

EXHIBIT D
City of Soledad City Council Resolution 5431

**ERRATA FOR THE ADDENDUM TO THE MIRAVALLE 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.

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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.

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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

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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

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~~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 discuss planning, research, and recording prior to the move. In addition, the relocation plan shall identify siting, foundation construction, building reassembly, and restoration work after a successful move. See John Obed Curtis, Moving Historic Buildings, Heritage Conservation and Recreation Service, Publication No. 9, US Department of Interior (1979) for further details. Prior to the relocation,

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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.

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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.

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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~~

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~~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

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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

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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

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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, 4.13-6 and 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).

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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.~~

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~~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,

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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~~

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~~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

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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.~~

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~~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.~~

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~~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~~

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~~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 interehange 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 interehange 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 interehange 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:

~~⊘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.