
APPENDIX A

NOTICE OF PREPARATION/MITIGATED NEGATIVE
DECLARATION/RESPONSES

COUNTY OF MONTEREY

RESOURCE MANAGEMENT AGENCY
PLANNING DEPARTMENT
168 W. ALISAL ST. 2nd FLOOR, SALINAS, CA 93901



FILED

MAY 28 2008

SALINAS OFFICE: 168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901 FAX: 831.757.9516 PHONE: 831.757.2500
 COASTAL OFFICE (Building Services only) 2620 FIRST AVE., MARINA, CA 93933 FAX: 831.384.3261 PHONE: 831-883-2500
 KING CITY OFFICE (Building Services only) 522 - NORTH SECOND ST., KING CITY, CA 93930 FAX: 831.385.8387 PHONE: 831.385.8315

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

<http://www.co.monterey.ca.us/pbi/>

NOTICE OF PREPARATION (NOP)
of a Draft Environmental Impact Report (DEIR) for the
Paraiso Hot Springs Spa Resort Development Application
Proposed by Thompson Holdings, LLC
County Planning File Number: PLN040183

The County of Monterey will be the **Lead Agency** and will prepare an Environmental Impact Report (EIR) for the Paraiso Hot Springs Spa Resort Development Application (County Planning File Number: PLN040183) proposed by Thompson Holdings, LLC. The following is a summary of the project's primary components:

Combined Development Permit consisting of:

- 1) An "After the Fact" Environmental Review to demolish 18 structures (9 [nine] potentially significant structures and 9 [nine] non-significant structures) from the Paraiso Hot Springs property, November 2003 (To rectify/clear Code Enforcement Case CE030404/PLN040488);
- 2) General Development Plan for the reconstruction and expansion of the Paraiso Hot Springs property with the following amenities:

A Hotel and Conference Facility – to include:

- 103 one and two-story clustered Visitor-Serving Hotel units;
- 60 – two and three bedroom timeshare units
- Visitor Center, Meeting and Conference Rooms and Support Facilities
- Restaurants (3), Bakery, Culinary Training Center, Wine Pavilion and Vineyards, Orchards and Gardens
- Wellness and Education Center with Lecture and Conference Facilities,
- Spa & Fitness Facilities to include: Teahouse, Day Spa (Hamlet), Massage, Beauty and Therapeutic Services, Swimming and Therapeutic Pools (5 - 7), Lap Pool, Pavilions, Aqua Course, Croquet and Bocce Ball Courts, Tennis Courts (2), Racquetball Pavilion, Basketball Courts, Golf School
- Cultural Center for Music, Art and Literature with an Outdoor Amphitheater
- 17 Single Family Residential Timeshare Villas;
- Extensive Landscaping of the grounds, parking facilities throughout the development, paths, hiking trails, pedestrian and vehicle bridges, gardens, pergolas and Solariums. Architectural treatments, materials, colors, and landscaped grounds and are intended to echo the Paraiso Hot Springs' former affiliation with Mission Soledad.

- 3) A Vesting Tentative Standard Subdivision to allow the merger and division of three parcels of 147.88 acres (Assessor's Parcel Number 418-361-004-000), 77.27 acres (Assessor's Parcel Number 418-381-021-00) and .49 of an acre (Assessor's Parcel Number 418-381-022-000) into 23 lots of: Lot 1: 214 acres (Hotel, Amenities and Hamlet), Lot 2: 6.69 acres (Wine Pavilion and Vineyard); 17 (Lots 3-19; Approx. .25 of an acre each Single Family Residential Timeshare Villas); Lot 20: 20; Lot 21: 12; Lot 22: 14 and Lot 20: 14 [(60) Timeshare Units];
- 4) Use Permit for the removal of 185 Protected Oak Trees;
- 5) Use Permit to allow development on slopes in excess of 30%;
- 6) Use Permit for a Public Water System and Wastewater Treatment Facility; and
- 7) Grading of approximately 125, 000 Cubic Yards of Cut/Fill.

Attachment 1 provides a project overview with more detail of what is to be included in the EIR. The County of Monterey requests your written comments regarding the scope and content of the environmental information to be addressed in the EIR for the Paraiso Hot Springs Spa Resort Development Application. In accordance with CEQA and County procedures, your agency is requested to provide a written response to this NOP within the 30-day NOP review period between **May 29, 2008** and **June 27, 2008**. The County will incorporate relevant issues and information into the Draft EIR as identified in the NOP and NOP responses throughout the EIR process.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of an Initial Study is not attached.

Please identify a contact person for your agency and send your written response to:

County of Monterey
 Resource Management Agency
 Planning Department
 168 W. Alisal, 2nd Floor
 Salinas, CA 93901
 Attn: Jacqueline R. Onciano

Other contact information: 831.755.5193 (direct line with voicemail) or 831.755.5025 (department phone number), oncianoj@co.monterey.ca.us (email) or 831.757.9516 (department facsimile)

Jacqueline R. Onciano

 Jacqueline R. Onciano
 Planning & Building Services Manager

May 28, 2008

 Date: May 28, 2008

Attachments:

1. Attachment 1
2. Vicinity Map

ATTACHMENT 1

Project Location/Land Use Designation:

The project site, approximately 276 acres, is located at 34358 Paraiso Springs Road, Soledad (Assessor's Parcel Numbers 418-361-004-000, 418-361-009-000, 418-381-021-000 and 418-381-022-000). The properties are located 8 miles southwest of the City of Soledad in Central Monterey County.

Land Use Designation:

- **Central Salinas Valley Area Plan Land Use Designation:**
Permanent Grazing, 40 Acre Minimum/ Commercial & Farmlands, 40 Acre Minimum
Note: The project site is designated as a Special Treatment Area in the Central Salinas Valley Area Plan (28.1.1.1 [CSV]).
- **Monterey County Zoning Ordinance (Title 21) Zoning Designation:**
PG, 40 (Permanent Grazing, 40 Acre Minimum)/VO (Visitor Serving/Professional Office) & F/40 (Farmlands, 40 Acre Minimum)

Background/Project Description:

Combined Development Permit consisting of:

- An "After the Fact" Environmental Review to demolish 18 structures (9 [nine] potentially significant structures and 9 [nine] non-significant structures) from the Paraiso Hot Springs property, November 2003 (To rectify/clear Code Enforcement Case CE030404/PLN040488);
- General Development Plan for the reconstruction and expansion of the Paraiso Hot Springs property with the following amenities:
A Hotel and Conference Facility – to include:
 - 103 one and two-story clustered Visitor-Serving Hotel units;
 - 60 – two and three bedroom timeshare units
 - Visitor Center, Meeting and Conference Rooms and Support Facilities
 - Restaurants (3), Bakery, Culinary Training Center, Wine Pavilion and Vineyards, Orchards and Gardens
 - Wellness and Education Center with Lecture and Conference Facilities,
 - Spa & Fitness Facilities to include: Teahouse, Day Spa (Hamlet), Massage, Beauty and Therapeutic Services, Swimming and Therapeutic Pools (5 - 7), Lap Pool, Pavilions, Aqua Course, Croquet and Bocce Ball Courts, Tennis Courts (2), Racquetball Pavilion, Basketball Courts, Golf School
 - Cultural Center for Music, Art and Literature with an Outdoor Amphitheater
 - 17 Single Family Residential Timeshare Villas;
 - Extensive Landscaping of the grounds, parking facilities throughout the development, paths, hiking trails, pedestrian and vehicle bridges, gardens, pergolas and Solariums. Architectural treatments, materials, colors, and landscaped grounds and are intended to echo the Paraiso Hot Springs' former affiliation with Mission Soledad.
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Parcel Number 418-381-022-000) into 23 lots of: Lot 1: 214 acres (Hotel, Amenities and Hamlet), Lot 2: 6.69 acres (Wine Pavilion and Vineyard); 17 (Lots 3-19; Approx. .25 of an acre each Single Family Residential Timeshare Villas); Lot 20: 20; Lot 21: 12; Lot 22: 14 and Lot 20: 14 [(60) Timeshare Units];

- Use Permit for the removal of 185 Protected Oak Trees;
- Use Permit to allow development on slopes in excess of 30%;
- Use Permit for a Public Water System and Wastewater Treatment Facility; and
- Grading of approximately 125, 000 Cubic Yards of Cut/Fill

The environmental document is required to be a project level EIR, providing a basis for the County to make a decision on the applicant's request.

The key issues of concern by subject area are discussed below.

1. **Land Use and Policy Consistency.** The Environmental Impact Report (EIR) shall review the projects policy consistency with the Monterey County General Plan, Central Salinas Valley Area Plan (CSVAP), Monterey County Subdivision Ordinance (Title 19 Non-Coastal) and Monterey County Zoning Ordinance (Title 21).
2. **Geology and Soils.** The applicant's consultants, Landset Engineers and Geoconsultants, Inc, have prepared a Geologic and Soil Engineering Feasibility Report for the project. These reports are presumed to provide adequate data by which to prepare the EIR section concerning geology and soils. The Geologic and Soil Engineering Feasibility Report will be peer reviewed. The EIR will also analyze the placement of a portion of the resort development on slopes greater than 30%.
3. **Water Resources (Water Supply & Drainage).** The applicant's consultant, CH2M HILL, has prepared a Preliminary Drainage Analysis. CH2M Hill will prepare a comprehensive hydrogeologic report. This hydrogeologic report will address water resource impacts (including recharge, water supply, and water quality). The EIR will analyze the project's impact on on-site and off-site drainage, water balance, the impact on groundwater resources and the proposal for a new on-site wastewater treatment system.
4. **Biological Resources.** The applicant's consultant, Rana Creek Habitat Restoration, prepared a biological resource report that inventories biological resources. Key resources for the project could include: species present in the general Soledad vicinity including San Joaquin kit fox, San Joaquin pocket mouse; sensitive habitats such as wetland and riparian vegetation; and landmark oaks. The EIR will review and discuss the biological report. The applicant's consultant, Forest City Consulting, prepared a Forest Management Plan that analyzes the impacts of the project's proposed tree removal on the site's forest resources. This report will be reviewed and discussed in the EIR.
5. **Visual Aesthetics.** A visual aesthetics assessment will be prepared that addresses potential impacts to scenic views and effects on visual character in and around the project site. The compatibility of the project's architecture, massing, setbacks, height and building materials will be analyzed against the applicable County General Plan and Central Salinas Valley Area Plan policies and regulations.

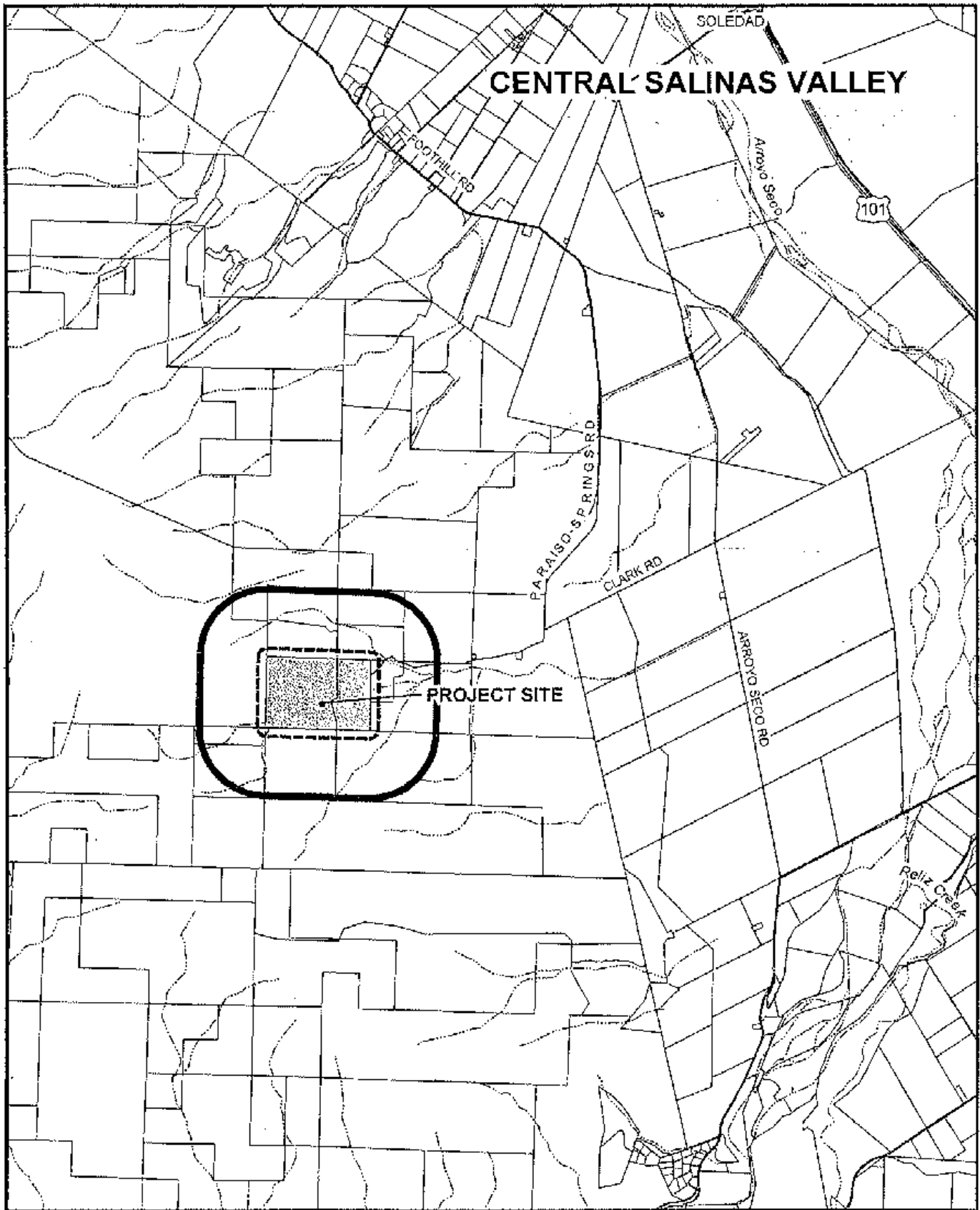
6. **Traffic.** The applicant's consultant, Higgins & Associates, has prepared a traffic study for the project. Key areas of EIR analysis will be the impacts of the project on State Highway 101, Paraiso Springs Road, Arroyo Seco Road, Fort Romie Road, and Soledad.
7. **Climate and Air Quality.** The EIR consultant will assess air quality impacts in accordance with Monterey Bay Unified Air and Pollution Control District (MBUAPCD) CEQA guidelines. Air pollutant emissions associated with the project will be calculated using traffic data and the latest emission factors available from the California Air Resources Board (e.g. URBEMIS2002). Equipment exhaust will be evaluated utilizing the latest emission factors as prescribed by the California Air Resources Board (CARB) and the EMFAC2002 model. Demolition and excavation activities will be quantified pursuant to guidelines set by MBUAPCD. The MBUAPCD will be consulted regarding the need for a Toxic Air Contaminants (TACs) analysis even though there are no sensitive receptors adjacent to the site. Long Term emissions from vehicular and area source emissions will be evaluated. Potential odor impacts from the projects' water and wastewater activities will be addressed. Finally, a screening level analysis to verify exemption of regional and local CO emissions utilizing the methodology as prescribed by UC Davis Institute of Transportation Facilities will be included in the EIR.
8. **Noise.** The EIR will evaluate the potential noise impacts of the proposed Project. Relevant existing conditions will be documented and applicable County General Plan, zoning and noise ordinances will be discussed. Short-term noise measurements (each approximately 10 minutes in duration) will be performed both on the Project site and off-site. Noise contours will be projected based upon traffic data obtained from the traffic study, vehicle mix assumptions and the FHWA Highway Noise Prediction Model (RD-77-0108) Construction related noise, stationary noise sources and traffic noise will be evaluated.
9. **Public Services and Utilities.** The project will potentially increase demand for public services such as police, fire, and emergency response and utilities such as energy and communications. The EIR will evaluate impacts associated with interim and regional infrastructure (drainage, water, roadways) for the project as well as off-site utility/roadway and other improvements. The project proposes to use water from on-site groundwater sources. The projected water demand will need to be reviewed in detail and verified, along with consultation with the Monterey County Water Resources Agency about water factors used.

The project proposes to construct and utilize an on-site wastewater treatment plant for sewage disposal. The applicant's consultant, CH2M HILL, has prepared a Technical Memorandum describing the proposed wastewater collection, treatment and disposal system for the project. The EIR will evaluate the impacts of this as well.

10. **Cultural Resources.** The applicant's consultant, Archaeological Resource Management, has prepared assessments of historic and prehistoric resources on the project site. These assessments will be reviewed and discussed in the EIR. The EIR will also include consultation with the Native American Heritage Commission (NAHC) and the Native American community.
11. **Historical Resources.** The applicant's consultant, Archaeology Resources Management Group, prepared a report entitled "Revised Evaluation of Historical Resources at the Paraiso




Spring” was prepared in January 2005. This analysis concluded that of the 18 buildings removed from the site 9 were potentially significant structures and 9 were non-significant structures. The Applicant will be submitting updated historical resources evaluations. Peer reviews will be conducted on the submitted historical reports. The EIR will utilize the historical reports, as appropriate, to evaluate and analyze impacts to historical resources.

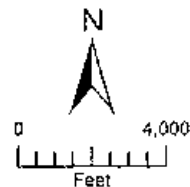
12. **Public Health.** The applicant’s consultant, Lee & Pierce, has prepared a Phase I Environmental Site Assessment concerning hazardous materials. The EIR will analyze the Phase I Environmental Site Assessment. Key issues are the presences of lead-based paint and asbestos.
13. **Cumulative Impacts.** Primary focus of cumulative impacts will be on growth in Soledad and Greenfield, traffic, water supply, and biological resources along the River Road wine corridor as well as any cumulative impacts on prehistoric or historic resources.
14. **Growth-Inducing Impacts.** The project will potentially increase the number of residents within the Salinas Valley near Soledad and elsewhere in Monterey County primarily due to the creation of new resort jobs. Construction jobs will also be created during project buildout. Whether this represents inducement of growth above the existing growth allowed by the CSVAP and the Monterey County GP will be analyzed in the EIR; although this is unlikely given the designated commercial use of Paraiso Springs in the CSVAP.
15. **Alternatives.** In accordance with the California Environmental Quality Act (CEQA) Guidelines, the EIR will identify and analyze a reasonable range of project alternative.



APPLICANT: PARAISO SPRINGS RESORT GDP

APN: 418-381-021 & 022-000 & 418-361-004-000 FILE # PLN040183

 300' Limit  2500' Limit  City Limits



Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, 1400 Tenth Street, Sac., CA 95814 916/445-0613

See NOTE BELOW

SCH # 2005061016

Project Title: Paraiso Hot Springs Spa Resort Development Application
 Lead Agency: RMA Planning Department
 Street Address: 168 W. Alisal St., 2nd Floor
 City: Salinas Zip: 93901

Contact Person: Jacqueline R. Onciano
 Phone: (831) 755-5193
 County: Monterey

Project Location: 34358 Paraiso Springs Road, Soledad

County: Monterey City/Nearest Community: City of Soledad

Cross Streets: Arroyo Seco Road Zip Code: 93960 Total Acres: Approx. 276

Assessor's Parcel No.: 418-361-004-000M Section: Twp Rang Base

Within 2 Miles: State Hwy #: 101 Waterways: Arroyo Seco River/Salinas River

Airports: _____ Railroads: Pacific Unior Schools: Soledad High School

Document Type

CEQA: NOP Supplement/Subsequent EIR NEPA: NOI Joint Document
 Neg Dec Draft EIR Draft EIS Final Document

Local Action Type

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division Other General Development Plan
 (Subdivision, Parcel Map, Tract Map, etc.)

Development Type

Residential: Units _____ Acres _____ Water Facilities: Type _____ MGD _____
 Office: Sq. Ft. _____ Acres _____ Employees _____ Transportation Type _____
 Commercial: Sq. Ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq. Ft. _____ Acres _____ Employees _____ Power Type _____ Walls _____
 Educational: _____ Waste Treatment: Type _____
 Recreational: _____ Hazardous Waste: Type _____
 Other: _____

Project Issues Discussed in Document

Aesthetic/Visual Flood Plain/Flooding Schools/Universities Water Quality
 Agricultural Land Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Air Quality Geologic/Seismic Sewer Capacity Wetland/Riparian
 Archaeological/Historical Minerals Soil Wildlife
 Erosion/Compaction/Grading
 Coastal Zone Noise Solid Waste Growth Inducing
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Land Use
 Economic/Jobs Public Services/Facilities Traffic/Circulation Cumulative Effects
 Fiscal Recreation/Parks Vegetation Other:

Present Land Use/Zoning/General Plan Use:

Permanent Grazing, 40 Acre Min, Commercial & Farmlands, 40 Acre Min (Zoning: PG/40, VO & F/40)

Project Description: See Attached Notice of Preparation (NOP)

NOTE: Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. from a Notice of Completion Preparation or previous draft document) please fill in.

Resources Agency

- Boating & Waterways
- Coastal Commission
- Coastal Conservancy
- Colorado River Board
- Conservation
- Fish & Game
- Forestry
- Office of Historic Preservation
- Parks & Recreation
- Reclamation
- S.F. Bay Conservation & Development Commission
- Water Resources (DWR)
- Business, Transportation & Housing
- Aeronautics
- California Highway Patrol
- CALTRANS District # 5
- Department of Transportation Planning (headquarters)
- Housing & Community Development

Food & Agriculture

Health & Welfare

- Health Services _____
- State & Consumer Services**
- General Services
- OLA (Schools)

KEY

- S = Document sent by lead agency
- X = Document sent by SCH
- √ = Suggested distribution

Cal-EPA

- Air Resources Board
- APCD/AQMD
- California Waste Management Board
- SWRCB: Clean Water Grants
- SWRCB: Delta Unit
- SWRCB: Water Quality
- SWRCB: Water Rights
- Regional WQCB # _____ (_____)

Youth & Adult Corrections

- Corrections

Independent Commissions & Offices

- Energy Commission
- Native American Heritage Commission
- Public Utilities Commission
- Santa Monica Mountains Conservancy
- State Lands Commission
- Tahoe Regional Planning Agency
- Other _____

Public Review Period (to be filled in by lead agency)

Starting Date: **May 29, 2008** Ending Date: **June 27, 2008**

Signature: *Justine L. Onorato*

Date: *May 28, 2008*

Lead Agency (Complete if applicable)	
Consulting Firm:	RBF Consulting
Address:	500 Ygnacio Valley Road, Suite 270
City/State/Zip:	Walnut Creek, CA 94596-3847
Contact:	Elizabeth Caraker
Phone:	(831) 883-8187
Applicant:	Thompson Holdings, LLC
Address:	P.O. Box 2015
City/State/Zip:	Horsham, PA 19044
Phone:	

For SCH Use Only:	
Date Received at SCH	_____
Date Review Starts	_____
Date to Agencies	_____
Date to SCH	_____
Clearance Date	_____
Notes:	

County of Monterey
State of California

PROPOSED
MITIGATED NEGATIVE DECLARATION



STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title: Paraiso Springs
File Number: PLN040488
Owner: THOMPSON HOLDINGS LLC
Project Location: 34358 Paraiso Road, Monterey County, CA
Primary APN: 418-361-004-000, 418-361-009, 418-381-021-000, 418-381-022-000
Project Planner: Therese Schmidt, Senior Planner
Permit Type: Demolition Permit

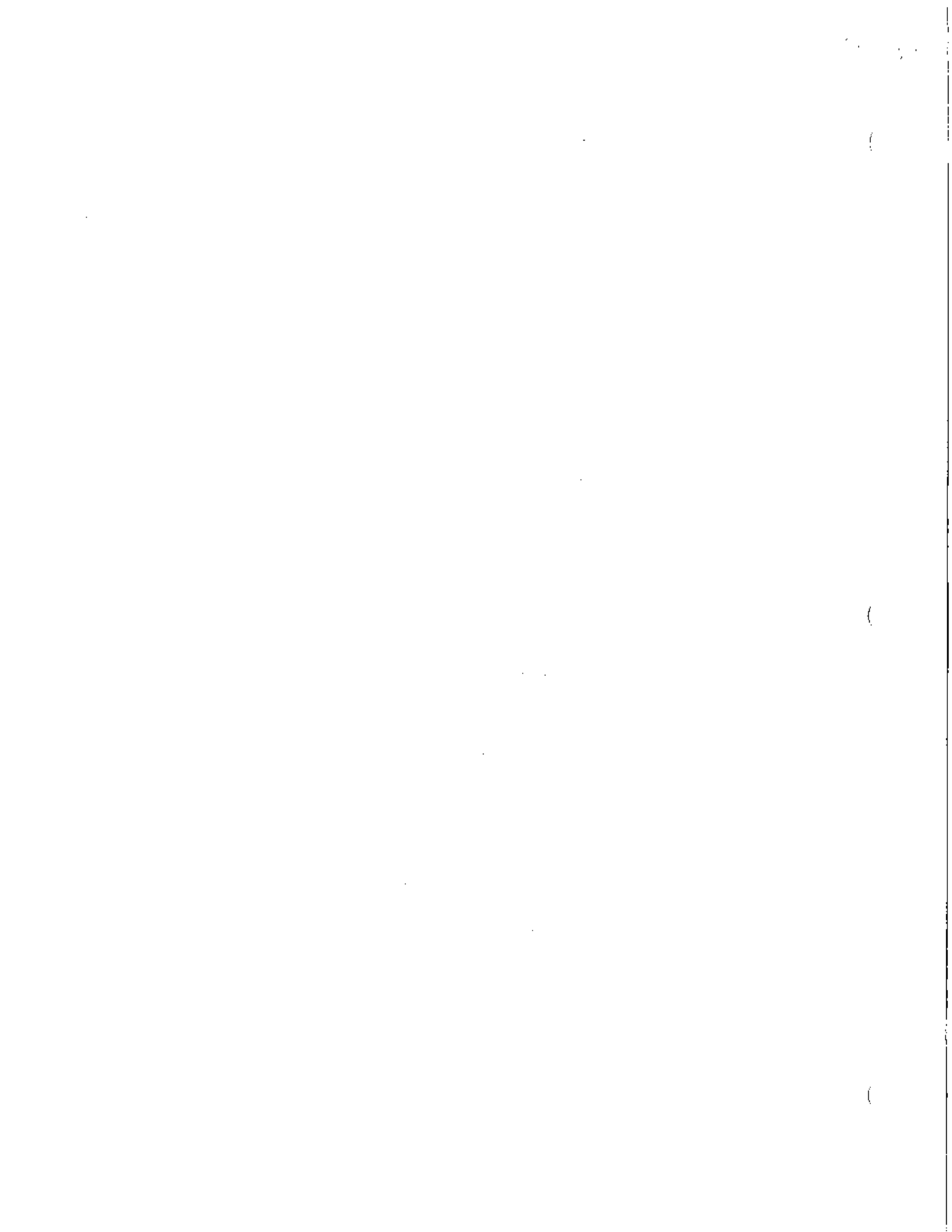
Project Description: DEVELOPMENT APPLICATION FOR A DEMOLITION PERMIT TO CLEAR A MUNICIPAL CODE VIOLATION THAT RESULTED FROM THE UN-PERMITTED DEMOLITION OF NINE (9) COTTAGES AND NINE (9) CABINS ON THE PROJECT SITE. CENTRAL SALINAS VALLEY AREA.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a) That said project will not have the potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have no significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.
- e) Mitigation measures have been included to reduce potential environmental impacts identified in the Initial Study to a less than significant level.

Decision Making Body:	Planning Commission of Monterey County
Responsible Agency:	County of Monterey
Review Period Begins:	June 2, 2005
Review Period Ends:	July 5, 2005

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, Coastal Offices, 2620 First Avenue Marina, CA 93955 (831) 883-7500, or after June 20, 2005: at 168 West Alisal St., 2nd Floor, Salinas, CA 93901 Fax: (831) 755-9516; Phone: (831) 755-5025.



MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT

2620 1st Avenue, Marina, CA 93933

(831) 883-7500 FAX: (831)384-3261



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION MONTEREY COUNTY DIRECTOR OF PLANNING AND BUILDING INSPECTION

NOTICE IS HEREBY GIVEN that the Monterey County Planning and Building Inspection Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Demolition Permit (Paraiso Springs, File Number PLN040488) at 34358 Paraiso Road (APN(s) 418-361-004-000, 418-361-009, 418-381-021-000, 418-381-022-000) (see description below). The Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Planning and Building Inspection Department, 2620 1st Avenue, Marina. The Director of Planning and Building Inspection will consider this proposal on **July 22, 2005**. Written comments on this Mitigated Negative Declaration will be accepted from **June 2, 2005** to **July 5, 2005**.

Project Description: The project is a development application for a Demolition Permit to clear a Code Violation that resulted from the un-permitted demolition of nine (9) cottages and nine (9) cabins.

FOR ADDITIONAL INFORMATION CONTACT:

Therese M. Schmidt, Project Planner
Monterey County Planning & Building Inspection Department
2620 First Avenue, Marina, CA 93933
(831) 883-7562

For reviewing agencies: The Planning and Building Inspection Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

Distribution: (see below)

- No Comments provided
- Comments noted below
- Comments provided in separate letter

COMMENTS: _____

Return to: Therese M. Schmidt
 Monterey Co. Planning and Building Inspection Dept.
 PO Box 1208
 Salinas, CA 93902

From: Agency Name: _____
 Contact Person: _____
 Phone Number: _____

DISTRIBUTION

1. State Clearinghouse (15 copies)—include Notice of Completion
2. County Clerk's Office
3. Association of Monterey Bay Area Governments
4. Soledad Mission
5. AMAP
6. Soledad Historic Society

MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT

PO BOX 1208 SALINAS, CA 93902

PHONE: (831) 755-5025 FAX: (831) 755-5487



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Paraiso Springs

File No.: PLN040183

Project Location: 34358 Paraiso Road, Monterey County, CA

Name of Property Owner: Thompson Holdings LLC

Name of Applicant: Same as owner

Assessor's Parcel Number(s): 418-361-004-000, 418-361-009, 418-381-021-000, 418-381-022-000

Acreage of Property: 275.5

General Plan Designation: Permanent Grazing; Farmland

Zoning District: VO, PG/40, F/40

Lead Agency: Monterey County Planning & Building Inspection Department

Prepared By: Therese Schmidt, Senior Planner

Date Prepared: 05/27/05

Contact Person: Preparer

Phone Number: (831) 883-7562

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

The project is a development application for a Demolition Permit to clear a municipal code violation that resulted from the un-permitted demolition of nine (9) cottages and nine (9) cabins on the project site, located at 34358 Paraiso Road in Monterey County.

The applicant has indicated a desire to construct a major resort complex. Preliminary project plans illustrate this complex to include multiple development areas and uses; however, a formal application has not been received and is speculative at this juncture. This Initial Study shall focus only on the illegal demolition and subsequent development application to clear the code violation currently in process with the assumption that additional environmental review shall take place at the time a formal application is submitted.

B. Environmental Setting and Surrounding Land Uses:

The project site is known as Paraiso Springs and consists of approximately 275.5 acres, with the developed portion comprising approximately 2 acres. The project site is located 8 miles southwest of Soledad in Monterey County, comprising APNs 418-361-004-000, 418-361-009, 418-381-021-000, and 418-381-022-000. The elevation at the project site is approximately 1200 feet, affording views of the Salinas Valley, Arroyo Seco, and the Gabilan Range. The total size of the property is 275.5 acres and has zoning of Permanent Grazing with a 40-acre minimum lot size (PG/40) as well as Farmland with a 40-acre minimum lot size (F/40), with a Visitor Office (VO) overlay over a small portion. The soil type at the project site is Arroyo Seco gravelly sandy loam.

III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

General Plan/ Area Plan

The Central Salinas Valley Area Plan (CSVAP) identifies Paraiso Springs Resort as a historic site of local significance containing architecturally significant structures. (Source: 2) The Environmental Impact Report (EIR) prepared, adopted, and certified for CSVAP indicates that Paraiso Hot springs are located in an area of high archaeological sensitivity requiring appropriate mitigation measures to ensure that construction and development activities would not result in

the destruction or degradation of historic cultural resources. An Archaeological Resources Mitigation Plan is required prior to issuing permits with the results of the mitigation activities compiled into a final report prior to the issuance of building or grading permits. A report was prepared and submitted by Archaeological Resources Management to Monterey County on January 18, 2004, prior to the issuance of building or grading permits. The proposed development application is consistent with CSVAP.

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards/Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

Due to the nature of the project site, and the fact that demolition of the buildings already occurred, many of the above topics on the checklist do

not apply. Less than significant or potentially significant impacts are identified for **aesthetics and cultural resources** only. Mitigation measures are provided as warranted. The project will have no quantifiable adverse environmental effect on the categories not checked above, as follows:

EVIDENCE: **Agricultural** The project, a development application to clear a code violation for un-permitted demolition, will not cause any impacts to farmlands on or near the project site. (Source 1, 8).

Air Quality The project will not cause any impacts to Air Quality, as any impacts that might have arisen from the demolition have already occurred and are temporary in nature.

Biological Resources The project will not have any impacts to biological resources since no physical changes to the environment will occur as a result of this project and the area in question provided little habitat opportunities in the vicinity of the nine structures. (Source: 1)

Geology and Soils The project will expose people to any risks or cause any erosion or loss of topsoil since no physical changes to the environment will occur as a result of this project. (Source: 1)

Hazards and Hazardous Materials The project will not transport, use, or dispose of hazardous materials either during project construction or operation. No known hazardous materials exist on the project site (Source 1).

Hydrology/Water Quality The project does not involve any physical changes to the project site. It will not cause any impacts water quality on the project site or in the surrounding area. (Source: 1)

Land Use and Planning As the project does not involve or allow development of any kind, it is consistent with the Monterey County General Plan, Greater Salinas Valley Area Plan, Zoning Ordinance and Subdivision Ordinance with regard to density, lot size and natural resource protection. The project will not result in development on slopes over 30% or tree removal, and will not result in ridgeline development. The project will not physically divide an established community or conflict with any applicable land use plan, policy or regulation. (Source: 1, 2)

Mineral Resources The project does not involve the removal of mineral resources, nor is the subject property a designated mineral recovery site. (Source: 1)

Noise While the un-permitted demolition may have caused noise in excess of standards allowed by Monterey County, this demolition has already occurred and no additional impacts from noise will occur as result of this project. (Source 7, 8).

Population/Housing Due to the nature of the project, there will be no

alteration to the location, distribution, or density of human population in the area, or create a demand for additional housing (Source 1).

Public Services Because no population increase will result from the project, no significant impacts to public services will result (Source 1).

Recreation No parks, trail easements, or other recreational opportunities will be adversely impacted by the proposed project. The project will not create demands sufficient to justify construction of new facilities (Source 1).

Transportation/Traffic As the project does not involve any physical changes to the project site, and does not cause or allow any additional trips to be generated; there will be no impacts to transportation or traffic. (Source: 1)

Utilities and Service Systems As the project does not allow or cause development or increase population on the project site, there will be no impact to any utilities or service systems. (Source: 1)

B. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE

DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Therese M. Schmidt

Signature

4/2/05

Date

Therese M. Schmidt

Printed Name

Senior Planner

Title

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.

- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
- a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

- A. The project site does not contain a scenic vista, and is not visible from one.
- B. The project site is not on or visible from a state scenic highway.

C. The project, a development application to correct a code violation that resulted from the unpermitted demolition of several structures on the project site, will not in itself degrade the existing visual character or quality of the site and its surroundings; this degradation has already occurred due to the illegal demolition. Mitigation measures are being proposed after the fact in order to reduce the impact from the loss of the cultural resources on the existing visual character and quality of the site and its surroundings. The mitigation measure listed below will reduce this to a less-than-significant impact.

MM1-1: Future development on the parcel shall be constructed in a historical style appropriate to the historic associations of the springs with the California missions or Victorian era in order to provide a visual interpretation of the historic significance of the site. Examples of appropriate historical styles would include the Mission Style, Spanish Eclectic, Spanish Colonial Revival, and Folk Victorian. Appropriate historical design should be determined through consultation with the Historical Review Board and approval by the Planning Director prior to issuance of building permits.

D. The project will not create a new source of light or glare.

2. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1, 4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

In the late 1800s and early 20th Century Paraiso Springs was a popular resort, at one time one of the most famous resorts in the state. It was renowned for its hot springs and mineral pools, as well as for its pleasant amenities such as a large hotel with a dance hall and billiard tables, a large annex with many rooms, a bathhouse, and gardens. In addition, the regular guests of the resort built several Victorian cottages during the late 1800s.

A determination was made in a historical report prepared by Archaeological Consulting, dated August 2, 1984, that Paraiso Springs Resort contains potentially significant prehistoric and historic resources. The following recommendation was put forth in the report, "Should any construction activities be planned which would affect the integrity of the Victorian structures, or include ground disturbing activities within 30 meters of those structures, a detailed historic and archaeological evaluation should be undertaken to determine if any or all of the structures are significant under existing county, state, or federal regulations." Paraiso Springs Resort is identified as an historic site in Table 2 of the Central Salinas Area Plan, adopted November 24, 1987. In addition, a report was prepared by Archaeological Resources Management on January 18, 2004, indicated that the nine (9) cottages demolished were historical resources, with varying levels of significance, as defined by the California Environmental Quality Act (CEQA). Therefore, per Government Code §15300.2 (f) a categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

The applicant demolished the cottages in November of 2003 with out appropriate permits; therefore, an opportunity to execute CEQA was not available to Monterey County. Generally, demolition of cultural resources is considered a significant impact requiring adoption of overriding consideration by the approving body prior to issuance of permits.

Monterey County Code Section 21.84.140 requires an applicant to obtain the required permits with payment of a double fee, which the applicant has done, to clear the code violation. In instances of removal of vegetation with out benefit of a permit Monterey County Code Section 21.84.130 requires the applicant to restore the site to its pre-violation condition. In order to restore the site to its pre-violation condition the applicant would need to reconstruct the nine cottages at an estimated cost of \$909,370.00 to \$391,460.00 utilizing the County's standard rate of building valuation between \$153.00 and \$74.00 a square foot as approved by the Building Official; however, reconstruction would not restore the cultural resources. Reconstruction was not considered in formulating appropriate mitigation measures.

A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

Field research and an historical evaluation prepared after the illegal demolition occurred determined that a substantial adverse change in the significance of a historical resource had taken place. A discussion of each structure in question relating to its significance to Paraiso Springs is provided in a Historical Resources Evaluation prepared by Archaeological Resource Management, dated January 13, 2005. In order to evaluate the extent of the impact and to develop appropriate mitigation measures staff evaluated the illegal demolition as if it had not occurred. Staff determined that the following mitigation measures would reduce the impacts

associated with demolition to a level of less than significant allowing for issuance of appropriate permits; thereby, clearing the existing code violation.

MM5-1: An interpretive exhibit which could include, but not be limited to, a display of historical items, photographs, informational brochures, and web page shall be created which will document the history of Paraiso Springs in relationship to the California Missions and placed at either the Soledad Mission or an appropriate site as determined by the Historical Resources Review Board. The interpretive exhibit shall be of the same quality and caliber as exhibits previously prepared for the County, including but not limited, to Spreckels, which cost approximately \$46,000.00 in 1996 and the Japanese School, which cost approximately \$64,000.00 in 2004. The following actions shall be taken:

- a) The applicant shall provide to the County a bond in the amount of \$55,000.00 to cover the anticipated costs associated with creation of the exhibit prior to issuance of demolition permits.
- b) The applicant shall sign an agreement to pay for associated staffing costs of overseeing and executing the exhibit project on an hourly basis with an initial deposit to the County of \$1,500.00. Additional funds may be required. Said agreement shall be recorded and monies deposited prior to issuance of demolition permits.
- c) Historical Resources Review Board shall review and make recommendations to the Director of Planning and Building Inspections Department for approval of the proposed exhibit.

MM5-2: An interpretive exhibit which could include, but not be limited to, a display of historical items, photographs, informational brochures, and web page shall be created which will document the history of Paraiso Springs and placed within the exiting recreational facility or in the proposed hotel lobby. In the event that neither onsite location is available an appropriate location offsite, as determined by the Historic Resources Review Board, shall be utilized. The interpretive exhibit shall be of the same quality and caliber as exhibits previously prepared for the County, including but not limited, to Spreckels, which cost approximately \$46,000.00 in 1996 and the Japanese School, which cost approximately \$64,000.00 in 2004. The following actions shall be taken:

- a) The applicant shall provide to the County a bond in the amount of \$55,000.00 to cover the anticipated costs associated with creation of the exhibit prior to issuance of demolition permits.
- b) An onsite location for the proposed exhibit shall take precedence over an offsite location. However, in the event that the applicant either does not pursue development of a hotel resort, does not secure appropriate permits, chooses not to construct the exhibit in the existing recreational facility, or fails to show a good faith effort in securing appropriate permits to construct a resort within two years from the date of issuance of

the demolition permit, the County shall utilize the bond to construct an offsite exhibit.

- c) The applicant shall sign an agreement to pay for associated staffing costs of overseeing and executing the exhibit project on an hourly basis with an initial deposit to the County of \$1,500.00. Additional funds may be required. Said agreement shall be recorded and monies deposited prior to issuance of demolition permits.

- B. Field research conducted after the illegal demolition did not indicate that a substantial adverse change in the significance of an archaeological resource occurred as a result of the demolition.
- C. Field research conducted after the illegal demolition did not indicate that a unique paleontological resource or site or unique geologic feature were directly or indirectly destroyed as a result of the illegal demolition.
- D. Human remains were not uncovered during the course of demolition; therefore, there are no impacts to human remains.

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source:) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-i-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

7. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

8. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

9. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

10. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

11. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

12. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

13. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

14. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

15. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

16. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See discussion in Section IV, above.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source:)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source:) ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

For purposes of implementing Section 735.5 of Title 14, California Code of Regulations: If based on the record as a whole, the Planner determines that implementation of the project described herein, will result in changes to resources A-G listed below, then a **Fish and Game Document Filing Fee** must be assessed. Based upon analysis using the criteria A-G, and information contained in the record, state conclusions with evidence below.

- A) Riparian land, rivers, streams, watercourses, and wetlands under state and federal jurisdiction.
- B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- C) Rare and unique plant life and ecological communities dependent on plant life, and;
- D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.

- E) All species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, and the Water Code, or regulations adopted thereunder.
- F) All marine terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- G) All air and water resources the degradation of which will individually or cumulatively result in the loss of biological diversity among plants and animals residing in air or water.

De minimis Fee Exemption: For purposes of implementing Section 735.5 of the California Code of Regulations: A *De Minimis Exemption* may be granted to the **Environmental Document Fee** if there is substantial evidence, based on the record as a whole, that there **will not** be changes to the above named resources V. A-G caused by implementation of the project. Using the above criteria, state conclusions with evidence below, and follow Planning and Building Inceptions Department Procedures for filing a de minimis exemption.

Conclusion: The project will not be required to pay the fee.

Evidence: The project will not result in changes to native and non-native plant life and the soil required to sustain habitat for fish and wildlife.

IX. REFERENCES

1. Project Application
2. Monterey County General Plan/ Central Salinas Valley Area Plan
3. Soil Survey of Monterey County, United States Department of Agriculture, April 1978
4. Evaluation of Historical Resources at the Paraiso Springs, Archaeological Resource Management, June 28, 2004, and January 13, 2005
5. Personal Knowledge from Site Visit by the Preparer, October 11, 2004
6. Monterey County GIS and California Natural Diversity Database



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

May 29, 2008

To: Reviewing Agencies

Re: Paraiso Springs
SCH# 2005061016

Attached for your review and comment is the Notice of Preparation (NOP) for the Paraiso Springs draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Jacqueline R. Onciano
County of Monterey Resource Management Agency Planning Dept.
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2005061016
Project Title Paraiso Springs
Lead Agency Monterey County

Type NOP Notice of Preparation

Description Combined Development Permit consisting of:
1) An "After the Fact" Environmental Review of demolish 18 structures (9 [nine] potentially significant structures and 9 [nine] non-significant structures) from the Paraiso Hot Springs property, November 2003;
2) General Development Plan for the reconstruction and expansion of the Paraiso Hot Springs property with the following amenities:
 A Hotel and Conference Facility - to include:
 - 103 one and two-story clustered Visitor-Serving Hotel units;
 - 60 - two and three bedroom timeshare units
- Visitor Center, Meeting and Conference Rooms and Support Facilities
- Restaurants
- Wellness and Education Center with Lecture and Conference Facilities
- Spa & Fitness Facilities
- Cultural Center for Music, Art and Literature
- 17 Single Family Residential Timeshare Villas;
- Extensive Landscaping of the grounds

Lead Agency Contact

Name Jacqueline R. Onciano
Agency County of Monterey Resource Management Agency Planning Dept.
Phone (831) 755-5193 **Fax**
email
Address 168 W. Alisal Street, 2nd Floor
City Salinas **State** CA **Zip** 93901

Project Location

County Monterey
City Soledad
Region
Cross Streets Arroyo Seco Road
Parcel No. 418-361-004, 000M
Township **Range** **Section** **Base**

Proximity to:

Highways 101
Airports
Railways Pacific Union
Waterways Arroyo Seco River/Salinas River
Schools Soledad High
Land Use Permanent Grazing, 40 acre min., Commercial & Farmlands, 40 Acre Min. (Zoning: PG/40, VO & F/40)

Project Issues Archaeologic-Historic; Aesthetic/Visual; Air Quality; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 4; Native American Heritage Commission; California Highway Patrol; Caltrans, District 5; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 3

**Document Details Report
State Clearinghouse Data Base**

Date Received 05/29/2008 **Start of Review** 05/29/2008 **End of Review** 06/27/2008

Resources Agency

- Resources Agency
Nadell Gayou
- Dept. of Boating & Waterways
David Johnson
- California Coastal Commission
Elizabeth A. Fuchs
- Colorado River Board
Gerald R. Zimmerman
- Dept. of Conservation
Sharon Howell
- California Energy Commission
Paul Richins
- Cal Fire
Allen Robertson
- Office of Historic Preservation
Wayne Donaldson
- Dept of Parks & Recreation
Environmental Stewardship Section
- Central Valley Flood Protection Board
Mark Herald
- S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
- Dept. of Water Resources
Resources Agency
Nadell Gayou

- Fish & Game Region 2
Jeff Drongesen
- Fish & Game Region 3
Robert Floerke
- Fish & Game Region 4
Julie Vance
- Fish & Game Region 5
Don Chadwick
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Gabrina Gatchel
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

- Food & Agriculture
Steve Shaffer
Dept. of Food and Agriculture
- Depart. of General Services
Public School Construction
- Dept. of General Services
Robert Sleppy
Environmental Services Section
- Dept. of Health Services
Veronica Malloy
Dept. of Health/Drinking Water

Independent Commissions, Boards

- Delta Protection Commission
Debbie Eddy
- Office of Emergency Services
Dennis Castrillo
- Governor's Office of Planning & Research
State Clearinghouse
- Native American Heritage Comm.
Debbie Treadway

Fish and Game

- Depart. of Fish & Game
Scott Flint
Environmental Services Division
- Fish & Game Region 1
Donald Koch
- Fish & Game Region 1E
Laune Harnsberger

- Public Utilities Commission
Ken Lewis
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Jean Sarino
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics
Sandy Hesnard
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
Shirley Kelly
Office of Special Projects
- Housing & Community Development
Lisa Nichols
Housing Policy Division

Dept. of Transportation

- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcelino Gonzalez
- Caltrans, District 3
Jeff Pulverman
- Caltrans, District 4
Tim Sable
- Caltrans, District 5
David Murray
- Caltrans, District 6
Moses Stites
- Caltrans, District 7
Vin Kumar

- Caltrans, District 8
Dan Koptulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Bob Joseph

Cal EPA

- Air Resources Board
 - Airport Projects
Jim Lerner
 - Transportation Projects
Ravi Ramalingam
 - Industrial Projects
Mike Tollstrup
- California Integrated Waste Management Board
Sue O'Leary
- State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance
- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality
- State Water Resources Control Board
Steven Herrera
Division of Water Rights
- Dept. of Toxic Substances Control
CEQA Tracking Center
- Department of Pesticide Regulation

Regional Water Quality Control Board (RWQCB)

- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Teresa Rodgers
Los Angeles Region (4)
- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Lahontan Region (6)
- RWQCB 6V
Lahontan Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)

Other _____

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
caishpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov



June 29th, 2005

Therese M. Schmidt
Senior Planner
Monterey County Planning & Building
Inspection Department
2620 First Avenue
Marina, CA 93933

-- sent by facsimile (831) 755-9616 and by United States Mail--

Dear Ms. Schmidt:

Paraiso Springs, Mitigated Negative Declaration # 2005061016

Thank you for the opportunity to comment on the above referenced document. The State Office of Historic Preservation (OHP) has broad responsibility for the implementation of federal and state historic preservation programs in California. As CEQA Coordinator I am providing these comments for the record as we are concerned that the County of Monterey is incorrectly using a Mitigated Negative Declaration to mitigate a substantial adverse effect to a historical resource.

Pursuant to the California Environmental Act (CEQA) a Mitigated Negative Declaration (MND) may be prepared if an Initial Study identifies a potentially significant effect for which the project's proponent, before public release of a proposed Negative Declaration, had made or agrees to make project revisions that clearly mitigate the effects. Moreover, a MND may not be used if any substantial evidence indicates that the revised project with mitigation may still have a significant environmental effect. (Pub. Res. Code sec. 21064.5; CEQA Guidelines § 15070) Therefore, a Mitigated Negative Declaration is an inappropriate choice of a CEQA document for the above project because historic resources have already been demolished and that under CEQA constitutes as **"a significant impact."**

Pursuant to CEQA, it is necessary to look at the "whole of the action", at the unlawful demolition and that the illegal demolition occurred in order to facilitate the resort project with new construction. The definition of a "project" under CEQA includes the phrase "whole of the action." Therefore, an agency may not treat each separate permit or approval as a separate project for purposes of evaluating environmental impacts.

Based on the facts before us, we highly recommend that an EIR is undertaken that examines the **"whole"** of the project, the construction and development of the new resort, with the environmental setting and baseline considered as if the historic resources are in place. Then, in this EIR, a range of appropriate mitigation measures would need to be proposed and subsequently adopted in the EIR process.

Since the County of Monterey currently does not have an ordinance that can deal appropriately with code violations in case of unlawful demolitions as have occurred in this case, the County might consider adopting such an ordinance as part of their Municipal Code for the future. We invite the County of Monterey, to call the OHP, if they have any questions how other local governments have dealt with such matters.


If an application for the new resort development and hotel construction has already been submitted to the County before the unlawful demolition occurred, then CEQA case law says that the EIR baseline for the new project needs not to address the prior illegal activity, but can start with the cleared site.

However, if such an application has been submitted to the County or was in progress before the illegal demolition occurred, the County has to undertake an EIR for the (project) demolition, and in this EIR propose an appropriate a range of mitigation measures to be adopted in the EIR.

In summary, the County of Monterey may not use a Mitigated Negative Declaration since a significant adverse impact has occurred by illegally demolishing historic resources. A MND is an inappropriate document pursuant to CEQA for this project. It is necessary to do an EIR either for the whole of the project including the historic resources, or an EIR for the project development and construction of the resort, and another, separate EIR for the demolition project. We are looking forward to receiving copies of the newly crafted documents when in circulation. Please submit copies directly to our office in order for us to review and comment.

If you have any further questions, please contact Michelle C. Messinger, Local Government CEQA Coordinator at (916) 653-5099 or at mmessinger@parks.ca.gov.

Sincerely,



Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



June 3, 2008

Jacqueline R. Onciano
County of Monterey Resource Management Agency Planning Dept.
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

RE: SCH#2005061016 Paraiso Springs; Monterey County.

Dear Ms. Onciano:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez
Katy Sanchez
Program Analyst

CC: State Clearinghouse

Native American Contacts

Monterey County

June 3, 2008

Linda G. Yamane 1585 Mira Mar Ave. Seaside, CA 93955-3326 (831) 394-5915	Ohlone/Costanoan	Ohlone/Coastanoan-Esseien Nation Louise Miranda-Ramirez, Chairperson PO Box 1301 Monterey, CA 93942 lramirez@comcast.net 408-629-5189 408-205-7579 - cell	Esselen Ohlone/Costanoan
Indian Canyon Mutsun Band of Costanoan Ann Marie Sayers, Chairperson P.O. Box 28 Hollister, CA 95024 ams@garlic.com 831-637-4238	Ohlone/Costanoan	Trina Marine Ruano Family Ramona Garibay, Representative 16010 Halmar Lane Lathrop, CA 95330	Ohlone/Costanoan Bay Miwok Plains Miwok Patwin
Jakki Kehi 720 North 2nd Street Patterson, CA 95363 jakki@bigvalley.net (209) 892-2436 (209) 892-2435 - Fax	Ohlone/Costanoan	Amah Mutsun Tribal Band Valentin Lopez, Chairperson 3015 Eastern Ave, #40 Sacramento, CA 95821 vlopez@amahmutsun.org (916) 481-5785	Ohlone/Costanoan
Coastanoan Rumsen Carmel Tribe Tony Cerda, Chairperson 3929 Riverside Drive Chino, CA 91710 (909) 622-1564 (909) 464-2074	Ohlone/Costanoan	Amah/Mutsun Tribal Band Irene Zwielerlein, Chairperson 789 Canada Road Woodside, CA 94062 amah_mutsun@yahoo.com (650) 851-7747 - Home (650) 851-7489 - Fax	Ohlone/Costanoan

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2005061016 Paraiso Springs; Monterey County.

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3077
TDD (805) 549-3259
<http://www.dot.ca.gov/dist05/>



*Flex your power!
Be energy efficient!*

June 17, 2008

MON-101-57.11
SCH# 2005061016

Jacqueline Onciano
Monterey County Planning and Building Department
168 West Alisal Street, 2nd Floor
Salinas, CA 93901

Dear Ms. Onciano:

COMMENTS TO PARAISO SPRINGS RESORT NOTICE OF PREPARATION

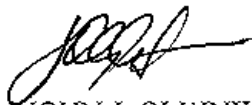
The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the above referenced project and offers the following comments for your consideration in preparing the traffic impact study.

1. The Department supports local development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development.
2. To ensure the traffic study in the Draft EIR includes the information needed by the Department to analyze the impacts (both cumulative and project-specific) of this project, it is recommended that the analysis be prepared in accordance with the Department's *"Guide for the Preparation of Traffic Impact Studies."* An alternative methodology that produces technically comparable results can also be used.
3. Because the Department is responsible for the safety, operations, and maintenance of the State transportation system, our Level of Service (LOS) standards should be used to determine the significance of the project's impact. We endeavor to maintain a target LOS at the transition between LOS C and LOS D on all State transportation facilities. At times, *for mainline planning documents only*, there might be deviation from the LOS C/D standard. However, this deviation is not carried through into traffic management and operations (including design, construction, etc.) where the LOS C/D is adhered. Unfortunately, we have seen a recent trend of traffic studies incorrectly using a threshold below the standard, and justifying it by referencing the Caltrans planning documents.
4. Our future comments to this, and any subsequent EIR for the project will stress the importance of using the Association of Monterey Bay Area Governments Model for traffic analysis, and to include all impacted transportation agencies early and often in the development discussions.

5. The traffic study should include information on existing traffic volumes within the study area, including the State transportation system, and should be based on recent traffic volumes less than two years old. Counts older than two years cannot be used as a baseline. Feel free to contact us for assistance in acquiring the most recent count data available.
6. The methodologies used to calculate the LOS should be consistent with the methods in the current version of the Highway Capacity Manual. All LOS calculations should also be included in the Draft EIR's as an appendix made available for review.
7. At any time during the environmental review and approval process, the Department retains the statutory right to request a formal scoping meeting to resolve any issues of concern. Such formal scoping meeting requests are allowed per the provisions of the California Public Resources Code Section 21083.9 [a] [1].
8. The traffic study and subsequent EIR for this project should clearly indicate that in addition to mitigating project-specific impacts, the developer would be required to pay their pro-rata share of cumulative impact mitigation per the TAMC Regional Traffic Impact Fee Program.
9. Lastly, we recommend that Monterey County work closely with the City of Greenfield on the development of the traffic study. The City of Greenfield has a plan to address deficiencies on each of the Highway 101 interchanges located in the City. Since County Road G16 (Elm) will be a main access point for the Resort, close coordination is important.

We look forward to receiving the Draft EIR, and providing comments from a more thorough analysis. At that time, we may include comments on other pertinent issues related to the environment, water quality, and hydrology. If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 542-4751.

Sincerely,



JOHN J. OLEJNIK
Associate Transportation Planner
District 5 Development Review Coordinator

cc: Mark McClain (City of Greenfield)
Mike Zeller (TAMC)



Linda S. Adams
Secretary for
Environmental
Protection



Department of Toxic Substances Control

Maureen Gorsen, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

June 20, 2008

Ms. Jacqueline R. Onciano
County of Monterey Resource Management Agency Planning Dept.
168 W. Alisal Street, 2nd Floor
Salinas, California 93901

Dear Ms. Onciano:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for a draft Environmental Impact Report (EIR) for the Paraiso Springs (Project) SCH# 2005061016. The Project involved demolition of buildings (already completed) and involves construction of new buildings including a hotel, residential timeshare units, restaurants, fitness and cultural centers, and extensive landscaping at the Paraiso Hot Springs property in Monterey County.

As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a Responsible Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project under the California Environmental Quality Act (CEQA) adequately addresses activities pertaining to releases of hazardous substances.

Attachment 1 of the NOP includes information that the land use designation is agricultural however it is unclear whether historical usage of the property included agricultural usages.

For each parcel included in the Project, DTSC strongly recommends an investigation into each property's current and historical uses, and that site assessments be completed to determine whether hazardous substances need to be addressed (i.e. testing for pesticides if historical usage of the property included agricultural usage). Where concerns are identified, sampling should be conducted to determine whether there is an issue that will need to be addressed in the CEQA compliance document. If hazardous substances are expected to be encountered, they will need to be addressed as part of this project. For example, if hazardous substances are

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expected to be encountered, the CEQA compliance document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of public upset should be there an accident at the Site.

If you have any questions or would like to schedule a meeting, please contact Tom Price of my staff at (510) 540-3811. Thank you in advance for your cooperation in this matter.

Sincerely,



Karen M. Toth, P.E., Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P. O. Box 3044
Sacramento, CA 95812-3044

Guenther Moskat
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

