with City standards to prevent excess sediment buildup and ensure that all percolation basins are functioning to prevent degradation to water quality. As a condition of project approval, the developer will implement Mitigation Measures 4.8-1 and 4.8-2 which will reduce the potential for water quality impacts to a less-than-significant level.

Project Impact (Significant). Surface Drainage/Flooding. While the proposed project site is not located within a flood hazard area as delineated by the Federal Emergency Management Agency (FEMA), localized flooding had been known to occur within the project area and surrounding vicinity. Development of the proposed project, which would result in substantial grading, changes in topography, and increased impervious surface area, has the potential to result in on- and off-site flooding due to changes in existing drainage patterns.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Changes in circumstances have occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Therefore, the proposed project would not result in new significant effects or substantially increase the severity of previously identified significant effects. Specifically, the following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure 4.8-3. In order to ensure that project-induced impacts related to changes in the existing drainage patterns on the project site are minimized, the project applicant shall 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 system and retention basins shall be sized and designed in accordance with applicable City design standards and shall be appropriately sized to accommodate stormwater runoff from a 100-year storm event. Prior to the recordation of any final map, the project applicant shall submit all design-level plans and supporting details to the City of Soledad Director of Public Works for review and approval prior to approval of the first final map.

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 implementedin 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, Examples of various LID strategies and best practices are identified as follows:

- 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 stormwater flows. In addition, permeable paving materials shall be used in spillover parking that is used only for peak demand periods.

- 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 by the Public Works Director.

Evidence. Mitigation Measure 4.8-3 requires the applicant to submit design-level improvement plans for the project's storm drainage collection and retention system sized and designed in accordance with applicable City design standards to ensure that project-induced impacts related to changes in the existing drainage patterns on the project site are minimized. Additionally, Mitigation Measure 4.8-4 requires the project applicant to submit design-level site and improvement plans to the City that incorporate the latest approved LID strategies and best practices prior to the approval of any final map or approval of any permit. As a condition of project approval, the developer will implement Mitigation Measures 4.8-3 and 4.8-4 which will reduce the potential for surface drainage and flooding impacts to a less-than-significant level.

(h) Noise

Project Impact (Significant). Future residential uses developed at the project site would be exposed to exterior noise levels greater than 65 dBA CNEL and interior noise exceeding 45 dBA, which exceed the exterior and interior noise and land use compatibility standards presented in the city's general plan. This is a significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Changes in circumstances have occurred that would lessen certain impacts, and no new information has been identified

that indicates the proposed project would have new or more significant impacts than were identified for the original project. Therefore, the proposed project would not result in new significant effects or substantially increase the severity of previously identified significant effects. Specifically, the following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure 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.

4.10-2. 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 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 along with the building plans prior to issuance of a building permit. Feasible construction techniques such as these would adequately reduce interior noise levels to 45 Ldn or lower.

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:

- 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.

- 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.

Evidence. Mitigation Measures 4.10-1 and 4.10-2 require the preparation of a detailed acoustical analysis and implementation of recommendations therein that would reduce the interior and exterior noise levels for residential development to acceptable levels. Mitigation Measure 4.10-3 requires non-residential development to adhere to noise standards established in the Zoning Code and through adherence to planning and equipment requirements. Implementation of these measures into project design would ensure that exterior and interior noise levels are below city standards. As a condition of project approval, the developer will implement Mitigation Measures 4.10 -1 through 4.10-3 which will reduce the interior and exterior noise levels below city noise thresholds and would reduce impacts to a less-than-significant level.

(i) Population and Housing

Project Impact (Potentially Significant). Inclusionary Housing. Future development of the site as described in the specific plan may be inconsistent with the Housing Element, which requires affordable housing to be fully integrated with market rate housing.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR and clarified in the EIR Addendum. Changes in circumstances have occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The specific plan includes policies that require integration of affordable housing consistent with the City's Housing Element. Therefore, the proposed project would not result in new significant effects or substantially increase the severity of previously identified significant effects. Additionally, the following mitigation measure imposed upon the project ensures that the final map(s) is consistent with these policies.

Mitigation Measure

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.

Evidence. The Miramonte Specific Plan includes policies and design standards that require integration of housing for very low, low and moderate income households throughout the site either by minimum densities of 20 units per acre or deed restricted units, or multifamily development. Because development of the site is anticipated to occur over a 30-year timeframe Mitigation Measure 4.11-3 requires the developer to enter into a housing agreement with the City prior to recordation or concurrent with the first final map to ensure consistency with the affordable and inclusionary housing requirements of the City's Housing Element, Inclusionary Housing Ordinance, and the Miramonte Specific Plan. Implementation of Mitigation Measure 4.11-3 is a required condition of approval, which will reduce potential impact to a less-than-significant level.

(j) Public Services

Project Impact (Significant). Police and Fire. The proposed project would increase the demand for police and fire services to the extent that new facilities would be required.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Changes in circumstances have occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Therefore, the proposed project would not result in new significant effects or substantially increase the severity of previously identified significant effects. The following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

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. 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. 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 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 facilities.

Evidence. The Miramonte Specific Plan provides a site for potential police and fire substations. This location is included on the Specific Plan land use map and the specific plan requires the dedication of this land to the City prior to approval of the first final map. Mitigation Measure 4.12-1 requires construction and verification of facility operations as needed by the respective Soledad Police and Fire Department Chiefs prior to issuance of building permits for new medium density residential development. Implementation of Mitigation Measure 4.12-1 is a required condition of approval, which will reduce potential impacts from an increase in service demand to a less-than-significant level.

Project Impact (Significant). Schools. The plan area is served by Soledad Unified School District for grades K-12. Buildout of the proposed specific plan is expected to generate 875 students for grades K-6, 261 students for grades 7-8, and 378 students for grades 9-12 (a total of 1,514 students).

Findings. Changes in circumstances have occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Therefore, the proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant effects. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The Miramonte Specific Plan provides two school sites that will be offered for dedication to the Soledad Unified School District to serve the students generated by the reduced size and scale of development allowed by the Miramonte Specific plan in addition to the following mitigation measures imposed upon the project mitigate the impacts to a less-than-significant level:

Mitigation Measures

4.12-4. Prior to recording of the 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.

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. As indicated above, the fees set forth in Government Code Section 65996 constitute the exclusive means of both “considering” and “mitigating” school facilities impacts of projects [Government Code Section

65996(a)]. They are "deemed to provide full and complete school facilities mitigation" [Government Code Section 65996(b)].

Evidence. The proposed project would provide two school sites. The applicant and/or developer(s) will provide an offer to dedicate the school sites (i.e. turn over fee simple title to the land to the school district). 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, unless otherwise dictated by a development agreement or permit conditions. The proposed specific plan includes a policy that requires that an agreement be established between the developer and/or successors in interest and the Soledad Unified School District that establishes the timing of the school construction or improvements and financing obligations. The Miramonte Specific Plan incorporates a portion of these measures into the land use map. Implementation of Mitigation Measures 4.12-4 and 4.12-5 are required condition of approval, which will reduce potential impacts from an increase in service demand to a less-than-significant level.

Project Impact (Significant). Parks and Recreation. Anticipated population growth associated with the project would create additional demands on existing park and recreational facilities throughout the city such that physical deterioration of these facilities may occur, which is a potentially significant impact.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Changes in circumstances have occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Therefore, the proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant effects. Specifically, the following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.12-6. Prior to the recordation of the first final map, the project applicant 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. t 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.

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, if determined to be applicable. All fees shall be subject to the review and approval of the City of Soledad Community Development Director.

Evidence. The Miramonte Specific Plan calls for the provision of five acres of parkland for every 1,000 persons, consistent with the general plan goals and supplements the current city deficit by more than 140 acres of public open space and approximately 56 acres of improved parks. Mitigation Measure 4.12-6 requires the preparation of a Parks Master Plan that will guide required park improvements on the site and ensure that parks are provided with each phase of development. Mitigation Measure 4.12-7 requires payment of park facility impact fees in effect at the time of building permit issuance. Implementation of Mitigation Measures 4.12-6 and 4.12-7 are required condition of approval, which will reduce potential impacts from an increase in service demand to a less-than-significant level.

(k) Traffic and Circulation

Project Impact (Potentially Less than Significant) Unacceptable Level of Service at Moranda Road/Front Street and U.S. Highway 101 NB Ramps. Traffic generated by the proposed project would cause LOS F operations on the U.S. Highway 101 northbound on-ramp from Moranda Road at the Moranda Road Interchange. This is a significant impact.

Finding. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impact to a less-than-significant level:

Mitigation Measure

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.

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.

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 approval of the Director of Public Works.

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.

All required traffic impact fees shall be subject to review by the Director of Public Works and approval by the City Council.

Improvements to this 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.

Evidence. Development consistent with the Miramonte Specific Plan would generate approximately 40 percent fewer vehicle trips than the originally proposed project. Mitigation Measure 4.13-10 requires the project developer to contribute fair share of required city traffic impact fees and TAMC Regional Development Impact Fees to mitigate this regional impact. The payment of these fees mitigates the project contribution to the impact at this intersection. However, because the improvements to this 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.

Project Impact (Significant): U.S. Highway 101 Freeway Segments. Traffic generated by development of the project would cause unacceptable LOS D operations on the following U.S. Highway 101 freeway segments:

- Northbound U.S. Highway 101 north of Gonzales-5th Street (AM peak hour).
- Northbound U.S. Highway 101 between Gonzales-5th Street to Gloria Road (AM peak hour).
- Northbound U.S. Highway 101 between Camphora Road and North Soledad (AM Peak Hour).
- Southbound U.S. Highway 101between North Soledad and Camphora Road (PM Peak Hour).

Finding. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.13-12 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 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 highway and regional facilities. All fees shall be subject to the approval of the Director of Public Works.

Evidence. Development consistent with the Miramonte Specific Plan would generate approximately 40 percent fewer vehicle trips than the originally proposed project. The payment of Regional Traffic impact fees mitigate the project's impact to the affected segments. As a condition of approval the developer will implement Mitigation Measure 4.13-12 which mitigates the project's contribution to the impact.

Project Impact (Significant) Unacceptable Level of Service at Moranda Road and Front Street: Although traffic volumes would be reduced by approximately 17 percent at this intersection, traffic generated by the proposed project would cause operations to degrade from acceptable LOS C to unacceptable LOS F. This is a significant impact.

Finding. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the reduced size and intensity of development allowed by the Miramonte Specific Plan in addition to implementation of Mitigation Measures 4.13-2, 4.13-15 and potentially mitigation measures 4.13-16 and 4.13-17 mitigate the impact to a less-than-significant level:

Mitigation Measure

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 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).

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. 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.

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.

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.

- 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.

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/or Gabilan Drive extensions are complete.

The Monitoring Program shall include the following:

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.

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.

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. This improvement would mitigate the project's impacts to the following intersections:

- Moranda Road / Front Street;
- U.S. Highway 101 Northbound Ramps and Moranda Road / Front Street; and
- San Vicente Road / Front Street.

The project developer may choose to design and construct the Market 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.

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.

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.

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:

- 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.

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..

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 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 Public Works.

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, 4.13-6and 4.13-10 are not required.

Evidence. This intersection meets signal warrants with or without the proposed project, and also requires the addition of a second northbound through lane and eastbound free-right-turn lane to mitigate the cumulative impacts to which the project contributes. Mitigation Measure 4.13-2 requires the project developer to pay the project's fair share contribution of costs to mitigate the project's impact to this intersection prior to issuance of any building permit for each phase of development. The measure also allows the fees collected to be used instead, at the discretion of the City Council, to acquire land and construct extensions of either or both Market Street (Mitigation Measure 4.13-16)

and/or Gabilan Drive (Mitigation Measure 4.13-17) identified in above. The project developer may also choose to implement the roadway extension options. Mitigation Measure 4.13-15 requires routine monitoring of intersection operations to ensure that acceptable levels of service are maintained until the intersection improvements or Market Street extension and/or the Gabilan Drive extension are complete. The measure further requires all required traffic impact fees in effect at the time of building permit issuance to be paid prior to the issuance of any building permit for each phase of development. 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. .

Mitigation Measure4.13-2 and 4.13-15 are required conditions of approval, which will reduce impacts to this traffic facility to a less-than-significant level.

Project Impact (Significant) Unacceptable Level of Service. Although traffic volume would be reduced in comparison to the Miravale III project, traffic generated by the proposed project would cause operations to degrade from acceptable LOS B to unacceptable LOS F at the intersection of San Vicente Road and Front Street during at least one of the peak hours analyzed. This is a significant impact.

Findings: Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to Mitigation Measures 4.13-15, and potentially 4.13-16, and 4.13-17 listed above, and in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impact to a less-than-significant level:

Mitigation Measures

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 San Vicente Road to the U.S. Highway 101 northbound ramps (Mitigation Measure 4.13-17).

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. These fees may be used by the city, at the discretion of the City Council, to instead acquire land and construct an extension of Market Street or Gabilan Drive as described above.

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.

Evidence. Mitigation Measure 4.13-3 requires the project developer to pay the project's fair share contribution of costs to mitigate the project's impact to this intersection prior to issuance of any building permit for each phase of development. The measure also allows the fees collected to be used instead, at the discretion of the City Council, to acquire land and construct extensions of either or both Market Street (Mitigation Measure 4.13-16) and/or Gabilan Drive (Mitigation Measure 4.13-17) identified in above. The project developer may also choose to implement the roadway extension options. Mitigation Measure 4.13-15 requires routine monitoring of intersection operations by the City at the developers expense to ensure that acceptable levels of service are maintained until the intersection improvements or Market Street extension and/or the Gabilan Drive extension are complete. The measure further requires all required traffic impact fees in effect at the time of building permit issuance to be paid prior to the issuance of any building permit for each phase of development. 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.

Mitigation Measure 4.13-3 and 4.13-15 are required conditions of approval, which will reduce impacts to this traffic facility to a less-than-significant level.

Project Impact (Significant): San Vicente Road and Gabilan Drive: Although traffic volumes would be reduced in comparison to the Miravale III project, traffic generated by the proposed project would still cause signal warrants to be met and cause operations to degrade from acceptable LOS B to unacceptable LOS F during at least one peak hour at the intersection of San Vicente Road and Gabilan Drive. This is a significant impact.

Findings: Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impact to a less-than-significant level:

Mitigation Measure

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).

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. 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.

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.

Evidence: The traffic impact analysis for the EIR Addendum found that the intersection of San Vicente Road and Gabilan Drive would operate at LOS A with the construction of the Gabilan Drive Extension. Mitigation Measure 4.13-4 requires the project developer to pay the project's fair share contribution of costs to mitigate the project's impact to this intersection prior to issuance of any building permit for each phase of development. The measure also allows the fees collected to be used instead, at the discretion of the City Council, to acquire land and construct an extension of Gabilan Drive (Mitigation Measure 4.13-17) identified above. The project developer may also choose to construct the Gabilan Drive extension option. Mitigation Measure 4.13-15 requires routine monitoring of intersection operations by the City at the developers expense to ensure that acceptable levels of service are maintained until either the intersection improvements or the Gabilan Drive extension are complete. 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.

Mitigation Measure 4.13-4 and 4.13-15 are required conditions of approval, which will reduce impacts to this traffic facility to a less-than-significant level.

Project Impact (Significant): Main Street and Gabilan Drive. Although traffic volumes would be reduced, traffic generated by development associated with the proposed project would cause signal warrants to be met during at least one peak hour at the intersection of Main Street and Gabilan Drive. This is a significant impact.

Findings: Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

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.

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. 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.

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..

Evidence: Mitigation Measure 4.13-6 mitigates project impacts to the Main Street and Gabilan Drive intersection by either requiring the developer to pay the fair share contribution of costs to fund this improvement or by constructing the Gabilan Drive Extension as set forth in Mitigation Measure 4.13-17. Mitigation Measure 4.13-6 requires the project developer to pay the project's fair share contribution of costs to mitigate the project's impact to this intersection prior to issuance of any building permit for each phase of development. The measure also allows the fees collected to be used instead, at the discretion of the City Council, to acquire land and construct an extension

of Gabilan Drive (Mitigation Measure 4.13-17) identified above. The project developer may also choose to construct the Gabilan Drive extension option. Mitigation Measure 4.13-15 requires routine monitoring of intersection operations by the City at the developers expense to ensure that acceptable levels of service are maintained until either the intersection improvements or the Gabilan Drive extension are complete. 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.

Mitigation Measure 4.13-6 and 4.13-15 are required conditions of approval, which will reduce impacts to this traffic facility to a less-than-significant level. 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 or 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. Implementation of Mitigation Measures 4.13-6 and Mitigation Measure 4.13-15 are required conditions of approval, which will reduce impacts to this traffic facility to a less-than-significant level. Implementation of Mitigation Measure 4.13-17 and Mitigation Measure 4.13-15 would also reduce impacts to this traffic facility to a less-than-significant level.

Project Impact (Significant): Signal Warrant Met at Andalucia Drive and Gabilan Drive. Although traffic volumes would be reduced at this intersection in comparison to the Miravale III project, traffic generated by the proposed project would cause signal warrants to be met during at least one peak hour at the intersection of Andalucia Drive and Gabilan Drive. This is a significant impact.

Findings: Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.13-7 The intersection of Andalucia Drive and Gabilan Drive will operate at an acceptable level of service, determined by the Director of Public Works, 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 these improvements until said improvements have been fully constructed, subject to the review and approval of Director of Public Works.

Evidence: Mitigation Measure 4.13-7 would mitigate project impacts to the Andalucia Drive and Gabilan Drive intersection by requiring that the developer construct the left-turn phasing along Gabilan Drive prior to the issuance of a certificate of occupancy. This improvement ensures that the intersection operates at an acceptable level of service with the addition of project vehicles at the intersection. Implementation of Mitigation Measures 4.13-7 is a required condition of approval, which will reduce impacts to this traffic facility to a less-than-significant level.

Project Impact (Significant): Signal Warrant Met at Orchard Lane and Metz Road. Although traffic volumes would be reduced at this intersection in comparison to the Miravale III project, traffic generated by the proposed project would still cause signal warrants to be met and cause operations to degrade from acceptable LOS C to unacceptable LOS E or worse during at least one peak hour at the intersection of Orchard Street and Metz Road.

Findings: Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level.

Mitigation Measure

4.13-8. The intersection of Orchard Lane and Metz Road will operate at an acceptable level of service, determined by the Director of Public Works, 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.

Evidence: Mitigation Measure 4.13-8 would mitigate project impacts to the Orchard Lane and Metz Road intersection by requiring that the developer construct the signalization and left-turn phasing along Gabilan Drive prior to the issuance of a certificate of occupancy. This improvement will ensure that the intersection operates at an acceptable level of service and will mitigate traffic impacts at the intersection. Implementation of Mitigation Measures 4.13-8 is a required condition of approval, which will reduce impacts to this traffic facility to a less-than-significant level.

Project Impact (Significant): Unacceptable levels of service at Oak Street and Front Street and Front Street and Nestles Road. Although traffic volumes would be reduced at this intersection when compared to the Miravale III project, traffic generated by proposed project would still cause intersection operations to decline from acceptable LOS C to unacceptable LOS E. This is a significant impact.

Findings: Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level.

Mitigation Measure

4.13-9 Intersections of Oak Street and Front Street and Front Street and Nestles Road. Widen Front Street between Nestles Road and Oak Street and add a second eastbound left-turn lane at the intersection of Nestles Road and Front Street. 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 an acceptable level 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 issuance. All necessary fees shall be paid prior to the issuance of any building permits for each phase of development and shall be subject to review bythe approval of the Director of Public Works and approval of the City Council.

Evidence: Mitigation Measure 4.13-9 requires the project developer to submit payment of the City of Soledad traffic impact fee to make a fair share contribution to the improvements that would mitigate impacts at the intersections of Oak Street and Front Street and Front Street and Nestles Road, if the Pinnacles Parkway is not completed by the time the first building permit is issued for the project. Payment of the impact fee would mitigate project impacts to a less-than-significant level. Implementation of Mitigation Measure 4.13-9 is a required condition of approval, which will reduce impacts to this traffic facility to a less-than-significant level.

Impact (potentially significant). Traffic generated by the project would contribute to cumulative operational deficiencies at the intersection of Moranda Road and Front Street and the intersection of San Vicente Road and Gabilan Drive.

Finding. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level.

Mitigation Measures

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. 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.

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 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. 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 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.

Evidence. Mitigation Measure 4.13-13 and Mitigation 4.13-14 require the project developer to submit payment of the City of Soledad traffic impact fees to make a fair share contribution to the improvements necessary to mitigate the impact at the intersection of Moranda Road and Front Street and the intersection of San Vicente Road and Gabilan Drive. Implementation of Mitigation Measures 4.13-13 and 4.13-14 are required conditions of approval, which will reduce impacts to this traffic facility to a less-than-significant level.

(l) Utilities and Service Systems

Project Impact: (Significant) Construction of New Water Supply System Infrastructure. To serve the plan area, new water supply infrastructure such as domestic wells and additional storage will be needed to meet the project's water demands. Required infrastructure may include supplemental pumps to provide service to the development on the northeastern side of the plan area that is above the 340-foot contour line. Significant impacts could result from construction of the facilities if not planned and constructed consistent with City-wide infrastructure improvement plans.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.14-1. The developer shall retain an engineer to design and construct the water supply and distribution system for the project 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 of the City of Soledad Director of Public Works is required prior to recordation of the first final map. . Prior to the issuance of any building permit 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 with city design criteria in accordance with the approved design-level infrastructure plans, subject to the review and approval of the City of Soledad Director of Public Works.

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.

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.

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.

Evidence: Mitigation Measures 4.14-1 - 4.14-3 require the applicant to submit a detailed design-level water infrastructure plan prepared by an engineer that are consistent with City-wide infrastructure improvement plans all local and state standards for construction, design, and sizing subject to the review and approval by the Director of Public Works prior to recordation of the first final map. This will ensure that impacts related to construction of new infrastructure are less than significant. Implementation of Mitigation Measures 4.14-1 through 4.14-3 and 4.13-8 are required conditions of

approval, which will reduce impacts to water supply and distribution infrastructure to a less-than-significant level.

Project Impact (Significant): Construction of New Sewer Infrastructure. New wastewater infrastructure (i.e. distribution lines, treatment facility, etc.) would need to be constructed in order to provide services to the project area. The city is currently developing a wastewater collection system master plan that will identify existing and necessary line sizes and capacity upgrades for future development including the project site. Construction of the identified new infrastructure could result in significant impacts.

Findings: Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measures

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.

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 evidence, including but not limited todesign-level infrastructure plans, consistent with the requirements of this mitigation, subject to the approval of the Director of Public Works.

Evidence: The Miramonte Specific Plan includes policies and standards for the provision of adequate wastewater collection and conveyance systems. The plan also requires the construction of wastewater collection infrastructure that will be integrated with the city's existing sanitary sewer system, and requires that the new sewer system within the plan area will be designed, funded, and constructed by the developer, with plans subject to the review and approval of the City Engineer. All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by developer designed, funded, and constructed wastewater system improvements. Mitigation Measure 4.14-9 requires the developer to submit and receive approval for design-level engineered wastewater infrastructure plans consistent with City design criteria and performance standards. In addition, Mitigation measure 4.14-8 requires the developer to pay any applicable development impact fees prior the issuance of building permits, which will mitigate project impacts related to construction of new sewer infrastructure. Implementation of Mitigation Measures 4.14-8 and 4.14-9

arerequired conditions of approval, which will reduce impacts related to wastewater collection and conveyance infrastructure to a less-than-significant level.

Project Impact (Significant) Landfill with Adequate Capacity: The project could generate 3,367.6 tons per year of solid waste from the plan area. Considering the maximum amount of 185,000 tons of solid waste received annually at the Johnson Canyon Landfill, the landfill would have adequate capacity to serve the project, but could impacts could result from construction-generated solid waste disposed at the landfill.

Findings: Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts to a less-than-significant level:

Mitigation Measure

4.14-12 Prior to the commencement of construction related activities, the applicant/developer shall prepare and submit a Construction and Demolition Diversion Plan consistent with the requirements of the City's adopted Diversion Plan Ordinance, subject to the review and approval of the Salinas Valley Solid Waste Authority and the City of Soledad. This plan shall identify ongoing implementation measures for the diversion and separation of construction waste to ensure that all construction-generated solid waste is recycled to the greatest extent possible.

Evidence. Mitigation Measure 4.14-12 requires the preparation and implementation of a Construction and Demolition Diversion consistent with city standards that will ensure the greatest rate of recycling of construction-generated solid waste. Implementation of Mitigation Measure 4.14-12 is a required condition of approval, which will reduce impacts related to wastewater collection and conveyance infrastructure to a less-than-significant level.

III.

SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

The Addendum to the Miravale III EIR identifies certain unavoidable or potentially unavoidable adverse impacts of the project, i.e., environmental effects that cannot be reduced to an insignificant level if development in accordance with the project description is implemented. These impacts were also identified as significant and unavoidable in the Miravale III EIR. These impacts are as follows::

(a) Aesthetics

Project Impact (Significant) Permanent Alteration of Visual Character. Implementation of the Miramonte project introduces substantial new development,

including structures of various heights and densities and will permanently change the visual character of 647 acres from rural agriculture fields and open spaces below the 400-foot contour to urban development.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Specifically, development consistent with the Miramonte specific plan reduces the size of the formerly proposed project boundary by 273 acres and the development density by 2,081 residential units. Scenic open space areas above the 400-foot contour are designated as Hillside/Open Space and are protected in perpetuity by a recorded conservation easement; thereby, eliminating potential new sources of light and glare from this area. The imposition of mitigation measures 4.1-1, and 4.1-4 – 4.1-6 and 4.1- listed in Section II in addition to the following mitigation measures will reduce the impacts, but not to a less-than-significant level:

Mitigation Measures

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.

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 Miravale III 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 of Soledad.

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.

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.

4.1-13. Final design plans for proposed development shall include a tree 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.

Evidence. The site is located in several general plan expansion areas, within which, development of the project site and subsequent changes to the visual character are anticipated by the City of Soledad 2005 General Plan. Mitigation Measures 4.1-1, and 4.1-4 through 4.1-6, and 4.1-9 through 4.1-13 require adherence to specific design and development standards that minimize impacts to the aesthetic value of the visual character of the specific plan area. The Miramonte Specific Plan provides design requirements for all land use designations that include limits on building heights, use of natural colors and materials, and utilization of natural landforms and vegetation to screen development within the specific plan area. As a condition of project approval the project applicant would be required to 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 As a condition of project approval, the developer will implement Mitigation Measures 4.1-1, and 4.1-4 through 4.1-6, and 4.1-9 through 4.1-13, which will reduce potential impacts from permanent alterations to visual character, but not to a less-than-significant level. Therefore, the impacts to the visual character of the site remain significant and unavoidable.

(b) Agricultural Resources

Project Impact (Significant and Unavoidable) Conversion of Important Farmland. The Miravale III EIR determined that the project would convert 760 acres of Prime Farmland to a non-agricultural use. This impact to conversion of agricultural lands due to proposed development was considered to be significant and unavoidable.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Changes in circumstances have

occurred that would lessen certain impacts, and no new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Mitigation Measure 4.2-6, listed below, has been incorporated into the specific plan policies consistent with the 2016 Memorandum of Understanding between the County of Monterey and the City of Soledad, Compensation for conversion of Prime Farmland or Farmland of Statewide Importance to urban uses is required by the memorandum of understanding, using one of four methods, at the discretion of the City Council prior to or concurrent with recordation of the first final subdivision map. The specific plan policies are consistent with the memorandum of understanding requirements. Therefore, the proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant effects. Specifically, the following mitigation measure imposed upon the project lessens the impact, but not to a less-than-significant level:

Mitigation Measure

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.

Evidence. The city entered into a memorandum of understanding with Monterey County on March 15, 2016. Compensation for conversion of Prime Farmland or Farmland of Statewide Importance to urban uses is required by the memorandum of understanding, using one of four methods, at the discretion of city to coincide with the time of the recordation of a final subdivision map. The specific plan includes policies that are consistent with the memorandum of understanding requirements, and implement Mitigation Measure 4.2-6. The proposed project would not result in new or greater impacts than those identified in the Miravale III EIR. However, mitigation measure 4.2-6 will ensure compensation for the conversion of Prime Farmland or Statewide Importance to urban uses is provided as required by the 2016 memorandum of understanding. While implementation of 4.2-6 will ensure compliance with the memorandum of understanding

requirements for compensation for conversion of Prime Farmland or Farmland of Statewide Importance to urban uses, the project would still result in the conversion of important farmland which remains a significant and unavoidable impact.

(c) Air Quality

Project Impact (Significant and Unavoidable) Development of the uses consistent with the Miramonte Specific Plan would generate significant operational greenhouse gas (GHG) and criteria air pollutant emissions volumes.

Finding. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. The proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant impacts. No new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. The following mitigation measures imposed upon the project in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan that mitigate the impacts, but not to a less-than-significant level:

Mitigation Measure

4.3-3 In order to reduce operational greenhouse gas (GHG) and regional criteria air pollutants and ozone precursor emissions to the extent feasible, the applicant/project proponent shall prepare and submit for Planning Director approval a GHG and CAP Reduction Plan (Emissions Reduction Plan) prior to recordation 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 emissions based on best available information sources.

No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until all of the feasible, applicable measures 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.

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.

Evidence. Development associated with the Miravale III specific plan would have resulted in significant GHG emissions volumes and long-term operational emissions of ozone precursor pollutants in exceedance of Monterey Bay Air Resources District thresholds. Criteria air pollutant emissions for the former project were estimated at 193 lbs per day VOC (exceeding the 137 lb threshold) and 226 lbs per day PM_{10} (exceeding the 82 lb threshold). In addition to the requirements of Mitigation Measure 4.3-2a, Mitigation Measure 4.3-3 requires the preparation of an emissions reduction plan to identify measures that will be undertaken to reduce operational criteria air pollutant and GHG emissions volumes. Examples of reduction measures applicable to the proposed project are included in the Miravale III Final EIR Appendix F-1, incorporated herein by reference that will reduce on-site project-related emissions. Additionally, Mitigation Measure 4.3-4 prohibits the installation of wood-burning stoves and appliances in residential development to reduce criteria pollutant emissions of particulate matter and other criteria air pollutants during operations. The plan is required to be submitted prior to any changes made to the first final map. Emissions are reduced by implementation of these measures, but not to a less-than-significant level. The currently proposed project is smaller and would generate fewer GHG emissions than the original project although emissions volumes would still be large enough to warrant preparation of an emissions reduction plan as identified in Mitigation Measures 4.3-3 and 4.3-4. Implementation of each of these measures is required as a condition of project approval, which will reduce project-related operational GHG and criteria air pollutant emissions, but not to a less-than-significant level. Therefore, impacts would remain significant and unavoidable.

(d) Noise

Project Impact (Significant and Unavoidable). Project Generated Traffic Noise. Traffic volume increases from the project would increase traffic noise along the existing local roadway network. In some locations, there would be a substantial, permanent increase in noise levels at sensitive receptors.

Findings. Changes or alterations have been made or required in the project that avoid or lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Development consistent with the Miramonte specific plan would reduce the size of the project boundary by 273 acres and the development density by 2,081 residential units. The current project would not result in new significant noise effects or substantially increase the severity of previously identified significant effects, no significant changes in noise related circumstances have occurred that would increased noise generation, and no new information has been identified that indicates the proposed project would have new or more significant noise impacts than were identified in the Miravale III EIR. Specifically, the following mitigation measures imposed upon the project lessen impacts, but not to a less-than-significant level:

Mitigation Measure

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:

- 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.
- 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.
- 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.

Evidence. A noise report was prepared for the Miravale III EIR which concluded measures such as repaving of area roadways, the replacement or construction of noise barriers, traffic calming, and sound insulation, noise barriers and sound insulation treatments would be required to be installed on private property necessitating agreements with each property owner on affected local streets. Therefore, it may not be reasonable or feasible to reduce project-generated traffic noise at all affected receivers. If the City determines that the mitigation measures would not be feasible, the impact will be considered significant and unavoidable. The noise report concluded that with mitigation noise levels might still be substantially and permanently increased in nearby residential areas. Development consistent with the Miramonte specific plan would reduce the size of the project boundary by 273 acres and the development density by 2,081 residential units, and also reduce project-related traffic volumes. The identified measures to reduce the project traffic-related noise levels would still apply. Some noise reduction levels require individual homeowner cooperation; therefore, they cannot be guaranteed. Implementation of Mitigation Measure 4.10-4 is required as a condition of project approval, which will reduce project-related mobile-source noise levels, but potentially not to a less-than-significant level. Therefore, the impact would remain significant and unavoidable.

Project Impact (Significant and Unavoidable). Construction Noise. Existing and proposed noise-sensitive land uses would be exposed to construction noise levels in excess of the significance thresholds for a period of more than one construction season (one year). The city considers construction noise lasting more than one year to be significant.

Findings. Changes or alterations have been made or required in the project that avoid or substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Changes in circumstances have occurred that would lessen certain impacts (reduced project size and scale), and no new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Therefore, the proposed project would not result in new significant impacts or substantially increase the severity of previously identified significant effects. However, the duration of construction would extend beyond one construction season. The following mitigation measures imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan mitigate the impacts, but not to a less than significant level:

Mitigation Measure 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.

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. 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.

4.10-8. Utilize "quiet" air compressors and other stationery noise sources where technology exists.

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.

4.10-10. Control noise from construction workers' radios to a point that they are not audible at existing residences bordering the project site.

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.)

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.

4.10-13. Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. Predrilling reduces the number of blows required to seat the pile and is a standard construction noise control technique.

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 for review and approval.

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. 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. Prior to the issuance of any grading and/or building permit, the project proponent shall provide the City of Soledad with the contact information for the designated “disturbance coordinator.”

Evidence. Although Mitigation Measures 4.10-6 through 4.10-15 would reduce noise generated by construction, the impact would remain significant and unavoidable as a result of the extended period of time that adjacent receivers would be exposed to construction noise.

(e) Population and Housing

Project Impact (Significant and Unavoidable). Population Growth/Growth Inducing effects. The proposed specific plan could result in a population addition of 9,712 people at build-out. The project also includes commercial uses that would generate 218 jobs with additional employment at the schools and other public facilities. Growth in population would increase demands on existing community facilities, requiring construction of new facilities that could cause significant environmental effects.

Findings. Changes or alterations have been made or required in the project that lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Changes in circumstances have occurred that would lessen certain impacts (reduced project size and scale), and no new information has been identified that indicates the proposed project would have new or more significant impacts than were identified for the original project. Therefore, the proposed project would not

result in new significant impacts or substantially increase the severity of previously identified significant effects. Development consistent with the Miramonte Specific Plan would reduce the size of the project boundary by 273 acres and the development density by 2,081 residential units. The reduced scale of the project would still result in significant increased demands for community facilities and infrastructure, although to a lesser extent than the Miravale III EIR.

Evidence. Although the project site is located in an area that has been identified for future population growth in city's general plan and would result in 36.1 percent less growth than the Miravale III project, the project would still result in a significant growth-inducing impacts through the introduction of new sources of employment and a significant portion of the city's projected population growth. Consequently, additional demand would be placed on existing facilities. This remains a significant and unavoidable impact that cannot be reduced to less-than-significant level with mitigation.

(f) Traffic and Circulation

Impact (Potentially Significant and Unavoidable). Unacceptable LOS at Front Street and U.S. Highway 101 SB Ramps: Traffic generated by the proposed project would cause LOS F operations on the U.S. Highway 101 southbound off-ramp to Moranda Road and Front Street at the Moranda Road Interchange during at least one peak hour. Improvements to the interchange and Front Street would be required to accommodate greater than 42 percent of trips generated by development consistent with the Miramonte specific plan uses.

Finding. Changes or alterations have been made or required in the project that substantially lessen the significant environmental effect as identified in the Miravale III EIR or as clarified in the EIR Addendum. Specifically, the following mitigation measure imposed upon the project, in addition to the reduced size and intensity of development allowed by the adopted Miramonte Specific Plan reduce the impact to this intersection to a less-than-significant level; however, this intersection is under the jurisdiction of Caltrans and not under the control of the City. If Caltrans does not implement improvements, the impact would be significant and unavoidable.

Mitigation Measure

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.

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.

All required traffic impact fees shall be subject to review by the Director of Public Works and approval of the City Council.

Evidence. Development consistent with the Miramonte Specific Plan would generate approximately 40 percent fewer vehicle trips than the originally proposed project. The payment of Regional Traffic impact fees mitigates the project's contribution to impacts to the interchange. These fees may be used by TAMC toward 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. As a condition of approval the developer will implement Mitigation Measure 4.13-11, which will reduce the project's impact to this Caltrans facility to less than significant. 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 significant and unavoidable.

IV

CUMULATIVE IMPACTS

The proposed project would contribute to cumulative impacts identified in the Miravale III EIR including significant and unavoidable cumulative impacts related to aesthetics, agriculture, air quality, GHG emissions, noise, and traffic. With the exceptions of these resource areas, the cumulative impacts and project contributions to them will either be less than cumulatively considerable or reduced to a less-than-cumulatively-considerable level with implementation of standard conditions of project approval and implementation of the mitigation measures identified in the EIR Addendum. Due to the lengthy implementation timeline of the project and the potential for the project to contribute to unacceptable levels of service at Front Street intersections and roadway segment levels of service indicates the need for intersection improvements or construction of either or both of the Market Street extension identified in Mitigation Measure 4.13-16 and/or the Gabilan Drive extension identified in Mitigation Measure 4.13-17, and/or the U.S. Highway 101/State Route 146 Bypass (Pinnacles Parkway) identified in Mitigation Measure 4.13-9 to reduce the impacts to less than significant. Routine monitoring conducted by the City at the developers' expense and overseen by the Director of Public Works is required by Mitigation Measure 4.13-15, and ensures that 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.

The EIR Addendum does not change the conclusions regarding the project's contribution to cumulative roadway impacts. The proposed project would not result in new or greater

cumulatively considerable contributions to cumulative impacts that were not already identified and addressed in the certified Miravale III EIR.

V.
STATEMENT OF OVERRIDING CONSIDERATIONS

The California Environmental Quality Act and the State CEQA Guidelines provide that:

> "CEQA requires the decision-maker to balance the benefits of a proposed project against its unavoidable adverse risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse impacts may be considered acceptable.
>
> Where the decision of the public agency allows the occurrence of significant effects which are identified in the final EIR but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement may be necessary if the agency also makes a finding under Section 15091(a)(2) or (a)(3).
>
> If any agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination." (Section 15093 of the State CEQA Guidelines).

Project benefits are defined as those improvements or gains to the community that will not occur without the project.

Project Impacts

As previously discussed, development of the project site will result in significant and unavoidable individual and cumulative impacts related to aesthetics, agriculture, air quality, GHG emissions, noise, and traffic and circulation.

Project Benefits

The City of Soledad finds that the following substantial benefits will occur as a result of approval of the project:

- Provision of a mixed-use development of housing, parks, schools, fire and/or police sub-station, and neighborhood commercial uses guided by a specific plan to serve the local area and provide a balance of uses, consistent with the general plan;

- Preservation of the scenic hills above the 400-foot elevation contour as open space for passive recreational use, with directed public access, space

for infrastructure to serve the plan area, alternative energy, a community room or clubhouse, and grazing; and

- Provision of a mix of housing types to serve the housing needs of the city consistent with the general plan housing element through policy requirements for the development of a range of low, very low, affordable and inclusionary housing in an amount greater than current regional housing needs, and housing opportunities for senior citizens by providing a range of moderate-income housing types on a variety of lots for the existing and future residents of Soledad; and

- Reserving land for two public schools and new police and fire department substations; and

- Reserving land for commercial development to allow for future economic growth within the city and assist in maintaining a local jobs/housing balance and reducing vehicle trips; and

- Provision of integrated water, wastewater, and storm drainage infrastructure improvements on and off the site; and,

- Provision of storm water drainage system that retains post-development runoff within the plan area, aiding in recharging the groundwater basin, and minimizing or avoiding impacts to downstream facilities; and

- Provision of complete streets to serve the plan area and connect to the surrounding road network, directing most trips by way of San Vicente Road, in addition to improving San Vicente Road and facilitating construction of the Gabilan Drive Extension identified in the general plan; and

- Provision of interconnected public parklands to serve the recreational needs of the development and surrounding community by dedicating land sufficient to provide public park and recreational facilities at a minimum ratio of five acres per 1,000 persons; and

- Provision of 150 acres of open space and an opportunity to extend the Golden Stairway trail system identified in the general plan; and

- Supports the local economy by increasing income within the plan area through permits, fees, property taxes, and job creation.

The City of Soledad City Council has considered each of the significant and unavoidable adverse environmental impacts identified above in deciding whether to approve the project. Pursuant to Public Resources Code 21081 (CEQA) the City of Soledad City

Council makes the following findings in adopting this statement of overriding conditions for each significant impact:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

Although substantial evidence demonstrates that the unavoidable impacts identified in the Final EIR and EIR Addendum and its Errata will be substantially lessened by the mitigation measures incorporated into the project, the City recognizes that approval of the project will nonetheless result in certain unavoidable effects.

After balancing the project's environmental risks with its benefits described above, the City specifically finds that, despite the reduced scale of the Miramonte Specific Plan project, and to the extent that adverse or potentially adverse impacts set forth above have not been mitigated to a level of insignificance, that specific economic and social benefits, namely, the provision of affordable housing stock that exceeds regional housing need requirements, preservation of the scenic hillsides above the 400-foot contour, an increase in public parks and recreational facilities, utility and roadway infrastructure improvements on San Vicente Road, new school sites and a police and fire substation site, outweigh the significant effects on the environment. Furthermore, the City specifically finds that any one and each of the foregoing benefits constitutes a significant consideration sufficient to approve the project despite the unavoidable impacts identified herein. Therefore, each of the foregoing benefits is adopted as an overriding consideration with respect to each of the significant unavoidable impacts individually.

Additionally, for the potentially significant and unavoidable impacts to Caltrans facilities, the City specifically finds that the potentially adverse impacts set forth above have not been mitigated to a level of insignificance, that the necessary changes identified herein are not under the control of the City but are within the responsibility and jurisdiction of another public agency (Caltrans) and can and should be, adopted by that other agency.

Each overriding consideration is severable from any other consideration should one or more consideration be shown to be legally insufficient for any reason. The Statement of Overriding Considerations for the project is thus adopted.

EXHIBIT D
City of Soledad City Council Resolution 5431

ERRATA FOR THE ADDENDUM TO THE MIRAVALE III SPECIFIC PLAN EIR (MIRAMONTE SPECIFIC PLAN AND VTM PROJECT)

This exhibit presents revisions to the EIR Addendum (Dated April 5, 2018) analysis and mitigation measures made in response to concerns raised and issues discussed by the Planning Commission and City Council during their respective consideration of the proposed Miramonte Specific Plan and Vesting Tentative Map project. Additions and deletions are presented in underline and strikethrough text.

AESTHETICS, SECTION 3.2

Mitigation Measure 4.1-4 is revised as follows:

4.1-4. Final design plans for proposed development shall utilize natural 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. ~~If an alternative design would minimize impacts, the applicant shall submit evidence demonstrating that the alternative design is infeasible.~~

AGRICULTURAL RESOURCES, SECTION 3.3

Mitigation Measure 4.2-1 text is revised as follows:

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 Appendix T-1. The 200-foot buffer along the project's western boundary may be reduced upon demonstration to the satisfaction of the ~~city~~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. The County of Monterey Agricultural Commissioner shall be consulted regarding the adequacy of the proposed buffers and physical barriers and evidence of said consultation and recommendation shall be submitted to the city prior to approval of the tentative map. 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.

EXHIBIT D
City of Soledad City Council Resolution 5431

Mitigation Measure 4.2-5 is revised as follows:

4.2-5 Prior to the recordation of final map(s)~~issuance of any permit~~, 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.

AIR QUALITY, SECTION 3.4

Mitigation Measure 4.3-2a is revised as follows:

Prior to the issuance of a grading permit in any phase ~~each final map and use permits~~, 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 Community & Economic Development~~Planning~~ Department and all recommendations shall be implemented during construction

The first paragraph of Mitigation measure 4.3-3 is revised as follows:

In order to reduce greenhouse gas (GHG) and criteria air pollutants (CAP) emissions to the extent feasible, the ~~applicant/~~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 second paragraph of Mitigation measure 4.3-3 is revised as follows:

4.3-3 No certificate of occupancy for any phase, or portion thereof, of the project shall be granted until all of the ~~feasible, applicable~~ 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.

BIOLOGICAL RESOURCES, SECTION 3.5

All references to the California Department of Fish and Game are updated to California Department of Fish and Wildlife (CDFW).

The first sentence of Mitigation Measure 4.4-2 is revised as follows:

~~Prior to the onset of~~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.

EXHIBIT D
City of Soledad City Council Resolution 5431

Mitigation Measure 4.4-3 is revised as follows:

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 ~~to the maximum extent feasible~~. 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 ~~to the extent feasible~~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.

Mitigation Measure 4.4-6 is revised as follows:

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.

The first sentence of Mitigation Measure 4.4-7 is revised as follows:

4.4-7 A qualified botanist shall be retained by the developer 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.

The last paragraph of Mitigation Measure 4.4-7 is revised as follows:

Avoidance shall be confirmed by the City prior to ~~the time~~approval of the final~~tentative~~ map ~~approval~~ for ~~this~~ 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).

Mitigation Measure 4.4-8 is revised as follows:

4.4-8 The developer shall record the conservation easement for all areas above the 400 foot elevation contour ~~prior to~~ concurrent with recordation of the first final map or the onset of any other site disturbance

The first and second paragraphs of Mitigation Measure 4.4-10 are revised as follows:

4.4-10 Pre-construction surveys for kit fox dens shall be required for all development phases of the future project. 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 CDFG have been contacted and authorization to proceed has been obtained by the applicant. 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.

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.

The first sentence of the third bullet point of Mitigation Measure 4.4-11 is revised as follows:

If the biologist determines that avoidance of an active badger den is not feasible, the biologist shall coordinate with CDFGCDFW on the appropriate way to evict/exclude badgers from their dens.

The first sentence of Mitigation Measure 4.4-12 is revised as follows:

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 last sentence of the fourth bullet point of Mitigation Measure 4.4-12 is revised as follows:

If the biologist determines that disruption of a maternity roost cannot be avoided, a depredation permit would be required

Mitigation Measure 4.4-14 is revised as follows:

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. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. The survey shall conform to the CDFG 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). If occupied burrows are found the avoidance and

mitigation measures~~Please refer to the mitigation measures~~ regarding burrowing owl identified in the Preliminary BA (June, 2008) ~~for avoidance and mitigation measures that~~may be implemented based on the results of these surveys.

The first sentence of Mitigation Measure 4.4-15 is revised as follows:

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.

The first sentence of Mitigation Measure 4.4-17 is revised as follows:

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.

Mitigation Measure 4.4-20 is revised as follows:

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" 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.

CULTURAL RESOURCES, SECTION 3.5

Mitigation Measure 4.5-1 is revised as follows:

Relocation of House. 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. 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, and the Mitigation Monitoring and Reporting Plan (MMRP) for the project. Prior to recordation of the final map, the project applicant shall submit a relocation plan prepared by a qualified professional in accordance with the general recommendations of Moving Historic Buildings, a publication of the National Park Service, to the City of Soledad for review and approval. The relocation plan shall discusses 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. Prior to the relocation,

the applicant shall provide verification of compliance with ~~related mitigations~~mitigation measure 4.5-2 to the City of Soledad Community Development Department Director for review and approval. In addition, the structure shall be relocated prior to the issuance of any building and/or grading permit for development within the Specific Plan area.

The second paragraph of Mitigation Measure 4.5-2 is amended as follows:

~~Prior to the recordation of the final map, the project applicant shall submit a relocation plan, consistent with Mitigation Measure 4.5-1, which incorporates protective measures consistent with the intent of this measure.~~ 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.

The last sentence of Mitigation Measure 4.5-3 is revised as follows:

The project ~~applicant~~developer shall submit detailed documentation prepared by a qualified professional demonstrating that all repairs have been completed in accordance with applicable standards prior to the issuance of ~~any building permit~~the first certificate of occupancy.

Mitigation Measure 4.5-6 is revised as follows:

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~~, as necessary~~.

HYDROLOGY AND WATER QUALITY, SECTION 3.6

The last sentence of Mitigation Measure 4.6-3 is revised as follows:

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 ~~Director of Public Works~~Building Official for review and approval.

EXHIBIT D
City of Soledad City Council Resolution 5431

The last sentence of the first paragraph of Mitigation Measure 4.6-4 is revised as follows:

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:

GEOLOGY, SOILS, AND MINERAL RESOURCES, SECTION 3.7

The text of Mitigation Measure 4.6-8, is revised as follows:

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. 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.

The last sentence of Mitigation Measure 4.6-9 is revised as follows:

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 ~~Director of Public Works~~Building Official.

HAZARDS AND HAZARDOUS MATERIALS, SECTION 3.8

The second paragraph of Mitigation Measure 4.8-3 is revised as follows:

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. ~~The VTM and Specific Plan shall be revised as necessary to reflect final locations of drainage facilities, subject to the review and approval of the Director of Public Works.~~

The last paragraph of Mitigation Measure 4.8-4 is revised as follows:

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 by the Public Works Director.

EXHIBIT D
City of Soledad City Council Resolution 5431

LAND USE AND PLANNING, SECTION 3.10

The first paragraph and last bullet item of Mitigation Measure 4.10-4 is revised as follows:

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:

- Provide affected residences with building sound insulation, such as sound rated windows and doors~~, on a case by case basis~~ to reduce interior noise levels to below the 45 dBA CNEL noise standard.

POPULATION AND HOUSING, SECTION 3.12

Mitigation Measure 4.11-3 is revised as follows:

4.11.3 The applicant's approved ~~shall enter into a~~ 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 ~~project approval~~recording of the first final map.

PUBLIC SERVICES AND RECREATION, SECTION 3.13

Police and Fire

The last sentence of Mitigation Measure 4.12-1 is revised as follows:

This mitigation measure shall not be construed as prohibiting the implementation of infrastructure necessary to serve the proposed facility or facilities~~or the need of the proposed project~~.

Schools

Based on information provided by the Soledad Unified School District (letter dated August 28, 2018) the following change is made to Mitigation Measure 4.12-4, pp 3-93 – 3-94:

4.12-4 Prior to ~~project approval~~ recording of the first final map, the project Developer shall submit an agreement with evidence demonstrating that ~~an additional~~two school sites of sufficient size will be dedicated within the project boundaries~~ to meet project demands~~, subject to the review and approval of the City of Soledad and the Soledad Unified School District. ~~An agreement shall be established between the developer and/or successors in interest and the Soledad Unified School District that establishes the timing of the school construction or improvements and financing obligations. 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, unless~~

~~otherwise dictated by a development agreement or permit conditions.~~ 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.

Based on information provided by the Soledad Unified School District (letter dated August 28, 2018) the following change is made to Mitigation Measure 4.12-5, page 3-94:

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.

Parks and Recreation

The following change is made to Mitigation Measure 4.12-6, page 3-92:

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. ~~for each dedicated recreation parcel in that phase of development~~ This plan shall also identify the appropriate types of improvements within each park parcel to meet the recreational needs of all age groups ~~within that phase of the project~~. 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.

TRAFFIC AND CIRCULATION, SECTION 3.14

The mitigation measures listed in this section (pp 3-117 – 3-136) are modified and three new mitigation measures are added in response to concerns raised by the Planning Commission and City Council during their review and consideration of the project's effects to traffic and circulation.

In response to concerns voiced by Planning Commissioners and City Council members, the traffic mitigation measures have been revised to eliminate repetitive language regarding alternative roadway extensions and monitoring. Three additional mitigation measures, 4.13-15, 4.13-16, and 4.13-17 are added to address these issues and are described in the following paragraph.

Mitigation Measure 4.13-15, Level of Service Monitoring Program, is added to the addendum to eliminate repetitive language in multiple mitigation measures describing the required monitoring program. The new measure identifies the affected intersections and performance thresholds including minimum frequency, duration, and reporting for the monitoring that shall be conducted by the City at the applicant's expense. Correspondingly the details of required monitoring have been deleted from the individual mitigation measures. Mitigation measures identifying improvement alternatives of an extension of Market Street from San Vicente Road to the

intersection of Moranda Road / Front Street (Mitigation Measure 4.13-16) and an extension of Gabilan Drive from San Vicente Road to Moranda Road / U.S. Highway 101 northbound ramps (Mitigation Measure 4.13-17) are added to the EIR Addendum and mitigation. An extension of Gabilan Drive was identified in many of the mitigation measures as an alternative improvement that will mitigate cumulative impacts to several affected intersections and the project's contribution to them. The new mitigation measure 4.13-17 describes the extension and the intersection impacts it will mitigate if constructed. Additionally an extension of Market Street from San Vicente Road to the intersection of Moranda Road / Front Street was also identified during City Council consideration of the proposed project. The extension of Market Street is identified in the general plan and the environmental impacts were analyzed in the general plan EIR. This improvement is included in the 2007 traffic impact fee study. The new mitigation measure 4.13-16 describes the extension and the intersection impacts it will mitigate if constructed. The remaining mitigation measures are modified accordingly as described below.

Mitigation Measure 4.13-15 (NEW)

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.

- 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.

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.

The Monitoring Program shall include the following:

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.

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.

Mitigation Measure 4.13-16 (NEW)

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. This improvement would mitigate the project's impacts to the following intersections:

- Moranda Road / Front Street;
- U.S. Highway 101 Northbound Ramps and Moranda Road / Front Street; and
- San Vicente Road / Front Street.

The project developer may choose to design and construct the Market 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.

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.

Mitigation Measure 4.13-17 (NEW)

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.

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:

- 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.

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..

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 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 by the Director of Public Works and approval by the City Council.

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, 4.13-6and 4.13-10 are not required.

The following change is made to the discussion of impacts to the intersection of Moranda Road and Front Street p 3-124 of the EIR Addendum:

This impact was identified in the Miravale III EIR as less than significant with mitigation. The necessary improvements to mitigate project impacts are identified in mitigation measure 4.13-2 of the Miravale III EIR, and include widening of northbound Front Street to two lanes, which has already occurred. No additional mitigation is required; however, the language of mitigation measure 4.13-2 has been revised for clarification based on the roadway improvements called for in the proposed specific plan, the reduced project size, the configuration of allowable uses under the specific plan, and the analysis of traffic "triggers" discussed earlier in this section.

The following change is made to the discussion of impacts to the intersection of Moranda Road and Front Street p 3-125 of the Addendum:

Implementation of the following revised Mitigation Measure 4.13-2 ~~in addition to implementation of revised Mitigation Measure 4.13-10 and revised Mitigation Measures 4.13-11~~ would reduce the project's impact to this intersection to less than significant.

The following change is made to Mitigation Measure 4.13-2 (Moranda Road and Front Street Intersection), pp 3-125 – 3-127 of the Addendum:

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 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).

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. 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.

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.

~~4.13-2 Widen northbound Front Street to two lanes, add a second northbound through lane, eastbound free right-turn lane and widen Front Street between Moranda Road and San Vicente Road or. construct the Gabilan Drive Extension. This improvement is necessary with or without the project. The intersection of Moranda Road and Front Street would operate at LOS B with construction of the Gabilan Drive Extension.~~

~~The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. The developer shall mitigate the project impacts to this intersection in one of the following ways:~~

~~Prior to the issuance of any building permit for each phase of development, the project developer shall either submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance for the construction of the Gabilan Drive Extension in order to mitigate the project's share of impacts at this location or construct the Gabilan Drive Extension.~~

~~The project developer shall also be responsible for monitoring the intersection of Moranda Road/Front Street. Local roadways 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 until the intersection improvements or extension of Gabilan Drive is complete. At minimum, monitoring shall commence upon issuance of the first residential building permit, and shall be conducted prior to issuance of the 600th, 900th, and 1,800th residential building permit (excluding secondary units). Monitoring shall include the following:~~

- ~~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 necessary to maintain acceptable levels of service at this intersection.~~

~~The project developer shall install the required improvements at the intersection if directed in writing to do so by the City of Soledad Director of Public Works and so long as the city issues any required permits. The developer's costs associated with the required improvements may be subject to partial reimbursement; however, the developer's obligation to install the improvements shall not be dependent on receipt of any reimbursement.~~

~~The developer shall be obligated to install the identified improvements promptly upon notification from the city of the need to do so.~~

~~All required traffic impact fees shall be paid prior to the issuance of any building permit for each phase of development. No certificates of occupancy shall be issued for any development warranting the improvement until the Gabilan Drive extension is installed, subject to the review and approval of the City of Soledad Director of Public Works.~~

~~In the alternative, if the City of Soledad Director of Public Works determines that the Gabilan Drive extension is not needed at the time of issuance of the building permit for the project's 1,800th residential unit, the project developer shall comply with the following.~~

~~If the Gabilan Drive Extension is expressly covered in the city's then-current traffic impact program, then the developer's payment of the applicable traffic impact fee shall constitute a fair share contribution toward the improvement of Gabilan Drive. If the Gabilan Drive Extension is not expressly covered in the then-current traffic impact fee program, the developer shall pay its fair share contribution (based on its pro rata contribution of trips) of costs to the City of Soledad for the construction of the Gabilan Drive extension. The developer may choose to construct the improvement and may be subject to partial reimbursement at the discretion of the City of Soledad.~~

~~Traffic facility improvement plans or traffic impact fees shall be subject to the review and approval by the Director of Public Works.~~

The following change is made to Mitigation Measure 4.13-3 (San Vicente Road and Front Street Intersection), pp 3-127 – 3-129 of the Addendum:

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 San Vicente Road to the U.S. Highway 101 northbound ramps (Mitigation Measure 4.13-17).

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. These fees may be used by the city,

at the discretion of the City Council, to instead acquire land and construct an extension of Market Street or Gabilan Drive as described above.

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.

~~4.13-3 Intersection of San Vicente Road and Front Street. The intersection of San Vicente Road and Front Street would operate at LOS B with the construction of the Gabilan Drive extension or by widening northbound Front Street to two lanes, northbound San Vicente Road to three lanes, adding two eastbound left-turn lanes and a southbound free-right turn lane.~~

~~The project developer is responsible for the project's fair-share contribution of costs to mitigate the project's impact to this intersection. The developer shall mitigate the project impacts to this intersection in one of the following ways:~~

~~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 construction of the intersection improvements or Gabilan Drive Extension in order to mitigate the project's share of impacts at this location. Alternatively the developer may construct the Gabilan Drive Extension.~~

~~The project developer shall also be responsible for monitoring the intersection of San Vicente Road and Front Street. Local roadways 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 until buildout occurs or the extension of Gabilan Drive is complete.~~

~~At minimum, monitoring shall commence upon issuance of the first residential building permit, and shall be conducted prior to issuance of the 600th, 900th, and 1,800th residential building permit (excluding secondary units). residential building permit (excluding secondary units) or until improvement is complete. Monitoring shall include the following:~~

- ~~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 necessary to maintain acceptable levels of service at this intersection.~~

~~The project developer shall commence to construct the Gabilan Drive Extension if directed in writing to do so by the City of Soledad Director of Public Works and so long as the city issues any required permits. The developer's costs associated with the required improvements may be subject to partial reimbursement; however, the developer's obligation to install the improvements~~

~~shall not be dependent on receipt of any reimbursement. The developer shall be obligated to install the identified improvements promptly upon notification from the city of the need to do so.~~

~~All required traffic impact fees shall be paid prior to the issuance of any building permit for each phase of development. No certificates of occupancy shall be issued for any development warranting the improvement until the Gabilan Drive extension improvement is installed, subject to the review and approval of the City of Soledad Director of Public Works.~~

~~In the alternative, if the City of Soledad Director of Public Works determines that the Gabilan Drive extension is not needed at the time of issuance of the building permit for the project's 1,800th residential unit, the project developer shall comply with the following.~~

~~If the Gabilan Drive Extension is expressly covered in the city's then-current traffic impact program, then the developer's payment of the applicable traffic impact fee shall constitute a fair share contribution toward the improvement of Gabilan Drive. The developer may choose to construct the improvement and may be subject to partial reimbursement at the discretion of the City of Soledad. If the Gabilan Drive Extension is not expressly covered in the then-current traffic impact fee program, the developer shall pay its fair share contribution (based on its pro rata contribution of trips) of costs to the City of Soledad for the construction of the Gabilan Drive extension.~~

~~Traffic facility improvement plans or traffic impact fees shall be subject to review and approval by the Director of Public Works.~~

The following change is made to Mitigation Measure 4.13-4 (San Vicente Road and Gabilan Drive) on pp 3-130 – 3-131 of the Addendum:

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).

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. 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.

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.

~~4.13-4 Intersection of San Vicente Road and Gabilan Drive. The intersection of San Vicente Road and Gabilan Drive would operate at an acceptable level of service with the construction of the Gabilan Drive extension, or with signalization and addition of a second westbound left-turn lane. The latter improvement requires southbound San Vicente Road to be widened to accommodate the two left-turn lanes.~~

~~The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. The developer shall mitigate the project impacts to this intersection in one of the following ways:~~

~~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 construction of the Gabilan Drive Extension in order to mitigate the project's share of impacts at this location, construct the improvement, or construct the Gabilan Drive Extension.~~

~~The project developer shall also be responsible for monitoring the intersection of San Vicente Road and Gabilan Drive. Local roadways shall be monitored annually 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 until the extension is complete. Monitoring shall commence at issuance of the first building permit and shall be conducted in at least four stages: upon issuance of the first residential building permit, and prior to issuance of the 600th, 900th, and 1,800th residential building permit (excluding secondary units) or until the intersection improvements are complete. Monitoring shall include the following:~~
~~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 necessary to maintain acceptable levels of service at this intersection.~~
~~d. The project developer shall commence to construct the Gabilan Drive Extension if directed in writing to do so by the City of Soledad Director of Public Works and so long as the city issues any required permits. The developer's costs associated with the required improvements may be subject to partial reimbursement; however, the developer's obligation to install the improvements shall not be dependent on receipt of any reimbursement. The developer shall be obligated to install the identified improvements promptly upon notification from the city of the need to do so.~~

~~All required traffic impact fees shall be paid prior to the issuance of any building permit for each phase of development. No certificates of occupancy shall be issued for any development warranting the improvement until the Gabilan Drive extension is installed, subject to the review and approval of the City of Soledad Director of Public Works.~~

~~In the alternative, if the City of Soledad Director of Public Works determines that the Gabilan Drive extension is not needed at the time of issuance of the building permit for the project's 1,800th residential unit, the project developer shall comply with the following.~~

~~If the Gabilan Drive Extension is expressly covered in the city's then-current traffic impact program, then the developer's payment of the applicable traffic impact fee shall constitute a fair share contribution toward the improvement of Gabilan Drive. The developer may choose to construct the improvement and may be subject to partial reimbursement at the discretion of the City of Soledad. If the Gabilan Drive Extension is not expressly covered in the then-current traffic impact fee program, the developer shall pay its fair share contribution (based on its pro rata contribution of trips) of costs to the City of Soledad for the construction of the Gabilan Drive extension.~~

~~Traffic facility improvement plans or traffic impact fees shall be subject to review and approval by the Director of Public Works.~~

The following change is made to Mitigation Measure 4.13-6 (Main Street and Gabilan Drive), Pages 3-132 - 3-133:

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.

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. 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.

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.

~~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.~~

~~The project developer is responsible for the project's fair share contribution of costs to mitigate the project's impact to this intersection. The developer shall mitigate the project impacts to this intersection in one of the following ways:~~

~~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 construction of the Gabilan Drive Extension in order to mitigate the project's share of impacts at this location or construct the Gabilan Drive Extension.~~

~~The project developer shall also be responsible for monitoring the intersection of Main Street and Gabilan Drive. Local roadways 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 until the extension is complete~~

~~Monitoring shall commence at issuance of the first building permit and shall be conducted in at least three stages, prior to issuance of the 600th, 900th, and 1,800th residential building permit (excluding secondary units) or until the improvement is complete. Monitoring shall include the following:~~
~~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 necessary to maintain acceptable levels of service at this intersection.~~
~~d. The project developer shall commence to construct the Gabilan Drive Extension if directed in writing to do so by the City of Soledad Director of Public Works and so long as the city issues any required permits. The developer's costs associated with the required improvements may be subject to partial reimbursement; however, the developer's obligation to install the improvements shall not be dependent on receipt of any reimbursement. The developer shall be obligated to install the identified improvements promptly upon notification from the city of the need to do so.~~

~~All required traffic impact fees shall be paid prior to the issuance of any building permit for each phase of development. No certificates of occupancy shall be issued for any development warranting the improvement until the Gabilan Drive extension improvements are installed, subject to the review and approval of the City of Soledad Director of Public Works.~~

~~In the alternative, if the City of Soledad Director of Public Works determines that the Gabilan Drive extension is not needed at the time of issuance of the building permit for the project's 1,800th residential unit, the project developer shall comply with the following.~~

~~If the Gabilan Drive Extension is expressly covered in the city's then-current traffic impact program, then the developer's payment of the applicable traffic impact fee shall constitute a fair share contribution toward the improvement of Gabilan Drive. The developer may choose to construct the improvement and may be subject to partial reimbursement at the discretion of the City of Soledad. If the Gabilan Drive Extension is not expressly covered in the then-current traffic impact fee program, the developer shall pay its fair share contribution (based on its pro~~

~~rata contribution of trips) of costs to the City of Soledad for the construction of the Gabilan Drive extension.~~

~~Traffic facility improvement plans or traffic impact fees shall be subject to review and approval by the Director of Public Works.~~

The following change is made to Mitigation Measure 4.13-7, page 3-134 of the EIR Addendum:

4.13-7 The intersection of Andalucia Drive and Gabilan Drive will operate at an acceptable level of service, determined by the City Director of Public Works, 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 these improvements until said improvements have been fully constructed, subject to the review and approval of the Director of Public Works.

The following change is made to Mitigation Measure 4.13-8, pp 3-134 – 3-135:

4.13-8 The intersection of Orchard Lane and Metz Road will operate at an acceptable ~~LOS~~ level of service, determined by the Director of Public Works, 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.

The following change is made to Mitigation Measure 4.13-9, pp 3-135 – 3-136:

4.13-9 Intersections of Oak Street and Front Street and Front Street and Nestles Road. ~~Construction of the Pinnacles Parkway project would improve intersection operations to acceptable levels of service:~~ Widen Front Street between Nestles Road and Oak Street and add a second eastbound left-turn lane at the intersection of Nestles Road and Front Street. 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 an acceptable level of service.

If the development of the project precedes completion of the Pinnacles Parkway, ~~The~~ the project developer shall submit payment of the City of Soledad traffic impact fee in effect at the time of building permit issuance. All necessary fees shall be paid prior to the issuance of any building permits for each phase of development and shall be subject to review by~~the approval of~~ the Director of Public Works and approval of the City Council.

The following change is made to Mitigation Measure 4.13-10, pp 3-118 – 3-119:

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.

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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.

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 approval of the Director of Public Works.

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.

Improvements to this 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.

All required traffic impact fees shall be subject to review by the Director of Public Works and approval of the City Council.

~~4.13-10 The project developer is responsible for a fair share contribution of costs towards the construction improvements to the U.S. Highway 101 interchange at Moranda Road. 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 improvements to the intersection and northbound ramps of U.S. Highway 101 interchange at Moranda Road and shall also pay the TAMC Regional Development Impact Fees The improvements may include signalization of the intersection and widening the northbound U.S. Highway 101 on ramp to add a second northbound left turn lane. Implementation of these improvements would require widening the northbound ramp to accommodate two lanes. If the aforementioned improvements are not implemented by the time required, the project could either construct or contribute its fair share towards the construction of the extension of Gabilan Drive to U.S. Highway 101. Under this approach to mitigation, local roadways shall be monitored by the city at the developer's expense to ensure that LOS levels of service are maintained in accordance with the City of Soledad's adopted standards until the extension is complete. In addition the U.S. Highway 101 interchange at Moranda Road/Front Street will require reconfiguration/reconstruction to provide more efficient access to the project site and north Soledad in general. However, improvements to this interchange are within the jurisdiction of Caltrans and not under the control of the city.~~

~~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 approval of the Director of Public Works.~~

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The following change is made to Mitigation Measure 4.13-11, page 3-120:

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.

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.

All required traffic impact fees shall be subject to review by the Director of Public Works and approval of the City Council.

~~The project developer shall pay the project's fair share of TAMC regional development Impact fees for the construction of interchange improvements that may include signalization of the intersection the addition of a second lane on the off- ramp and/or reconfiguration/reconstruction of the US 101 interchange at Moranda Road/Front Street. Widening Front Street (a city traffic facility) to two lanes southbound, between US 101 and Moranda Road is also necessary to provide more efficient access to the project site and north Soledad in general.~~

~~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 be deemed infeasible by the Caltrans, or the widening of Front Street be deemed infeasible by the city, the impact would be considered significant and unavoidable. Prior to the issuance of any building permit for each phase of development, the project applicant shall submit payment of the traffic impact fee in effect at the time of building permit issuance, including the Regional Development Transportation Impact Fees, in order to mitigate the impact at this location. 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 approval of the Director of Public Works.~~

The following change is made to Mitigation Measure 4.13-12, page 3-121:

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 fees shall be shall be subject to the approval of the Director of Public Works.

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CUMULATIVE TRAFFIC, SECTION 4.2

The following text is added to Mitigation Measure 4.13-13, page 4-4:

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.

The following text is added to Mitigation Measure 4.13-14, page 4-4:

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 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.

UTILITIES AND SERVICE SYSTEMS, SECTION 3.15

Mitigation Measure 4.14-1 is revised as follows:

~~D~~The developer shall retain an engineer to design ~~and construct~~ the water supply and distribution system for the project ~~that is~~ to be integrated with the City's water distribution system ~~and~~ consistent with the Urban Water Management Plan and the City's ~~2005~~ Water Master Plan. ~~project applicant shall submit detailed design level infrastructure plans in accordance with this measure, subject to the r~~Review and approval by the City of Soledad Director of Public Works and City Council is required prior to recordation of first final map.

Prior to the issuance of any building permit 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 with city design criteria in accordance with the approved design-level infrastructure plans, subject to the review and approval of the City of Soledad Director of Public Works.

Mitigation Measure 4.14-9 is revised as follows:

4.14-9 All ~~water and~~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 ~~evidence, including but not limited to~~design-level infrastructure plans, consistent with the requirements of this mitigation, subject to the approval of the Director of Public Works.

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The first line of Mitigation Measure 4.14-13 is revised as follows:

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 ~~to the maximum extent feasible~~.

APPENDICES

Appendix E (NEW)

Appendix E, Impact and Mitigation Summary, is added to the EIR Addendum that includes a summary table of significant impacts, mitigation measures that reduce them and their resultant significance with mitigation.