

Exhibit K

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THOMAS MORONE has a wide range of industry expertise, including general hospitality consulting, asset management, corporate acquisition/disposition, management/franchise selection and contract negotiation, hotel and resort brokerage, strategic planning and market positioning, and hotel operations.

Prior to opening the Los Angeles office of Warnick + Company Tom was the Vice President and Manager of Colliers International Hotel Realty – Los Angeles. At Colliers, Tom was responsible for hotel brokerage services, with an emphasis on larger projects. Among others, he was involved in the sale of hotels such as the Hyatt

Newporter in Newport Beach, the Airport Marina Hotel, Retail, and Commercial Center in Los Angeles, the Midland Hotel and office complex in Chicago and the Olympus Hotel in Salt Lake City.

Tom has advised many clients on the market and economic feasibility, programming, franchise branding, and management company selection for their hotels. He has also assisted in clients' decisions to buy, sell, or hold and has executed a number of innovative solutions for his real estate clients.

Prior to entering brokerage, Tom was Vice President, Corporate Development with Omni Hotels and was a Director of Development with Doubletree Hotels. He has managed regional corporate development and real estate activities throughout the United States. His consulting skills were developed as a Senior Consultant with Pannell Kerr Forster, Los Angeles and honed in his own practice, Hospitality Systems, Inc., which he founded in 1979. Tom has extensive hotel operating experience, has opened new properties, and repositioned several hotels and restaurants. He began his hotel career with Western International Hotels, now Westin Hotels, where he was a member of the opening teams for the Peachtree Plaza Hotel in Atlanta and the Westin Bonaventure Hotel in Los Angeles.

Tom is a licensed real estate broker in California and Arizona. He is a Certified Commercial Investment Member (CCIM), a member of and Chairman Emeritus (2009) of the International Society of Hotel Consultants (ISHC), and is a certified expert in mediation, arbitration, and dispute resolution. Tom coauthored CapEx 2007, a study of capital expenditures in the hotel industry. He holds a lifetime teaching credential in California, lectured in the Hospitality Management Program at UCLA, and formerly taught in the NYU Hospitality program. He sits on the board of directors of the Collins College of Hospitality Management at Cal Poly Pomona. He is a frequent speaker at national hospitality conferences and is a steering committee member in the Planning Committee of America's Lodging Investment Summit (ALIS).



February 20, 2019

Mr. John M. Thompson
Paraiso Springs Resort, LLC
P.O. Box 779
Spring House, PA 19477

Dear John:

I am pleased to hear that you are nearing the ability to develop the Paraiso Springs Resort that we worked on with you several years ago.

The development plan as described in the Environmental Impact Report, that includes 103 hotel rooms, 60 timeshare units, and 17 detached timeshare villas, along with ancillary and support facilities is consistent with the resort envisioned and evaluated when we originally studied the resort plan. We believe that reducing the available bedrooms and or changing the mix could imperil the economic feasibility of the project.

The hotel, with 103 rooms, is small by any standard and alone, without the timeshare component, would not support the ancillary uses, the restaurants, bars, spa and wellness components that would be needed to attract visitors to the resort. Our experience is that the overhead and fixed expenses to operate a 103-room hotel are about the same as the fixed expenses to operate a 250-room hotel; with about half the income that would be generated in a 250-room hotel, the economic feasibility of the standalone hotel is questionable.

The addition of the timeshare units and timeshare villa units, with their inherently higher and more consistent occupancy (annual days and number of occupants) than a standard hotel, would provide year-round support that would further support the hotel operation, the food and beverage facilities, and the spa.

With regard to the timeshare condominiums and timeshare villa components, the marketing costs will be substantial regardless of the number of units, and to put it in context, the proposed 60-unit timeshares and 17 villas is relatively small in comparison to other projects with similar components and infrastructure. Based on our experience, in order to attract financing for this type of project you will need to reduce the cost of marketing of "each unit." Reducing the number of units will only increase the cost of marketing of each unit, thus compromising the financial projections and ability to attract investment.

On the development and construction side, the site and infrastructure costs will be substantially the same regardless of the number of units of either hotel or timeshares that are developed. Again, the economic feasibility of the proposed plan only gets worse as you trim back density; therefore creating risk to the projects ability to attract financing.

Mr. John M. Thompson
Paraiso Springs Resort, LLC
February 20, 2019
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In summary, by hospitality standards, this is not a *large scale project* to begin with. Any density reductions from what was originally proposed when we did our original evaluation, could inhibit the ability for the project to cover fixed costs related to infrastructure, development and operation of the needed components of the project that would be needed to make it successful.

Please feel free to call me if you would like to discuss or have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Morone", with a stylized flourish at the end.

Thomas Morone
Managing Director & Executive Vice President

MEMO

To: Monterey County Planning Department
From: Neil Hinckley, Michael Baker International
Date: February 13, 2019
Re: Paraiso Springs Resort Light Impact Review

Monterey County contracted Michael Baker International (Michael Baker) to review a prepared Monterey County response to the comments prepared by James Benya under contract with LandWatch, a land use advocacy group. Michael Baker was contracted to review the completed response and determine if the response adequately addresses the concerns raised by Mr. Benya and Landwatch. This review was performed by Neil Hinckley with expert advice and additional review provided by Lance Mackie, P.E., LC, RCCD, LEED AP; Peter Boucher; and Owen Milligan, California P.E.. Neil Hinckley has recently completed a lighting environmental impact study for Santa Clara County and assisted with an environmental impact lighting study for Almaden Golf and Country Club for the city of San Jose. Lance Mackie has specialized in lighting for the last 27 years, has earned his Lighting Certification from the National Council on Qualifications for the Lighting Professions (NCQLP), and has recently participated in a lighting environmental impact study for the city of San Pablo. Peter Boucher has more than 30 years of experience conducting environmental impact evaluations under the California Environmental Quality Act and National Environmental Policy Act. Owen Milligan, P.E., is a professional engineer with over 30 years of engineering experience. He has designed/been in responsible charge of many outdoor lighting projects, including highway lighting, parking lot lighting design, apron lighting and several sports venue lighting designs. Most of these designs required adherence to IESNA lighting requirements, ASHRAE 90.1 requirements, Dark Sky requirements or meeting LEED ® exterior lighting requirements to achieve LEED ® Silver or Gold.

After careful review of the response provided by Monterey County we have determined that the response adequately addresses all concerns raised by Mr. Benya with regard to the lighting impact of the proposed resort. While the concerns Mr. Benya raises are real and important, the RDEIR and the clarifications and context provided by the response demonstrate compliance with both the letter and intent of all relevant law, and consideration for the preservation of the area.

The primary concerns raised by Mr. Benya are:

1. That a variety of environmental impacts, including anthropogenic sky glow, trespass lighting, and glare are not adequately resolved by the RDEIR.
2. That LZ2 is not an appropriate classification of the project site.
3. That various cumulative effects from already approved or in progress developments could negatively impact the currently low levels of light pollution.
4. That the county and state requirements are not sufficient to prevent environmental impacts under CEQA.

After careful review of the RDEIR and the county's response to Mr. Benya we have found that the environmental impacts of sky glow, light trespass, and glare are sufficiently addressed, and appropriate mitigation measures are outlined in the RDEIR.

We also confirmed Mr. Benya's finding of a Bortle value of approximately 3.5 for the site using the newer ATLAS 2015 data set (as presented on www.lightpollutionmap.info) and are in agreement with the county response that a Bortle value of 3.5 is consistent with the site's classification by the state of California as LZ2, or a rural location, and that reclassification of the site as LZ0 or LZ1 is not warranted.

The county response also demonstrates that there are no other developments in planning or construction stages near the proposed resort, and so there are no cumulative effects that need to be presented or mitigated by the RDEIR.

We also reviewed the California state and Monterey County laws that will apply to this development, including Title 24 Part 6 and Part 11, the Monterey County General Plan, Monterey County Design Guidelines for Exterior Lighting, and Monterey County Code 21.22.070 E, and have found that the requirements contained in these laws and codes are sufficient to maintain the site at or below LZ2 levels of light pollution in all its forms. We also find no need to apply the Model Lighting Ordinance (MLO) or LEED 4. The lighting requirements of Title 24 are heavily based upon the MLO, and are in some ways even more restrictive. LEED 4 also allows more uplight than allowed by Title 24 and Monterey County codes, guidelines, and standard conditions, which is a major contributor of anthropogenic sky glow.

In addition to the information provided in this memo, we are providing additional technical information on the topics discussed in this memo and in Mr. Benya's comments, to support the RDEIR response to comments on this topic. See Attachment 1.

Sincerely,

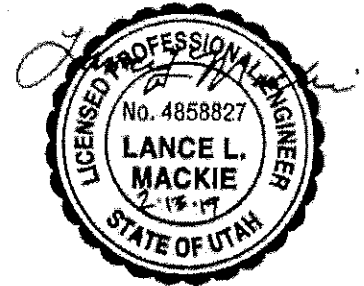
Neil Hinckley

Electrical Associate II, Michael Baker International

We Make a Difference

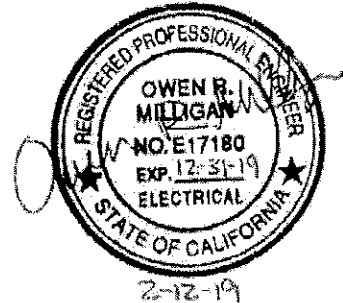
Lance Mackie, P.E., LC, RCDD, LEED AP

Technical Manager – Electrical Engineering, Michael Baker International



Owen Milligan, California P.E.

Senior Electrical Engineer, Michael Baker International



Peter Boucher

Technical Manager, Michael Baker International

Attachment 1 to Memo dated February 13, 2019

Lighting Response Letter 10, Number 5

The following discussion provides technical information in support of the County's discussion found in the Paraiso Hot Springs Recirculated Draft Environmental Impact Report (RDEIR) in section 3.1.2, Environmental Setting, Aesthetics and Visual Resources, section 3.1.4, Impact Analysis, Aesthetics and Visual Resources, and in section 4.5.2, Cumulative Impacts Assumptions and Analysis (RDEIR page 4-6).

Terminology

a. Light

For purposes of this response, "light" refers to light emissions, or the degree of brightness, generated by a given source. Artificial lighting may be generated by point sources - focused points of origin representing unshielded light sources - or by indirectly illuminated sources of reflected light. Light may be directed downward to illuminate an area or surface; cast upward into the sky by an unshielded fixture and refracted (dispersed) by atmospheric conditions (sky glow); or cast sideways and outwards onto off-site properties (light trespass or overspill).

Sky glow and light trespass are considered forms of light pollution, which encompasses any adverse impacts of artificial lighting.

b. Light Pollution

The International Dark Sky Association defines light pollution as, "Any adverse effect of artificial light¹". They explain that light pollution includes light trespass, sky glow, and glare, with secondary effects including decreased nighttime visibility and energy waste.

c. Glare

The International Dark Sky Association defines glare as "Intense and blinding light that reduces visibility. A light within the field of vision that is brighter than the brightness to which the eyes are adapted" (<http://darksky.org/our-work/resources/glossary/>). Glare is focused, intense light directly emanated by a source or indirectly reflected by a surface from a source. The absolute measurement of light intensity on a given surface is objective, but human perception of that light intensity as a source of actual glare is dependent on the size, position, distance, and degree of visibility of a source from a given vantage point; the number of sources in a given area; and the luminance, or light levels, to which the eye of the beholder is adapted.

Glare is generally experienced as visual discomfort caused by high contrast in brightness levels in a given environment, or it may cause actual disability, such as a reduction in motorists' ability to see or identify objects. Daytime glare is typically caused by the reflection of sunlight from highly reflective surfaces at or above eye level. Reflective surfaces are generally associated with buildings clad with broad expanses of highly polished surfaces or with broad, light-colored areas of paving. Daytime glare is generally most pronounced during early morning and late afternoon hours when the sun is at

¹ <http://darksky.org/our-work/resources/glossary/>

a low angle and the potential exists for intense reflected light to interfere with vision and driving conditions. Daytime glare may also hinder outdoor activities conducted in surrounding land uses, such as sports.

Nighttime glare refers to direct, intense, focused light, as well as reflected light, and hampers visibility. Glare caused by direct sources of light generally originates from mobile and therefore transitory sources, such as automobiles. Nighttime glare may also originate from particularly intense stationary sources, such as floodlights. As with daytime sun glare, such intense light may cause undesirable interference with driving or other activities.

Light-Sensitive Uses in the Project Vicinity

Some land uses are considered "light-sensitive receptors," including residences, natural areas, hotels, or hospitals, since minimal nighttime illumination levels may be essential to the proper function, use, or enjoyment of these uses². Sensitive receptors in the Project vicinity include single family residences on Paraiso Springs Road to the east of the Project site and natural areas.

Classification of Ambient Light Levels

Beginning with the 2005 Building Energy Efficiency Standards, the California Energy Commission adopted Outdoor Lighting Zone requirements that specified lighting power allowances based on project locations in the state and whether the surrounding environment is wild (dark), rural (characterized by low to moderate ambient light levels) or urban (characterized by higher ambient light levels). The most recent requirements for lighting in California, Title 24, which is a very restrictive state code, took effect January 1, 2017. Lighting zones reflect the base (or ambient) light levels desired by a community. State designated lighting zones have been established for each area of the state. Table 10-114A of the California Code of Regulations, Title 24 Article 1, Section 10-114 specifies the relative ambient illumination level and the statewide default location for each lighting zone.

Exterior lighting allowances in California vary by the established Lighting Zones (LZ). The regulations contain lighting power allowances for newly installed equipment and specific alterations that are dependent on the project site's assigned Lighting Zone. Lighting Zone designations are public information, serve to quantify the existing project site ambient light conditions and are based on the latest (2010) U.S. Census Bureau data. They are designed to establish standards that limit light pollution and ensure light levels are appropriate for the purpose and the area.

In his comments, Mr. Benya, a lighting expert who provided a memorandum to LandWatch Monterey County related to this comment, has suggested that a permanent declaration of Lighting Zone 0 (LZ0) and Lighting Zone 1 (LZ1) be applied to the project as opposed to the designation applied by Title 24 for rural areas, which is Lighting Zone 2 (LZ2), based on the location of the project site as explained below.

² <http://www.countyofplumas.com/DocumentCenter/View/9346>;
<https://planning.lacity.org/eir/BoyleHeights/DEIR/files/IV.A.2%20Light%20Glare%20and%20Shadin%20g.pdf>; <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/news/sdtceqa.pdf>

Zone LZ0 has an ambient illumination designation of “very low” with a Statewide Default Location for this zone as “Undeveloped area of government designated parks, recreation areas, and wildlife preserve”. This designation would not apply to the project site as the project site has been a commercial visitor serving property since the late 1800s and is located in an area surrounded by agricultural and residential land uses. The site and adjacent lands are not a government designated park, recreation area or wildlife preserve (Table 10-114A, California Code of Regulations, Title 24 Article 1, Section 10-114; County staff site visit on October 18, 2017).

Zone LZ1 has an ambient illumination designation of “low” with a Statewide Default Location for this zone as “Developed portion of government designated parks, recreation areas and wildlife preserves. Those that are wholly contained within a higher lighting zone may be considered by the local government as part of that lighting zone”. The LZ1 lighting zone designation does not apply to this project site as it is not a developed portion of a government designated park, recreation area, or wildlife preserve.

Zone LZ2, which is the state designated zone for this site, has an ambient illumination designation of “moderate” with a Statewide Default Location for this zone as “Rural areas, as defined by the 2010 U.S. Census.” The LZ2 designation is the proper designation as it relates to this project site, which is located in Census Tract 111.01.³ The project would need to comply with the lighting standards in Title 24 for this Lighting Zone designation.

In his memo, Mr. Benya states that the “The current portion of light pollution in a particular region can be measured from satellite data and classified according to the Bortle Scale. The proposed Resort would be in an unusually dark sky region of coastal California. With a Bortle value of about 3.5, the area can be described as possessing a dark sky offering views of the zodiacal light, thousands of stars, and the Milky Way. But the Milky Way lacks detail, clouds are illuminated from below and the light domes of San Jose and small cities are visible on the horizon caused by regional light pollution.”

Bortle Scale

The definition for the Bortle scale states:

“The **Bortle scale** is a nine-level numeric scale that measures the night sky's brightness of a particular location. It quantifies the astronomical observability of celestial objects and the interference caused by light pollution. John E. Bortle created the scale and published it in the February 2001 edition of *Sky & Telescope* magazine to help amateur astronomers evaluate the darkness of an observing site, and secondarily, to compare the darkness of observing sites. The scale ranges from Class 1, the darkest skies available on Earth, through Class 9, inner-city skies. It gives

³ www.factfinder2.census.gov, Title 24 state website at

<http://energy.ca.gov/title24/2016standards/>, Nonresidential Lighting and Electrical Power Distribution Guide, California Lighting Technology Center, UC Davis, 2016

https://cltc.ucdavis.edu/sites/default/files/files/publication/2016_Title24_Nonresidential_Lighting_Guide_170419_web_0.pdf, and Guide to the 2016 California Green Building Standards Code, California Building Standards Commission, 2017

<https://www.documents.dgs.ca.gov/bsc/CALGreen/CALGreen-Guide-2016-FINAL.pdf>

several criteria for each level beyond naked-eye limiting magnitude (NELM). The accuracy and utility of the scale have been questioned in recent research^{4,5,6}.

Mr. Benya assigns a 3.5 Bortle scale class to the site, which is between Bortle Class 3 and Bortle Class 4. While a Bortle scale Class of 3.5 is not defined, we can provide the following information related to Classes 3 and 4. The Bortle Scale Class 4 Description is "Rural/suburban transition" with the following description points^{7,8}:

- the zodiacal light is still visible, but does not extend halfway to the zenith at dusk or dawn
- light pollution domes visible in several directions
- clouds are illuminated in the directions of the light sources, dark overhead
- surroundings are clearly visible, even at a distance
- the Milky Way well above the horizon is still impressive, but lacks detail
- M33 is a difficult averted vision object, only visible when high in the sky

The Bortle Scale Class 3 designation is described as "Rural sky" with the following description points^{9,10}:

- the zodiacal light is striking in spring and autumn, and color is still visible
- some light pollution evident at the horizon
- clouds are illuminated near the horizon, dark overhead
- Milky Way still appears complex
- M31 (Andromeda Galaxy) is obviously visible
- M33¹¹ is only visible with averted vision

Looking at the Bortle Scale Class 4 or Class 3 description of "Rural/suburban transition" or "Rural sky" both appear to be consistent with the statewide "Rural" designation for the project site confirming that the California Energy Code Lighting Zone (LZ2) for the project site is the proper Lighting Zone. Development of the project must comply with the lighting standards in Title 24 for that zone. The Light Pollution Map website¹² shows that the project site is influenced by light pollution from the cities, and appears to be on the margin between Bortle Scale Classes 3 and 4 (Exhibits 1 and 2). Even if the County agrees that the Bortle Class should be 3.5, for the reasons described in this response, the potential environmental impact from the proposed project's light and

⁴ https://en.wikipedia.org/wiki/Bortle_scale

⁵ http://www.bigskyastroclub.org/lp_bortle.html

⁶ <https://academo.org/demos/bortle-scale/>

⁷ http://www.bigskyastroclub.org/lp_bortle.html

⁸ Bortle, John E. (February 2001). "The Bortle Dark-Sky Scale". *Sky & Telescope*. Sky Publishing Corporation. Retrieved 2013-02-20.

⁹ http://www.bigskyastroclub.org/lp_bortle.html

¹⁰ Bortle, John E. (February 2001). "The Bortle Dark-Sky Scale". *Sky & Telescope*. Sky Publishing Corporation. Retrieved 2013-02-20.

¹¹ M33 is the Triangulum Galaxy, the third largest as viewed from Earth behind the Milky Way and Andromeda galaxies <https://www.space.com/25585-triangulum-galaxy.html>

¹² www.lightpollutionmap.info

glare is a less than significant impact on the physical environment.

Title 24 (California Code of Regulations)

Title 24 provides regulations to efficiently use lighting and save energy, including directing lighting to intended area, using occupancy sensors, multi-level lighting to provide efficient lighting levels, and mandatory and optional requirements to meet strict limitations as outlined in the regulation. All regulated, nonresidential buildings must be designed and built to comply with the mandatory measures of Title 24, Parts 6 and 11 with certain sections of that code specifically addressing light pollution reduction measures based on the statewide established Lighting Zone. In addition to meeting the mandatory requirements, buildings must also comply with additional requirements specified within the Energy Standards. The Energy Standards requirements for outdoor lighting apply to hardscape areas and designated landscape areas. This typically consists of the paved portions of an outdoor building site but may also include planters or other small areas of landscaping within the application area.

It is important to note that the standards in Title 24 were developed to ensure that new lighting introduced into an existing area would maintain the existing ambient light levels of the designated area thus eliminating any significant impacts related to light pollution either individually or cumulatively to the area. The exterior lighting portions of Title 24 are also heavily based on the Model Lighting Ordinance (MLO) created by the International Dark-Sky Association (IDA) and the Illumination Engineering Society of North America (IESNA), groups which have a heavy interest in reducing light pollution and the technical expertise need to provide viable design guidelines.¹³

Illuminating Engineering Society of North America Standards

The outdoor lighting requirements within California Building Code Title 24 conserve energy, reduce winter peak electric demand, and are both technically feasible and cost effective. They set minimum control requirements, maximum allowable power levels, minimum efficacy requirements, and mandate outdoor lighting design parameters that must follow the Illuminating Engineering Society backlight, uplight and glare ratings as defined in their technical memorandum TM-15-11 for controlling light pollution for all outdoor lighting systems based on the state assigned lighting zone. The lighting power allowances are based on current Illuminating Engineering Society of North America (IES) recommendations for the quantity and design parameters of illumination, current industry practices, and efficient sources and equipment that are readily available. Data indicates that the IES recommendations provide more than adequate illumination, based on a 2002 baseline survey of outdoor lighting practice in California that showed that the majority of outdoor lighting illuminates at substantially lower levels than IES recommendations.

Title 24 Mandatory Interior Lighting Controls

Title 24 non-residential lighting standards also have regulations for controlling indoor lighting. The Title 24 non-residential lighting standards are the result of the involvement of many representatives of the lighting design and manufacturing community, and of enforcement agencies across the state. A great deal of effort has been devoted to making the lighting requirements practical and realistic.

¹³ <https://www.darksky.org/our-work/lighting/public-policy/mlo/>

Hotel/motel guest rooms are covered by portions of both the nonresidential indoor lighting requirements and the residential indoor lighting requirements. The residential indoor lighting requirements are covered in the Residential Compliance Manual.¹⁴

The primary mechanism for regulating indoor lighting under the standards is to limit the allowed lighting power in watts installed in the building. Other mechanisms require basic equipment efficiency and require that the lighting be controlled to permit efficient operation.

All lighting systems are required to have switching or control capabilities that turn off lights when they are not needed. In addition, it is desirable to reduce light output and power consumption when full light output is not needed. These mandatory requirements apply to all nonresidential, high-rise residential and hotel/motel buildings for both conditioned and unconditioned interior spaces. A partial list of the Title 24 non-residential mandatory lighting control requirements can be summarized as follows:

- Light switches (or other control) in each room
- Separate controls for general, display, ornamental, and display case lighting
- Occupant sensors in offices 250 ft² or smaller, multi-purpose rooms less than 1000 ft², classrooms of any size, and conference rooms of any size
- Partial ON/OFF occupant sensors are required in aisle ways and open areas in warehouses, library book stack aisles, corridors, and stairwells
- Multi-level control (dimming capability) for lighting systems > 0.5 W/ft² in rooms > than 100 ft².
- Automatic daylighting controls in daylit areas >100 ft² except when the total installed general lighting is less than 120 watts or the glazing area is less than 24 ft².
- Demand responsive controls in buildings larger than 10,000 ft² automatically reducing lighting power by a minimum of 15% in response to a demand response signal.

Recirculated Draft EIR

The RDEIR, on pages 3-263 through 3-265, addresses consistency of the project related to General Plan policies regarding aesthetics. This discussion addresses impacts of lighting related to policies 26.1.6, 26.1.20, 26.1.6.1 (CSV), and 40.1.2 (CSV). The discussion on RDEIR page 3-25 explains how the project planner reviews the lighting plan to achieve the purpose of the General Plan policy and protect biological and aesthetic resources, as well as to ensure that lighting does not cause a safety issue through glare or through directing bright lights at sensitive receptors, roadways or into the sky.

The effects of interior lighting were considered in the RDEIR analysis (see Impact 3.1-2 discussion). As explained on page 2-20 of the Recirculated Draft EIR, the design of the project is proposed to be Mission Revival style, with “limited fenestration” and “wide, projecting eaves.” These features function as ways to additionally limit light spill toward the sky and off site, due to the limited number of windows and eaves that cut off light toward the sky, as well as the goals of the project to generally keep lighting subdued (RDEIR Figures 2-9a through 2-9h). The nearest residences are from over 1000 feet to approximately a mile from the development site, but have limited visibility of

¹⁴ https://www.energy.ca.gov/title24/2016standards/residential_manual.html

the proposed development area due to topography and existing vegetation that will be retained (RDEIR Figure 2.4, Figure 2-5a, Figure 2-6, Figure 2-8, page 3-24).

Project Impacts

Construction

Construction of the proposed project would occur over an approximately 10-year period, with one or more on-site parcels developed simultaneously. On-site construction lighting would represent a marginal increase in existing ambient nighttime light levels on any sensitive receptors (three single family residences on Paraiso Springs Road) close to the Project site because of the small size of the construction sites(s) lighted at any given time and because of the distance and/or intervening vegetation and topography between most on-site construction and off-site sensitive receptors and the fact that the closest receptor is over 1000 feet away from the easternmost part of the project site. Nighttime construction would not be typical, but could occur on occasion. Construction lighting would be temporary and removed upon completion of construction. Therefore, construction lighting would not substantially increase the ambient illumination levels in off-site areas surrounding the Project site through light spillover or sky glow or interfere with off-site activities, and impacts would be less than significant.

Construction activities are not anticipated to create sources of glare that could affect visibility in the Project area, because of the depth of building setbacks from surrounding roadways, the use of building materials that are low-reflectivity in nature, and construction is not expected to involve bright light sources that would be visible from off-site locations. Therefore, impacts due to glare generation and interference with the performance of an off-site activity or adverse effects on views would be less than significant during construction.

Operation

The proposed Project would introduce a variety of permanent new sources of lighting to the Project site including exterior and interior lighting. Generally, the topography and landscape of the Project site, which will primarily occupy two valleys, surrounded on three sides by mountains, severely constrains the influence that Project-related light sources would have on off-site uses or the night sky.

The only sensitive receptors near the Project site are the single-family residences on Paraiso Springs Road. The nearest proposed development on the Project site, at the eastern end of the property, would be separated from the nearest off-site residence by a horizontal distance of at least 1050 feet and an elevation differential, since the Project property sits higher in elevation than the residences. Because of distance and topography, and the fact that the Monterey County standard condition calls for fully controlling lighting impacts offsite, as well as Title 24 Standards, the project light sources would not substantially increase ambient illumination levels. Potential impacts from light and glare would be less than significant. Timeshare condominium lighting sources may be visible from off-site residences and would incrementally increase ambient illumination levels in this area; however, the increase is expected to be minor and would constitute a less than significant impact due to lighting controls required by Monterey County and by Title 24 for the applicable Lighting Zone.

Only low-reflective building materials, such as darker shades of roofs and plaster walls using a variety of earth tones are anticipated to be used. Therefore, project-related glare impacts and the

potential for interference with the performance of any off-site activity or adverse effects on views would be less than significant.

Interior Lighting Sources

Interior lighting sources from the hotel units and timeshare condominiums on the project site may be visible from offsite and may increase ambient illumination levels in this area, however the increase is expected to be minor and would constitute a less than significant impact.

Interior source lighting is contemplated under the LZ2 lighting zone designation of "rural" as all residences in the area operate interior lights at night. The hotel rooms and timeshares use of interior lights would be required to be consistent with the visually sensitive area and the LZ2 lighting designation. The design of the project is proposed to be Mission Revival style, with "limited fenestration" and "wide, projecting eaves." These features function as ways to additionally limit light spill toward the sky and off site, due to design and a limited number of windows. Consistent with resort properties, it is expected that all rooms will have interior window coverings, curtains and or shades that will be drawn for privacy at night and act to shield and reduce any lighting effects from interior lights. Interior lighting effects would also be limited as visitors are not expected to be up all night and lights would be extinguished as visitors to the resort retire for the night.

In summary, because of distance and topography, Title 24 lighting control regulations, window design, window coverings and expected night time use, interior lighting would have no impacts on any offsite sensitive receptors which are the residences on Paraiso Springs Road and project indoor lighting would not substantially increase ambient illumination levels in off-site areas surrounding the Project site.

Exhibit 1: Bortle Scale Map Legend

Bortle Scale Number	Color on Map	Limiting Magnitude	Sky Type	Description
1		8	Excellent Dark Site	Airglow is very weak and near horizon Zodiacal Light is across the night sky Milky Way casts shadows
2		7.5	Dark Site	Airglow is weakly visible Zodiacal Light casts shadows Milky way is very detailed
3		7	Rural	Clouds are faintly lit at horizon Zodiacal light visible well above horizon Milky Way appears complex
4		6.5	Rural/ Suburban	Clouds are lit only at horizon Zodiacal Light is visible halfway above horizon Milky Way structure starts to show
5		6	Suburban	Clouds and ground are faintly lit Some Zodiacal Light Milky Way is slightly more visible overhead
6		5.5	Bright Suburban	The sky glows gray at horizon Constellations are visible Milky Way visible overhead
7		5	Suburban/ Urban	The sky has a gray/yellow glow Bright constellations are visible No Milky Way
8		4.5	City	The sky has an orangeish glow Brightest constellations are visible No Milky Way
9		4 at best	Inner-City	The sky has a bright glow Only bright stars are visible No Milky Way

Exhibit 2: Bortle Scale Map Legend

