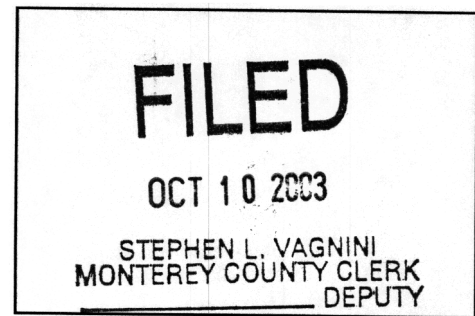


Exhibit D

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MITIGATED NEGATIVE DECLARATION



Project Title: ESALEN INSTITUTE
File Number: PLN020599
Owner: ESALEN INSTITUTE
HWY 1
BIG SUR CA 93920

Project Location: HWY 1 BIG SUR
Primary APN: 421-011-018-000
Project Planner: Tim Johnston
Permit Type: COMBINED DEVELOPMENT PERMIT

Project Description: COMBINED DEVELOPMENT PERMIT CONSISTING OF A COASTAL DEVELOPMENT PERMIT FOR A REHABILITATION & RESTORATION PLAN FOR THE ESALEN INSTITUTE'S SOUTH COAST PROPERTY (ASSESSOR'S PARCEL NUMBER 421-011-018-000), TO INCLUDE THE CONSTRUCTION OF 2 STRUCTURES (APPROXIMATELY 1,310 ADDITIONAL BUILDING COVERAGE, IN THE CONTEXT OF APPROXIMATELY 14,810 TOTAL PROPOSED BUILDING COVERAGE, EXISTING + NEW) AND ADDITIONAL PARKING AREAS (34,848 SQ. FT. TOTAL EXISTING PAVED COVERAGE/51,836.4 SQ. FT. TOTAL PROPOSED PAVED COVERAGE); A COASTAL DEVELOPMENT PERMIT FOR DEVELOPMENT WITHIN 100 FT. OF ENVIRONMENTALLY SENSITIVE HABITAT (TO INCLUDE SEACLIFF BUCKWHEAT); AND A COASTAL DEVELOPMENT PERMIT FOR DEVELOPMENT ON SLOPES OF 30% OR GREATER. THE PROPERTY IS LOCATED ON THE EAST SIDE OF HIGHWAY 1, APPROXIMATELY 1 MILE NORTH OF THE ESALEN INSTITUTE'S MAIN PROPERTY, WHICH IS LOCATED AT 55000 HIGHWAY 1, BIG SUR (ASSESSOR'S PARCEL NUMBERS 421-011-018-000, 421-011-005-000, 421-011-006-000 AND 421-011-007-000), BIG SUR COAST LAND USE PLAN, COASTAL ZONE.

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.
-

Project Title: ESALEN INSTITUTE
File Number: PLN020599
Owner: ESALEN INSTITUTE
HWY 1
BIG SUR CA 93920

Project Location: HWY 1 BIG SUR
Primary APN: 421-011-018-000
Project Planner:
Permit Type: COMBINED DEVELOPMENT PERMIT

Decision Making Body (check one):

- | | |
|---|---|
| ☒ Planning Commission | ☐ Subdivision Committee |
| ☐ Zoning Administrator | ☐ Chief of Planning Services |
| ☐ Board of Supervisors | ☐ Other: |

Responsible Agency: County of Monterey
Review Period Begins: 10/10/2003
Review Period Ends: 11/11/2003

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, Monterey County Courthouse, 240 Church St., Salinas, CA (831) 755-5025

Date Printed: 10/10/2003

MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT
PO BOX 1208 SALINAS, CA 93902
PHONE: (831) 883-7530 FAX: (831) 384-3261



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	Esalen Institute
File Numbers:	PLN010501 & PLN020599
Project Location:	South of Julia Pfeiffer Burns State Park and north of John Little State Reserve, Highway 1, Big Sur
Names of Property Owners:	Crocker-Citizens National Bank Trust, Esalen Institute, and the Michael H. Murphy Life Estate
Name of Applicant:	Esalen Institute
Assessor's Parcel Numbers:	421-011-005-000, 421-011-006-000, 421-011-007-000, & 421-011-018-000
Acreage of Properties:	59.88, 13.76, 7.74, & 15.16, respectively
General Plan Designations:	Rural Residential & Watershed and Scenic Conservation
Zoning Districts:	RDR/40-HR-D (CZ), RDR/40-D (CZ), and WSC/40-D (CZ)
Lead Agency:	Monterey County Planning & Building Inspection Department
Prepared By:	Timothy Johnston, Associate Planner
Date Prepared:	October 9, 2003
Contact Person:	Timothy Johnston
Phone Number:	(831) 883 – 7558
Electronic Mail:	johnstont@co.monterey.ca.us

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

By way of the current project proposal, the Esalen Institute seeks to renovate and rehabilitate its aging facilities and landscapes both at its Main Campus and at its auxiliary South Coast property. In general, the project seeks to:

- replace certain aging buildings with newer ones;
- orient new buildings to better take advantage of solar energy;
- increase onsite employee housing and thereby reduce traffic impacts;
- upgrade onsite wastewater treatment facilities;
- lower overall water usage through the use of water-saving technologies;
- improve stormwater drainage with Best Management Practices;
- improve parking and internal circulation at both sites;
- restore native habitats and landscapes onsite; and
- acquire permits for unpermitted structures that are to remain.

The project is designed to occur in three phases over an 8 to 10 year period, as follow:

Phase 1.A

- Replace the foot-bridge over Hot Springs Creek with a bridge (50' span x 14' wide) for light-vehicular & pedestrian traffic [110]¹;
- Build a new one-story 1,500 sq. ft. meditation center [106] north of Hot Springs Creek; and
- Construct a new parking area along Highway 1, north of Hot Springs Creek, at the Main Campus.

Phase 1.B

- Construct a new two-story 6,316 sq. ft. administrative & check-in facility [113] at the Main Campus south of Hot Springs Creek; and
- Reconfigure the entrance and drop-off area (immediately in front of administrative and check-in facilities), including the reconfiguration of the entrance parking lot.

Phase 1.C

- Construct a new single-story 598 sq. ft. gym [103] at the Main Campus north of Hot Springs Creek;
- A new two-story 1,591 sq. ft. guest unit [107, 4 units] at the Main Campus north of Hot Springs;
- New staff housing [102 = 4 units, 2-stories, 1,248 sq. ft.; 105 = 2 units, 2-stories, 897 sq. ft.; 108 = 2 units, 1-story, 907 sq. ft.; and 109 = 2 units, 1-story w/ 907 sq. ft.] at the Main Campus north of Hot Springs Creek;
- Construct a related wastewater treatment system; and

¹ Numbers in brackets in this list and throughout this document refer to the building numbers listed on sheets 3.2 and 4.2 of the site plans (Reference #1), which are attached at the end of this document.

- Construct new one-story 1,000 sq. ft. library and media center [112], remodel Point Houses [22] at the Main Campus south of Hot Springs Creek.

Phase 2.A

- Single-story additions totaling 1,850 sq. ft. to the existing single-story 8,482 sq. ft. Lodge [37] for a new laundry facility and a Lodge reception area at the Main Campus south of Hot Springs Creek;
- Construct a related wastewater treatment system; and
- Relocate and restore a historic guest unit [38] at the Main Campus south of Hot Springs Creek.

Phase 2.B

- Construct a new two-story 2,576 sq. ft. maintenance facility [100] to replace old one [26] at the Main Campus north of Hot Springs Creek;
- Construct a new one-story 800 sq. ft. farm/maintenance storage shed [101] at the Main Campus north of Hot Springs Creek;
- Construct a new one-story 180 sq. ft. fuel depot [126] at the Main Campus north of Hot Springs Creek;
- Replace a farmhouse [10] with a two-story 2,800 sq. ft. gazebo farmhouse [104] at the Main Campus north of Hot Springs Creek; and
- Remodel/rehabilitate the existing Art Barn/Annex [04] at the Main Campus north of Hot Springs Creek.

Phase 2.C

- Construct a new two-story 5,460 sq. ft. meeting room [101] at the South Coast property; and
- Construct a single-story 1,170 sq. ft. staff housing [100, 4 units] at the South Coast property.

Phase 2.D

- Remodel the existing laundry facility [26] into a meeting room with no change in height or footprint; and
- Remodel existing staff and housing units [27, 28, 32, 33, & 34], with no change in height or footprint.

Phase 3.A

- Construct new one-story meeting rooms [116 = 812 sq. ft., & 119 = 870 sq. ft.];
- New single-story guest units [115 = 2 units, 1,218 sq. ft.; 118 = 3 units, 2,622 sq. ft.; & 120 = 3 units, 2,715]; and
- New two-story staff units [117 = 2 units, 1,462 sq. ft.] at the Main Campus.

Phase 3.B

- Construct the new one-story Somatics Center meeting room [121 = 2,264 sq. ft.]; and
- Eight new single-story guest units in four clusters of buildings [122, 123, 124, & 125 = 2 units each @ 1,092 sq. ft. each].

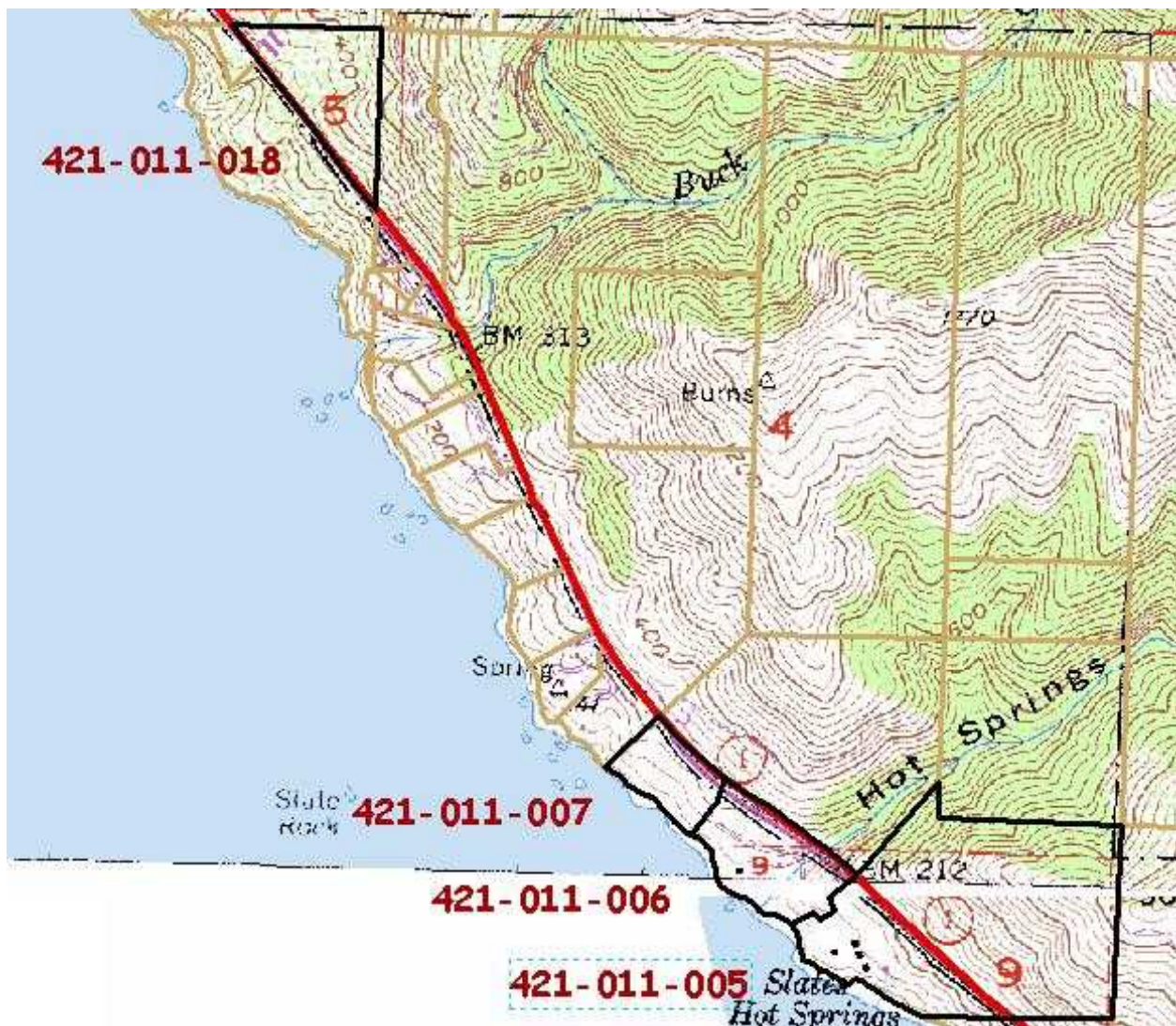
Phase 3.C

- Remodel the Little House with no change in height or footprint [16].

B. Environmental Setting and Surrounding Land Uses:

Location & Vicinity

The project is located on Highway 1 between Julia Pfeiffer Burns State Park (to the north) and John Little State Reserve (to the south) in Big Sur, and fronts onto a California Sea Otter State Game Refuge and the Monterey Bay National Marine Sanctuary. The parcels commonly known as the “Main Property” or the “Main Campus” are located at the mouth of Hot Springs Creek along the coastal bluffs west of Highway 1. This area is comprised of two lots and part of a third, totaling about 40 acres west of Highway One. The “South Coast Property” is located about a mile north of the “Main Property,” on the east side of Highway 1, and is about 15 acres in size. The Hot Springs Canyon watershed feeds the hot springs that are the source of the renowned baths at Esalen.



The Main Property is comprised of two contiguous parcels (APN's 421-011-006-000 & 421-011-007-000) and a contiguous portion of a third (APN 421-011-005-000) lying west of Highway 1 (with the balance of APN 421-011-005-000 lying east of Highway 1; about 41 acres). The facilities at the South Coast Property lie in the northwestern-most corner of APN 421-011-018-000, which is just east of, and bordering on, Highway 1.

In this part of Big Sur, the Santa Lucia Mountains rise sharply from the ocean. Esalen Institute is located on coastal bluffs between the mountains and the shoreline below. The typical plant communities found in this part of Big Sur are redwood forests and riparian habitats in the canyons near the coast, mixed evergreen forest, oak woodland, coast range grassland, chaparral, coastal sage scrub, northern coastal scrub, and coastal bluff scrub. Locally, much of the existing vegetation was introduced decades ago for landscaping, farming, and gardening.

Biologically Sensitive Resources

Significant environmentally-sensitive resources and/or species known to occur at the Esalen properties include:

- Important Central Coast roosting sites for the Monarch butterfly;
- Landmark trees (i.e., greater than 24" in diameter);
- Hot Springs creek;
- Coastal sage scrub, coastal bluff scrub, and northern coastal scrub (which are habitats supporting the federally-listed Smith's blue butterfly);
- Dusky-footed woodrat (also supported by the northern coastal scrub habitat);
- Arroyo willow riparian forest;
- Sitka willow riparian forest (including the rare maple-leaved sidalcea);
- Redwood forest;
- Southern steelhead trout.

A number of other environmentally-sensitive species with the potential to occur at the Esalen properties include (but not limited to):

- Smith's blue butterfly (high probability);
- California red-legged frog (low probability);
- Foothill yellow-legged frog (low probability);
- A number of special-status bat species (moderate probability);
- Southern sea otter (off shore).

Potential impacts to the above-listed resources could result from construction- & development-related activities associated with the proposed project. Mitigation Measures [1 through 12] involve design modifications and special operating and monitoring requirements in order to reduce potential environmental impacts to less-than-significant levels. These are detailed in Section VI.4 (Biological Resources), below.

Archaeological Resources

The Esalen Institute properties also lie within an area known to be of high archaeological sensitivity. Positive archaeological sites have been found on some of the Esalen properties. A supplemental archaeological survey has revealed that several features of the development proposal for the Main Campus require varying degrees of mitigation in order to reduce potential impacts to less-than-significant levels. In at least one area, recent impacts have already occurred.

Historical Resources

Potentially historic resources have been identified at the Esalen Main Property by a qualified historian (none have been identified at the South Coast Property). Of the 8 to 10 structures identified as potentially historic, three are considered eligible for listing on the Monterey County Register of Historic Structures. Two of these three are proposed to be rehabilitated and/or remodeled. The “design approach” proposed by Esalen for guiding proposed improvements to these structures has received a favorable recommendation by the project’s consulting historian.

Potential Geological Issues

A trace of the Sur Fault Zone passes through the Main Campus and within 1/8 of a mile of the South Coast Center. This Sur Fault is categorized as “*Quaternary undifferentiated*” by the GIS fault layer created for the Monterey County General Plan Update. The Quaternary Period dates from 1.6 million years ago. The fault’s “undifferentiated” categorization signifies that although its most recent movement is believed to have occurred during the last 1.6 million years, it is currently unknown precisely when during this period the most recent movement would have occurred. Further, this means that the Sur Fault is defined by the Monterey County Code as “*potentially active*” since it is thought to have experienced movement within the past 3,000,000 years. Potentially active faults are considered “*active*” by the Code unless proven otherwise. Therefore, to maintain plan consistency and to reduce potential seismic-related impacts to less-than-significant levels, necessary mitigation measures are designed to address impacts that could result from an active fault.

Potential for Intensification of a Legal Non-Conforming Use

The “*Visitor-Serving/Commercial*” (VSC) use at the Esalen Institute properties represents a legal non-conforming use under its current zoning designations. Under the Monterey County Zoning Ordinance (Title 20), legal non-conforming uses may not be “*intensified over the level of use that existed at the time the legal nonconforming use was established.*” A mitigation measure is imposed under Section VI.9 – Land Use Planning, which requires the recordation of a deed restriction in order to minimize the potential for the unpermitted intensification of a legal non-conforming use, and thereby maintain consistency with the County’s certified Local Coastal Program.

Surrounding Land Uses

Surrounding land uses are zoned “*Rural Density Residential*” along the coast between the two properties, “*Open Space and Recreation*” just to the south of the Main Property, and “*Watershed and Scenic Conservation*” surrounding the general area, including the South Coast Property itself and areas just east of the Main Property. Farther inland to the east is the Los Padres National Forest.

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	☒	Air Quality Mgmt. Plan	☒
Specific Plan	☐	Airport Land Use Plans	☐
Water Quality Control Plan	☐	Local Coastal Program-LUP	☒

Air Quality Management Plan: Grading for the proposed site improvements has the potential to create short-term air quality impacts. Ozone emissions from project construction are accommodated in the emission inventories of the Air Quality Management Plan and will not have a significant impact on the attainment or maintenance of ozone Ambient Air Quality Standards (Section IX - References, # 6, page 5-3).

Monterey County certified Local Coastal Program-Big Sur Coast Land Use Plan: The Big Sur Coast Land Use Plan (Section IX - References, #'s 3 & 4) designates the South Coast property as having a “*Watershed and Scenic Conservation*” (WSC) land use designation. The Main property, west of Highway 1, is designated as “*Rural Residential*,” whereas east of Highway 1, the property is designated as “*Watershed and Scenic Conservation*.”

As a “*Visitor-Serving Commercial*” operation, Esalen Institute is a legal non-conforming use. In order to avoid the potential for intensification of a legal non-conforming use, Mitigation Measure 16 is required (see Section VI.9 – Land Use Planning, below).

Consistency with the Local Coastal Program’s public coastal-access requirements will be required either through conditions of project approval, or through a finding of exemption from the requirements, based on the Findings and Evidence approved by Monterey County at the time of public hearing (or if appealed, by the California Coastal Commission).

Monterey County General Plan: The only policy area of the General Plan that is not addressed by the above plans is Noise Hazards. The project is consistent with these General Plan policies, as explained below.

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 either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE: Aesthetics: The project is designed to assure that no new development will be visible from Highway 1. Several existing structures will be demolished and permanently removed from the Highway 1 viewshed.

Agriculture Resources: The site is not currently zoned for agricultural use and is not under a Williamson Act contract. Therefore, the project will not result in an impact to agricultural resources. Surrounding properties are in residential use and/or open space.

Hazards/Hazardous Materials: The project will not result in storage and/or application of fertilizers or chemicals.

Noise: Short-term construction-related noise impacts will be generated by the project. But given the project's remote location, no sensitive noise receptors will be affected.

Mineral Resources: The project will not result in the loss of availability of a state or locally important mineral resource recovery site delineated on the Monterey County General Plan.

Population/Housing: The project is not residential in nature and will not induce growth or displace housing or people. Additional onsite worker housing is proposed by the projects, but potential impacts from this proposed development are fully analyzed and mitigated under the relevant topic areas of Section VI, below.

Public Services: The project will not significantly impact public services, as adequate public services exist to properly serve the area.

Recreation: The project will not increase the use of existing regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The project does include private recreational facilities. Existing facilities will be rebuilt and/or refurbished.

Transportation/Traffic: The restoration and rehabilitation of the Esalen Institute will not adversely affect the transportation and traffic issues listed in Section 15. The traffic report prepared for the project (Reference #23) estimates that over the long term the project will result in an 11 to 18% reduction in traffic generation. Included in the amount of trips temporarily generated by the project's construction (over the 10 to 15 year construction phase), if all excess graded material were transported offsite, approximately 15 to 22 truck trips per year would be generated, on average. The amount of trips generated during construction and their short-term duration do not represent a significant impact and therefore do not require mitigation.

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.

Signature

Date

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? (Sources: 1, 2, 3, 4, 7, 9, 18, 20, 24)	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: 1, 7, 19)	☐	☐	☐	☒
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources: 1, 2, 3, 4, 7, 9, 18, 20, 24)	☐	☐	☐	☒
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 3, 4, 7, 9, 18, 20, 24)	☐	☐	☐	☒

Discussion/Conclusion:

See previous Sections II. A (*Project Description*) and B (*Environmental Setting*) and Section IV. A (*Environmental Factors Potentially Affected*), as well as the sources referenced.

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? (Sources: 1, 2, 3, 7, 8)	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: 1, 2, 3, 5, 7, 8)	☐	☐	☐	☒
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? (Sources: 1, 2, 3, 7, 8)	☐	☐	☐	☒

Discussion/Conclusion:

See previous Sections II. A (*Project Description*) and B (*Environmental Setting*) and Section IV. A (*Environmental Factors Potentially Affected*), as well as the sources referenced.

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? (Sources: 1, 2, 6)	☐	☐	☐	☒
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources: 1, 2, 6)	☐	☐	☐	☒

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
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)? (Sources: 1, 2, 6)	☐	☐	☐	☒
d) Result in significant construction-related air quality impacts? (Source: 1)	☐	☐	☒	☐
e) Expose sensitive receptors to substantial pollutant concentrations? (Sources: 1, 2, 3, 6, 8)	☐	☐	☒	☐
f) Create objectionable odors affecting a substantial number of people? (Sources: 1, 2, 3, 6, 8)	☐	☐	☐	☒

Discussion:

The Air Quality Management Plan (AQMP) for the Monterey Bay Region is prepared by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) addresses the attainment and maintenance of State and federal ambient air quality standards within the North Central Coast Air Basin.

It is estimated that the Esalen project would occur in there phases over a 10 to 15 year period, with each phase lasting 3 to 5 years. Preliminary grading estimates for the entire project are approximately 7,755 cu. yds. of cut and 3,266 yds. of fill, total. As currently proposed, phase 1 would require a total of approximately 4,189 cu. yds. of cut and 1,298 cu. yds., whereas phases 2 and 3 would require approximately 2,527 cu. yds. of cut & 1,315 cu. yds. of fill, and approximately 1,039 cu. yds. cut & 653 cu. yds. of fill, respectively. Over the 10 to 15 year construction period, approximately 517 to 776 cu. yds. of cut and 218 to 327 cu. yds. of fill would be graded each year on average.

This amount of grading will result in minor increases in emissions from construction vehicles and dust generation. Regardless, there is the potential that project related construction activities may result in a temporary increase in localized levels of PM-10. However, construction activities will be required to comply with the AQMP, including the standard MBUAPCD measures addressing dust control. Implementation of these standard dust-control measures will maintain any temporary increases in PM-10 at less than significant levels.

Generally, in the long-term, the primary source of air pollution will be emissions from vehicular traffic. The traffic report prepared for the project (reference #23) estimates that the project will

result in an 11 to 18% reduction in traffic generation, which would also result in a decrease in vehicular emissions. Therefore, the proposed project will not have a significant adverse impact upon air quality.

Conclusion:

The proposed project will not have a significant adverse impact upon air quality because most impacts will be temporary and construction-related. Sensitive receptors will not be impacted due to the required implementation of standard dust-control measures. Long term, vehicular emissions will be reduced due to an 11 to 18% decrease in traffic generation resulting from the project because of the increase in onsite employee housing, which will reduce vehicle trips to and from the project site.

4. BIOLOGICAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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? (Sources: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 24, 28)	☐	☒	☐	☐
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? (Sources: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 24)	☐	☒	☐	☐
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? (Sources: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 24)	☐	☐	☐	☒
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? (Sources: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 24, 28)	☐	☒	☐	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 24, 28)	☐	☒	☐	☐

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Sources: 1, 2, 3, 4, 8)	☐	☐	☐	☒

Discussion:

Several rare and environmentally sensitive species and habitats exist at both of Esalen's Main and South Coast properties, as is well noted in the biological report produced for this project (see Reference #10, attached). The report analyzes impacts and recommends mitigations based on habitat types and based on sensitive species potentially affected by the proposed project; these are: 1) Monarch butterflies, 2) Smith's blue butterfly & coastal sage scrub, 3) southern steelhead trout, 4) California red-legged frog and foothill yellow-legged frog, 5) Yuma myotis, long-legged myotis, fringed myotis, long-eared myotis, Townsend's western big-eared bat, and pallid bad, 6) southern sea otter, 7) Monterey dusky-footed woodrat, 8) maple-leaved sidalcea, 9) coast redwoods, 10) arroyo willow riparian forest, 11) Sitka willow riparian forest, and 12) northern coastal scrub.

Not all of the sensitive species listed above have been verified as present at the project sites (e.g., the frog and bat species), not all are present at both project sites, and not all will necessarily be impacted. Nevertheless, the mitigations recommended by the project's consulting biologist, as incorporated into this document, assume the presence of the above-listed sensitive species so that if they are in fact present, impacts to them will be maintained at less-than-significant levels.

Landmark Trees

Three landmark eucalyptus trees (30", 54", & 72" DBH) are proposed for removal to accommodate development of the redesigned entranceway. Although eucalyptus trees are non-native and can be invasive species, the *Regulations for Development in the Big Sur Coast Land Use Plan* prohibit the removal of all species of landmark trees (which are trees with a diameter at breast height of 24" or more) where "*alternatives to development (such as resiting, relocation, or reduction in development area) exist whereby the tree removal can be avoided.*" In order to avoid a conflict with this tree-preservation policy, the project will be mitigated to a less-than-significant level through the redesign of the entranceway (see Mitigation Measure 1).

Monarch Butterflies

Another important reason to maintain the aforementioned eucalyptus trees is due to their potential as habitat for the Monarch butterfly, which over-winters in significant numbers at Esalen's Main Campus. In fact, the collective roosting area at the Main Campus is listed in the CDFG's Natural Diversity Data Base as Occurrence #74. According to a letter from Walter Sakai (Esalen's consulting Monarch specialist), dated July 12, 2002, "*monarch clusters seem to move about within the grove of trees through the course of the winter based on weather conditions, or from year to year. Overwintering sites may even form and disband due to these*

conditions. *The numbers of individuals at a site may vary for the same reasons.*” He goes on to state that, “[a]lthough it may not seem so, one can consider the trees at Esalen as one large grove of trees...Then depending upon the vagaries of natural events (weather, tree or limb fall) and man-made events (tree trimming, building) the monarchs move around within the general area.” In the same letter, Mr. Sakai notes that “*Monarchs predominantly roost in eucalyptus trees (90+%, pers. observation).*”

In a letter dated December 21, 2000, Mr. Sakai states that “[t]he populations at [Esalen have] varied from 0 (an extremely poor year statewide) to 75,000 monarchs. The Esalen/Hot Creek site has been known for regularly having around 30,000 monarchs.” Mr. Sakai’s letter also states that Esalen’s Main Campus “*is the largest site from Pacific Grove to Morro Bay...Thus, it is an extremely significant site along the Central Coast of CA...it is easily the largest site in Monterey County.*” The Regulations for Development in the Big Sur Coast Land Use Plan define Monarch butterfly mass over-wintering sites as “*environmentally sensitive habitat areas;*” i.e., ‘ESHA’ (Section 20.145.010.EE). Consequently, much of the Main Campus is considered ESHA by local ordinance and therefore pursuant to CEQA requirements, as well. For these reasons, tree removal *in general* at the Main Campus should be limited to situations where absolutely no alternative to development exists (such as resiting, relocation, or reduction in development area) or in cases of immanent danger to people or property.

Olive-sided Flycatcher

The project biologist estimates a high probability that the olive-sided flycatcher is present at the Esalen properties. This bird species is a Migratory Nongame Bird of Management Concern, according to the US Fish & Wildlife Service. The biologist notes that the “[o]live-sided flycatcher (*Contopus borealis*) *nests in mixed conifer forests and eucalyptus groves, and breeding is known from the immediate area of the Esalen main property and the South Coast Center.*” However, since Mitigation Measure 1 requires that all trees be retained where possible (except in emergencies and special cases), the landmark eucalyptus trees will not be cut down and therefore potential impacts to the olive-sided flycatcher are maintained at less-than-significant levels. No further mitigations are required.

Smith’s Blue Butterfly & Coastal Sage Scrub

Part of Esalen’s project proposal includes the restoration of coastal sage scrub habitat through the elimination (where feasible, due to steep slopes) and control of invasive exotic plant species, as well as by replanting with seacliff buckwheat to enhance the habitat for Smith’s blue butterfly, a federally-listed endangered species. At the Main Property, no coastal sage scrub will be disturbed by development, but 2.255 acres will be enhanced and restored. At the South Coast Property, 35.57 square feet (.006 acres) of coastal sage scrub habitat (with no seacliff buckwheat) will be impacted to construct an expanded parking lot area. However, a total of .214 acres of coastal scrub habitat along Highway 1 within the Caltrans right-of-way, including .095 acres with seacliff buckwheat, will be restored and enhanced. Mitigation Measure 2 is required to minimize the possibility of impacts to Smith’s blue butterfly during construction activities and to ensure the ongoing restoration of its habitat.

Southern Steelhead Trout

The southern steelhead trout is federally-listed as a threatened species. The population that spawns in streams from the Pájaro River (in north Monterey County) to, but not including, the Santa María River (in San Luís Obispo County) is an “*evolutionarily significant unit*.” The project biologist reports historical anecdotes of a small “*run*” supported by Hot Springs Creek about 50 to 60 years ago. This run has since been impeded by a small mortar and stone dam about 50 feet upstream from the mouth of the creek. Mitigation Measure 3 requires the removal of this dam as well as other measures to minimize any potential impacts that might result from the construction of a new bridge over Hot Springs Creek and to promote the potential for restoring the habitat value of Hot Springs Creek for the threatened southern steelhead trout. Portions of the Sitka willow riparian forest along the creek will also be restored to improve habitat conditions in the creek for the southern steelhead trout (Mitigation Measure 11). Proposed drainage and wastewater improvements will minimize impacts from runoff into Hot Springs Creek. Proposed water conservation measures will foreseeably reduce overall water demand from Hot Springs Creek and thereby ensure adequate water levels in the creek even in drought years.

Development of the new bridge and removal of the dam may require a Streambed Alteration Permit from the California Department of Fish & Game, which the proponent shall apply for separately, if required.

California Red-legged and Foothill Yellow-legged Frogs

According to the project biologist, there is a low probability of the California red-legged and foothill yellow-legged frogs occurring at the portion of Hot Springs Creek that runs through the project site. The project biologist reports that habitat conditions at Hot Springs Creek are marginal for both species. However, no focused surveying was conducted for these frogs, which are both special-status species. Nevertheless, the Mitigation Measures required below for the southern steelhead trout, the redwood forest plant community, the arroyo and Sitka willow riparian forest plant communities also serve to protect any potential habitat values that may exist in Hot Springs Creek for California red-legged and foothill yellow-legged frogs, if they are present in the creek.

Special-Status Bat Species

The project biologist reports that no focused surveying was conducted for the Yuma myotis, long-legged myotis, fringed myotis, long-eared myotis, Townsend’s western big-eared bat, or the pallid bat, but that “[t]hese sensitive bat taxa are known to roost in structures as well as natural cavities and other refugia.” The probability of their presence at the Esalen properties is estimated to be moderate. Mitigation Measure 5 limits potential impacts to these bat species to less-than-significant levels by requiring pre-construction surveys as well as contingencies if bats are present, such as limiting the demolition or major remodel of buildings used for roosting to periods of low occupancy by these bat taxa (e.g., during the summer), as well as the construction or placement of suitable refugia prior to demolition or remodel, and the closure of the buildings to be removed for several days prior to their demolition.

Southern Sea Otter

The coast along the shoreline of the Main Campus is within a California Sea Otter State Game Refuge. The southern sea otter is a federally-listed threatened species. The project biologist notes that “[i]mpacts to the southern sea otter could occur from the proposed project if sediments are released into the near shore marine waters south and west of the project areas.” Mitigation Measure 6 requires that for development areas near the bluff edge, sturdy debris fences will be in place during construction to prevent excavated material and construction debris, etc., from escaping toward the shoreline below.

Monterey Dusky-footed Woodrat

The Monterey dusky-footed woodrat lives exclusively in the Santa Lucia Mountains of Central California. It is a federal “*species of concern*” as well as a California “*special concern species*.” At the Esalen Main Campus, a single stick-nest was found in an area of northern coastal scrub habitat north of Hot Springs Creek. Proposed buildings 108 and 109 would impact this area of northern coastal scrub and require that the stick-nest be dismantled. In order to avoid such impacts to this sensitive species and its habitat, Mitigation Measure 7 requires that proposed buildings 108 and 109 be relocated to less sensitive areas. Mitigation Measure 1 also requires the relocation of proposed building 108 to reduce potential impacts to a Monarch roosting area.

Maple-leaved Sidalcea

The maple-leaved sidalcea is a perennial shrub on the California Native Plant Society’s (CNPS) 1B list and is assigned a “R-E-D code” of 2-2-2. According to the CNPS’s website², their R-E-D code is “*a simple classification that reflects an overall level of conservation concern. However, rarity and endangerment are not strictly correlated...*” The acronym signifies, “*Rarity, which addresses numbers of individuals and distribution within California; Endangerment, which addresses the plant's vulnerability to extinction for any reason; and Distribution, which describes the overall range of the plant. Together these three elements form the R-E-D Code. Each element in the code is divided into three classes or degrees of concern, represented by the number 1, 2, or 3. In each case, higher numbers indicate greater concern.*” Therefore the 2-2-2 ranking for the maple-leaved sidalcea means that, R = it is “*Distributed in a limited number of occurrences, occasionally more if each occurrence is small,*” E = it is “*Endangered in a portion of its range,*” and D = it is “*Rare outside California.*”

The project biologist reports that the maple-leaved sidalcea occurs “*along the coast from southern Oregon to the Big Sur area,*” and that formerly its southern-most known occurrence was at Bixby Canyon, “*where by ca. 1980 the population had been extirpated by the spread of Cape ivy.*” Biological surveying carried out for the Esalen project by Jeff Norman (project’s consulting biologist) revealed two locations along Hot Springs Creek where the maple-leaved sidalcea was found. This discovery extended the known range of the maple-leaved sidalcea southward by about 23 miles.

Development of the proposed Esalen project will not impact the maple-leaved sidalcea, *per se*. However, left unchecked, the spread of cape ivy and other invasive plant species could extirpate the maple-leaved sidalcea from this location, as well. Therefore, Mitigation Measure 8 requires habitat restoration and enhancement for the maple-leaved sidalcea at two sites along Hot Springs Creek.

² <http://cnps.org/rareplants/inventory/names.htm>

Redwood Forest Plant Community

The redwood forest habitat is a State-listed rare natural terrestrial plant community. Redwood forest areas will not be directly impacted by the proposed Esalen project. Areas of coast redwood forest occur on Esalen properties only east of Highway 1 at the Main Campus, within Hot Springs Canyon. Impacts to the redwood forest plant community could occur if the streamflow of Hot Springs Creek is reduced beyond typical drought-year levels. In order to minimize anthropogenic impacts to the streamflow of Hot Springs Creek during dry years, Mitigation Measure 9 is required, which requires the proposed water conservation measures for the Main Campus as mitigation measures to ensure that adequate streamflow remains in the creek even during drought years.

Arroyo Willow Riparian Forest

The arroyo willow riparian forest habitat is also a State-listed rare natural terrestrial plant community, often associated with wetland areas. Although present at both properties, this plant community will not be impacted at the Main Campus. Of the 0.683 total acres of this habitat at the South Coast Center, 0.014 acres will be impacted to expand a parking area (another 0.138-acre area has been previously disturbed and shall be restored). To mitigate this impact and any potential impacts caused by the replacement of a culvert in this area, as well as any potential impacts from the proposed expansion of parking areas, Mitigation Measure 10 requires the revegetation of 0.06 acres with arroyo willows and the restoration of another 0.439 acres of existing arroyo willow habitat. The revegetation of a 0.06 acre area, to compensate for the loss of a 0.014 acre area supporting arroyo willow riparian forest, represents a restoration ratio in excess of 4 to 1. Additional restoration activity will occur on a 0.439 acre area. This will bring the total area which will be restored or revegetated to 0.499 acres, compared to the total 0.152-acre disturbed area (an overall ratio exceeding 3.2 to 1). This mitigation will also allow suppressed native plant components of the arroyo willow riparian forest to again predominate.

Replacement of the culvert under a roadway leading to the southerly parking area at the South Coast Center may require a Streambed Alteration Permit from the California Department of Fish & Game, which the project proponent shall apply for separately, if required.

Sitka Willow Riparian Forest

The Sitka willow riparian forest is another State-listed rare natural terrestrial plant community, which is associated with riverine systems and wetland areas, and which occurs at the Main Campus along the banks of Hot Springs Creek, from the Highway 1 overpass to the mouth of the creek. This habitat type is not present at the South Coast project site.

Sitka willow riparian forest habitat will be affected by construction of the new bridge over Hot Springs Creek. The bridge is designed to avoid direct impacts to the bed of Hot Springs Creek. Nevertheless, 6 to 8 Sitka willows will be removed and 0.023 acres (or 2.5%) of associated riparian vegetation will be affected by construction of the bridge. More impacts could result from the heavy machinery and equipment required for construction of the bridge, which could cause soil and other debris to fall into the creek. This could result in increased sedimentation of the creek and potentially impact important habitat resources, including potential spawning sites for the southern steelhead trout and endangered frog species, if present in the creek. Runoff from impervious surfaces could also cause disturbed soils to erode into the creek. Such runoff

can be contaminated with petrochemicals from vehicles. Disturbed soils can also become infested with exotic plants, which may then spread into the Sitka willow riparian forest and impair habitat values. Mitigation Measure 11 is designed to maintain potential impacts to the Sitka willow riparian forest at less-than-significant levels by requiring a variety of erosion-control and stormwater runoff measures, as well as appropriate revegetation. The eradication of exotic plants will allow suppressed native plant components of the Sitka willow riparian forest to again predominate.

Construction of the proposed new bridge may require a Streambed Alteration Permit from the California Department of Fish & Game, which the project proponent shall apply for separately, if required.

Northern Coastal Scrub

The northern coastal scrub plant community is not listed as rare or threatened by any agency, *per se*, but it can support plant and animal species that are, such as the Smith's blue butterfly (federally listed as endangered) and the Monterey dusky-footed woodrat (a California "special concern species" and a federal "species of concern"). The proposed project will cause impacts to northern coastal scrub habitat at both the Main Campus and the South Coast Center.

At the South Coast Center, 0.113 acres of northern coastal scrub will be removed to construct the expanded southerly parking area at that location. At the Main Campus, 0.023 acres will be removed to build an access-way to a proposed new parking area along Highway 1, north of Hot Springs Creek. Mitigation Measures 1 and 7 prevent other proposed impacts to northern coastal scrub habitat at the Main Campus in order to preserve breeding habitat for the Monterey dusky-footed woodrat as well as to protect a Monarch butterfly roosting site. Northern coastal scrub areas supporting potential Smith's blue butterfly habitat will not be affected by the proposed project.

Wetlands, Wildlife Corridors, & Conservation Plans

Federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), are not present at the Esalen properties. No native resident or migratory wildlife corridors will be affected by the proposed project. No adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan are located at the Esalen properties. Therefore, no such resources will be impacted by the proposed project.

Conclusion:

As discussed above, potential impacts to sensitive resources could result from construction- & development-related activities associated with the proposed project. Mitigation Measures 1 through 12 involve design modifications and special operating and monitoring requirements in order to reduce potential environmental impacts to less-than-significant levels. Resources protected in this way include:

1. The most significant Monarch roosting site in Monterey County, including landmark trees and breeding habitat for the olive-sided flycatcher;
2. Smith's blue butterfly and its habitat;
3. Southern steelhead trout and Hot Springs Creek;

4. California red-legged and foothill yellow-legged frogs;
5. Special-status bat species;
6. Southern sea otter;
7. Monterey dusky-footed woodrat, including its breeding habitat;
8. Maple-leaved sidalcea;
9. Redwood forest plant community;
10. Arroyo willow riparian forest;
11. Sitka willow riparian forest; and
12. Northern coastal scrub habitat.

With the incorporation of the following twelve mitigation measures, all potential impacts to candidate, sensitive, and special-status species, as well as to riparian habitat and other sensitive natural plant communities, to the movement of native resident and migratory fish and wildlife species, and to native wildlife nursery sites will be mitigated to less-than-significant levels, if not avoided. The removal of landmark trees will be avoided to prevent conflicts with the local tree-preservation ordinance.

Mitigations:

The mitigation measures and monitoring actions listed in this section follow the order presented in the biological report prepared for the project, and are pursuant to the recommendations made therein (Reference #10).

Mitigation Measure 1 – Monarch Butterflies

In order to preserve and enhance Monarch butterfly habitat at the Main Campus:

A) General Mitigating Requirements for the Main Campus~

1. Tree removal shall be limited to situations where absolutely no alternative to development exists (such as resiting, relocation, or reduction in development area) or in cases of immanent danger to people or property;
2. Near any Monarch roosting site, only single-story, low-profile buildings may be built;
3. New building pads shall be located as far away as possible from roosting areas and roosting trees;
4. New buildings will not have wood-burning fireplaces or stoves. Existing buildings with wood-burning fireplaces or stoves will not be used for burning wood during the Monarch roosting season (approximately October through March, to be defined by actual presence or absence of Monarchs), in order to avoid impacts from smoke;
5. All construction and construction-related activity will only occur when Monarchs are not roosting at Esalen (from approximately April through September, to be defined by actual presence or absence of Monarchs), in order to avoid impacts from dust, emissions from tarring and asphaltting, and movement;
6. Metal or wooden temporary fencing shall be placed at least around the driplines of all known roosting sites to avoid impact to roosting trees and understory vegetation;
7. New footpaths shall avoid Monarch roosting sites. Existing footpaths passing near Monarch roosting sites shall not be used during the roosting season (approximately October through March, to be defined by actual presence or absence of Monarchs) or abandoned, in order to avoid impacts caused by movement;

8. Doorways on new buildings shall face away (as close to 180° as possible) from Monarch roosting sites. Doorways on existing buildings that face roosting sites shall not be used during the roosting season if the buildings have alternate doorways facing away from the roosting sites that can be used instead, in order to avoid impacts caused by movement;
 9. All new exterior lighting fixtures shall be low, downcast, and of minimal lumens so that only the immediate areas surrounding the fixtures are lit, in order to maintain the quality of the nighttime sky and avoid impacts to Monarchs from excessive lighting.
 10. Pesticides, if used, shall be restricted to use when Monarchs are not present at the Main Campus (from approximately April through September, to be defined by actual presence or absence of Monarchs).
 11. Temporary signs shall be placed around Monarch over-wintering sites during roosting, indicating the presence of Monarchs, and that warn visitors and employees to avoid any sudden movement and to watch their step around the roosting areas to avoid trampling or startling the Monarchs.
- B) Specific Mitigating Requirements for the Main Campus, pursuant to Walter Sakai's specific and general recommendations (the project's consulting Monarch specialist)~
1. The westerly building of the proposed Gateway Center (building 113; see Reference #1) shall be designed with a low profile while the easterly building can be designed with a higher profile;
 2. The Gateway Center and entranceway shall be redesigned to avoid tree removal, especially the removal of landmark eucalyptus trees used by Monarchs as roosting habitat; and
 3. Proposed buildings 107 and 108 (see Reference #1) shall be relocated farther away from the Monarch roosting tree at that site.
- C) The final site plans for the Main Campus shall be reviewed by a qualified biologist specializing in Monarch butterflies for any further recommendations deemed necessary to maintain potential impacts to Monarch butterflies at less-than-significant levels.
- D) Conditions at the Main Campus shall be enhanced for Monarch butterflies through the introduction of a greater diversity of nectar-producing plants, pursuant to the recommendations on pages 12 & 13 of the biological report (Reference #10, attached). The introduction of these plants shall be monitored to prevent invasiveness; plants that are likely to escape cultivation shall be controlled within specified outplanting areas. To this end, a detailed and overall landscape/vegetation plan (including a weed control program) for the Main Campus shall be prepared by a qualified professional landscape architect in consultation with the project's consulting biologist.

Monitoring Action 1 – Monarch Butterflies

- A) General Mitigating Requirements for the Main Campus~
1. *Prior to issuance of any grading and building permits*, Planning and Building Inspection staff shall review the final proposed site plans, as well as building and grading plans, and lighting plan to verify that the criteria listed above (A.1-11 & B.1-3) are adequately incorporated into the designs of all plans at all levels of ministerial approval and condition compliance, as well as included as notes on all such plans.
 2. Photographic evidence of the prescribed tree-protection measures shall be submitted *prior to issuance of grading and building permits for development near potentially affected trees*.
 3. A deed restriction shall be recorded requiring:

- a. that existing wood-burning fireplaces and stoves are not used during the Monarch roosting season (approximately October through March, to be defined by actual presence or absence of Monarchs);
 - b. that doorways on existing buildings that face roosting sites shall not be used during the roosting season if the buildings have alternate doorways facing away from the roosting sites that can be used instead;
 - c. that Pesticides, if used, shall be restricted to use when Monarch are not present at the Main Campus (from approximately April through September, to be defined by actual presence or absence of Monarchs); and
 - d. that temporary signs shall be placed around Monarch over-wintering sites during roosting, indicating the presence of Monarchs, and that warn visitors and employees to avoid any sudden movement and to watch their step around the roosting areas to avoid trampling or startling the Monarchs.
- B) A Monarch butterfly specialist shall submit his or her final comments directly to the Director of Planning and Building Inspection, which shall be based on review of the final site plan that shall be provided to the consulting biologist directly from the Planning and Building Inspection Department. The Director shall require any further project modifications necessary to maintain potential impacts to Monarch butterflies at less-than-significant levels.
- C) Prior to approval of the landscape plan, Esalen Institute's consulting biologist shall review a copy of the plan submitted to the Department of Planning & Building Inspection. Any revisions recommended by the consulting biologist shall be required prior to approval of the landscape, revegetation, and weed control plan. The biologist's comments shall be submitted directly to the Director of Planning and Building Inspection.

Mitigation Measure 2 – Smith's Blue Butterfly & Coastal Sage Scrub Habitat

In order to minimize impacts to Smith's blue butterflies during construction activities and to ensure the ongoing restoration of its habitat:

- A) Prior to and during the construction period~
- 1. Current buckwheat locations shall be protected by orange construction fencing supported by metal or wooden posts where appropriate at both the Main and South Coast Properties, including along the bluffs at the Main Property where necessary, as determined by the project biologist;
 - 2. Signs shall be posted with language to warn workers about the need to protect these areas and of any penalties that may be incurred if harm to the buckwheats or butterflies occurs;
 - 3. The project biologist shall provide a brief educational awareness training to all construction workers (to be interpreted into other languages, as may be necessary) prior to breaking ground, and to new hires, as may be necessary throughout the life of the project;
 - 4. The project biologist shall conduct inspections at least once a month during the various construction phases over the life of the project to verify ongoing compliance with the required mitigation measures;
 - 5. Photos shall be taken by the project biologist before, during, and after construction activities to provide evidence of compliance.
- B) The first construction project at the South Coast Property shall be to pave or asphalt the access road and parking lots, in order to minimize the generation of dust that might otherwise impact Smith's blue butterflies and their habitat during ongoing construction activities.

- C) A solid curb or adequate bio-swale shall be installed around the western and southern portions of the proposed northerly parking lot for the South Coast Property and the driveway running south from there, in order to protect the newly planted buckwheats from increased runoff.
- D) A post & rail fence shall be erected around the western and southern periphery of the northerly parking lot to protect the newly planted buckwheats there.
- E) All non-native and ornamental plants currently growing at the western and southern peripheries of the northerly parking lot shall be removed as part of the weed control and habitat restoration plan for that area.
- F) Of the .235 acres of coastal sage scrub habitat at the South Coast Property, .0214 acres is within the Caltrans right-of-way along Highway 1. A Memorandum of Understanding (MOU) shall be entered into by Esalen with Caltrans for use of the right-of-way and an encroachment permit shall be secured by Esalen from Caltrans. An MOU is appropriate to ensure that normal Caltrans maintenance does not damage the restored habitat area. If for some valid reason the MOU and encroachment permit cannot be obtained, Esalen shall establish or restore, and maintain, .214 acres of coastal sage scrub habitat east of the private access road paralleling Highway 1 and surrounding the northerly parking area. This area, if required, shall be conveyed to the County by way of a conservation easement.
- G) During the life of the long-term redevelopment project, at both the Main and South Coast Properties~
 - 1. Areas of disturbed soil shall be kept free of invasive-exotic plants to prevent their spread into potential Smith's blue butterfly habitat areas;
 - 2. Regular sprinkling of any and all disturbed soil in project areas within 100 feet of seacliff buckwheat plants shall be conducted to reduce impacts caused by dust to buckwheat plants and Smith's blue butterfly life stages. Dust control measures shall continue until disturbed soils areas are paved and revegetated according to the landscape/revegetation plan.
- H) Implementation and success of the coastal sage scrub habitat restoration areas at both properties shall be monitored at least three times yearly for a period of at five years after the areas are initially restored, or until the habitat areas can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID).

Monitoring Action 2– Smith's Blue Butterfly

- A) *Prior to issuance of grading and building permits*, Planning and Building Inspection staff shall review the final site plans, building and grading, and landscape/revegetation plans to verify that the requirements listed above (A.1-2, C, D, E, & G) are incorporated into the designs of all plans at all levels of ministerial approval and condition compliance, as well as included as notes on all such plans where appropriate.
- B) The project biologist shall verify in writing to MCPBID that item A.3 is carried out as described, as part of ongoing reporting and monitoring requirements.
- C) The project biologist shall submit monthly reports directly to MCPBID during all construction phases to verify ongoing compliance with Mitigation Measure 2. The reports shall contain photographic documentation of compliance with or violation of required

mitigation measures. Failure to submit a report on time shall be cause for a Stop Work Order to be issued by the County and/or initiation of a Code Enforcement investigation.

- D) MCPBID staff will verify that Esalen has entered into a Memorandum of Understanding (MOU) with Caltrans for use of the right-of-way, and that an encroachment permit for this use has been secured by Esalen, *prior to issuance of grading and building permits for the South Coast property*. If for some valid reason the MOU and encroachment permit cannot be obtained, Esalen shall establish or restore, and maintain, .214 acres of coastal sage scrub habitat east of the private access road paralleling Highway 1 and surrounding the northerly parking area. This area, if required, shall be conveyed to the County by way of a conservation easement. MCPBID staff will verify whether this option is necessary prior to issuance of grading and building permits. If so, it shall be incorporated into the landscape/revegetation plan accordingly and the easement shall be conveyed prior to occupancy of new buildings.
- E) Once the disturbed and degraded areas of coastal sage scrub have been initially restored, the project biologist shall submit monitoring reports directly to the MCPBID at least every four months for at least 5 years, or until the habitat areas can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID). Failure to submit a report on time shall be cause for the issuance of a Stop Work Order and/or initiation of a Code Enforcement investigation.

Mitigation Measure 3 – Southern Steelhead Trout

In order to protect, restore, and enhance the habitat for the southern steelhead trout:

- A) During construction of the new bridge, no excavated material shall be allowed to approach the banks of Hot Springs Creek or to enter the creek. A heavy-duty silt curtain reinforced with stakes and hay bales, adequate to retain excavated material, shall be installed and regularly maintained for the duration of bridge construction. All disturbed soil generated by the bridge project shall be immediately stabilized with the use of netting and/or sterile mulching.
- B) Soil disturbed during bridge construction shall be finally revegetated with Sitka willow starts, as described below under Mitigation Measure 11 (for impacts to the Sitka willow riparian forest). Exotic plants (especially cape ivy) shall be eradicated. By following revegetation recommendations discussed under mitigation measures required below (especially Mitigation Measure 13, for northern coastal scrub habitat), potential erosion that may result from habitat restoration activities will be reduced to less-than-significant levels.
- C) Remains of the small stone and mortar dam near the mouth of Hot Springs Creek shall be removed. If necessary, Esalen shall secure a streambed alteration permit from the California Department of Fish & Game for removal of the dam, construction of the bridge, and associated habitat restoration work.
- D) Implementation and success of the southern steelhead trout mitigation measures shall be monitored at least three times yearly for a period of at least five years after construction of the bridge, or until the Sitka willow riparian-forest habitat area can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall

notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID).

- E) The proposed water conservation measures for the Main Campus shall be required as mitigation measures to ensure that adequate streamflow remains in the creek even during drought years. Streamflow shall not be allowed to drop below levels that would reduce the viability of the lower reaches of Hot Springs Creek as habitat for the southern steelhead trout.

Monitoring Action 3 – Southern Steelhead Trout

- A) The project biologist shall submit monthly reports directly to MCPBID during construction of the bridge to verify ongoing compliance with Mitigation Measure 3. The reports shall contain photographic documentation of compliance with or violation of required mitigation measures. Failure to submit a report on time shall be cause for a Stop Work Order to be issued by the County and/or initiation of a Code Enforcement investigation.
- B) *Prior to issuance of grading and building permits associated with the new bridge*, MCPBID staff shall verify that the erosion control measures required by Mitigation Measure 3 are included as notes on the plans.
- C) Once the bridge has been built, the dam removed, and the habitat initially restored, the project biologist shall submit monitoring reports directly to the MCPBID at least every four months for at least 5 years, or until the habitat area can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID). Failure to submit a report on time shall be cause for the issuance of a Stop Work Order and/or initiation of a Code Enforcement investigation.
- D) Water-level monitoring regime???

Mitigation Measure 4 – California Red-legged and Foothill Yellow-legged Frogs

If these endangered frog species are present in Hot Springs Creek Mitigation Measures 3, 9, 10, and 11 will also serve to limit potential impacts to these frogs and their habitat to less-than-significant-levels.

Monitoring Action 4 – California Red-legged and Foothill Yellow-legged Frogs

Same as those for Mitigation Measures 3, 9, 10, and 11.

Mitigation Measure 5 – Special-Status Bat Species

In order to minimize potential impacts to the Yuma myotis, long-legged myotis, fringed myotis, long-eared myotis, Townsend’s western big-eared bat, and the pallid bad to less-than-significant levels, a survey shall be conducted by a qualified biologist prior to the demolition or major remodel of any building. If found to be present, mitigation measures shall include demolition or remodeling during periods of low occupancy by the bat taxa (e. g., during the summer), as well as the construction or placement of suitable refugia prior to demolition or remodel, and the closure of the buildings to be removed for several days prior to their demolition.

Monitoring Action 5 – Special-Status Bat Species

In the monthly reports to be submitted by the project biologist to the MCPBID during construction, the project biologist shall describe the bat surveys preformed, their results, and

mitigating actions carried out based on those results, if any. The biologist shall also report if any buildings are demolished or remodeled without the benefit of a survey for special-status bat species. Failure to submit a report on time and/or failure to adequately mitigate impact to any special-status bat species as required by Mitigation Measure 5 shall be cause for the issuance of a Stop Work Order and/or initiation of a Code Enforcement investigation.

Mitigation Measure 6 – Southern Sea Otter

In order to prevent any construction-related impacts to the southern sea otter, temporary-yet-sturdy debris fences will be installed shoreward of areas near and around the Lodge and proposed Laundry facility [building 37 on the site plans], the Art Barn Annex [04], the proposed Somatics Center [121], and Fritz [49], but away from the bluff edge (to make clean-up and maintenance safer).

Monitoring Action 6 – Southern Sea Otter

Prior to issuance of related grading and building permits, Esalen shall submit photographic evidence to the MCPBID that appropriately sturdy debris fences are in place where required.

Mitigation Measure 7 – Monterey Dusky-footed Woodrat

In order to avoid impacts to the Monterey dusky-footed woodrat and its habitat, proposed buildings 108 and 109 shall be relocated outside of northern coastal scrub habitat areas.

Monitoring Action 7 – Monterey Dusky-footed Woodrat

Prior to issuance of any building and grading permits, and consistent with Mitigation Measure 1, Planning and Building Inspection staff shall review the final proposed site plans to verify that the requirements of Mitigation Measure 7 are adequately incorporated into the final plans.

Mitigation Measure 8 – Maple-leaved Sidalcea

In order to prevent the extirpation of the maple-leaved sidalea from the Hot Springs Creek area, two suitable restoration areas have been identified along the creek within the Sitka willow riparian forest plant community (see sheet 3.4 of the site plans, Reference #1) and are required as follow:

- A) A 15' x 40' area surrounding the maple-leaved sidalcea near the Meditation House (building 20) shall be cleared of cape ivy. This work will not occur within the bank/streambed area of Hot Springs Creek. An herbicide may be used to kill the cape ivy if care is taken to avoid application on to the maple-leaved sidalcea plant. Several follow-up applications of herbicide (at ca. two month intervals) may necessary for complete eradication. As this area is being cleared, cuttings should be taken from the several plants (for maximal genetic diversity) and started in a suitable medium. Germination of seeds from these plants can also be attempted. When the plants are well-rooted, 20 specimens should be outplanted, on 7-foot centers, within the 15' x 40' area. Unless outplanted during the rainy season, these plants must be irrigated until established. The restoration area must be kept free of exotic plants, especially cape ivy, sticky eupatorium (*Ageratina adenonphora*), and periwinkle (*Vinca major*).
- B) A 10' x 20' area shall be established on the south side of Hot Springs Creek immediately upstream from the proposed new vehicular bridge. This site will not be situated within the bank or streambed of the creek. If necessary, exotic plants shall be removed as described above. Care shall be taken during this effort to avoid disturbance of the existing Sitka

willow riparian forest, which is more intact than the site described above. Eight rooted cuttings, as described above, shall be planted here. Maintenance is the same as described above.

- C) Implementation and success of both of the maple-leave *sidalcea* habitat-restoration areas at Hot Springs Creek shall be monitored at least three times yearly for a period of at least five years after the areas are initially restored, or until the habitat areas can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID).

Monitoring Action 8 – Maple-leaved Sidalcea

Once the maple-leave *sidalcea* habitat-restoration areas have been initially restored, the project biologist shall submit monitoring reports directly to the MCPBID at least every four months for at least 5 years, or until the habitat area can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID). Failure to submit a report on time shall be cause for the issuance of a Stop Work Order and/or initiation of a Code Enforcement investigation.

Mitigation Measure 9 – Redwood Forest Plant Community

In order to protect the long-term viability of the redwood forest plant community within Hot Springs Canyon, the proposed water conservation measures for the Main Campus shall be required as mitigation measures to ensure that adequate streamflow remains in the creek even during drought years. Streamflows shall not be allowed to drop below levels that would reduce the viability of Hot Springs Canyon as habitat for the redwood forest plant community, consistent with Mitigation Measure 3 to protect the viability of the habitat for the southern steelhead trout.

Monitoring Action 9 – Redwood Forest Plant Community

Same as Monitoring Action 3.D, above.

Mitigation Measure 10 – Arroyo Willow Riparian Forest

In order to minimize potential impacts to the arroyo willow riparian forest habitat at the South Coast Center:

- A) During construction, a sturdy debris fence shall be installed and maintained along the southeast side of the natural drainage channel to the north of the southerly parking area in order to separate this drainage channel area from the southerly parking lot construction site. This fence shall serve to prevent excavated material from cascading downslope into the arroyo willow riparian forest. The fence will be kept in place until the project is completed. Any disturbed soil shall be immediately stabilized through the use of netting and/or sterile

mulching. Also, any disturbed soil generated by this phase of the project will be kept free of exotic plants.

- B) Runoff from impermeable surfaces shall not be allowed to cause site erosion. Dispersal systems shall be engineered to prevent concentrated runoff (flowing from parking areas and access roads) from directly entering the seasonal stream channel.
- C) As shown on the South Coast Site Restoration Plan (see sheet 4.4a of site plans; Reference #1) and the South Coast Riparian Restoration Plan (sheet 4.4b), in areas depicted as arroyo willow riparian forest vegetation, outplanting of arroyo willows will take place on a 0.060 acre area immediately downstream from the replaced upper culvert on slopes on both side of the seasonal drainage channel north and west of the proposed expanded southerly parking area and its access road. This revegetation will occur in previously disturbed areas (see page 21 of the biological report; Reference #10). Into this area will be outplanted 35 arroyo willow slips, on 10' centers. The slips shall be obtained from onsite arroyo willow trees. Cuttings shall be taken from second-year branches. These can be easily rooted in water; cuttings shall be immersed to ca. 2' depth during rooting. After the cuttings are rooted they shall be planted into 1' diameter gopher baskets to a 2' depth. The plants shall be kept weeded and watered until established. Browsing by deer shall be discouraged with 1'-2' diameter chicken wire enclosures, if needed. Other characteristic plants of this habitat, such as thimbleberry (*Rubus parviflorus*), canyon gooseberry (*Ribes menziesii* var. *menziesii*), and crimson columbine (*Aquilegia formosa*), shall also be included in the landscape/revegetation plan.
- D) In the other 0.439-acre area designated for arroyo willow riparian forest restoration, exotic plants shall be eradicated. Manual removal methods will be used in tandem with herbicide application, and shall be overseen and monitored by a qualified biologist.
- E) Implementation and success of the arroyo willow riparian forest mitigation measures shall be monitored at least three times yearly for a period of at least five years after the areas are initially restored, or until the habitat area can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID).

Monitoring Action 10 – Arroyo Willow Riparian Forest

- A) Prior to issuance of grading and building permits, Planning and Building Inspection staff shall review the final site plans, building and grading, and landscape/revegetation plans to verify that the requirements of Mitigation Measure 10 are incorporated into the designs of all plans at all levels of ministerial approval and condition compliance, as well as included as notes on all such plans where appropriate.
- B) The project biologist shall submit monthly reports directly to MCPBID during all construction phases to verify ongoing compliance with Mitigation Measure 10. The reports shall contain photographic documentation of compliance with or violation of required mitigation measures. Failure to submit a report on time shall be cause for a Stop Work Order to be issued by the County and/or initiation of a Code Enforcement investigation.
- C) Once the arroyo willow riparian forest areas have been initially restored, the project biologist shall submit monitoring reports directly to the MCPBID at least every four months for at least 5 years, or until the habitat areas can be verified by the project biologist as successfully

restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID). Failure to submit a report on time shall be cause for the issuance of a Stop Work Order and/or initiation of a Code Enforcement investigation.

Mitigation Measure 11 – Sitka Willow Riparian Forest

In order to minimize potential impacts to the Sitka willow riparian forest habitat along Hot Springs Creek:

- A) Sturdy debris fences shall be installed along the steamside edges below construction areas relating to proposed bridge. These fences shall be sufficiently reinforced with hay bales and adequate staking as necessary to prevent excavated material from entering Hot Springs Creek and the Sitka willow riparian forest areas. The fences shall be regularly maintained and kept in place until construction activities related to the bridge are concluded. Any disturbed soil shall be immediately stabilized through the use of netting and/or sterile mulching. Also, any disturbed soil generated by this phase of the project will be kept free of exotic plants.
- B) Runoff from impermeable surfaces shall not be allowed to cause site erosion. Dispersal systems shall be engineered to prevent concentrated runoff (flowing from the roadway approaches to the new bridge) from directly entering Hot Springs Creek.
- C) As shown on the Esalen Main Property Site Restoration Plan (see sheet 3.4 of site plans; Reference #1), revegetation of Sitka willows will occur on each side of Hot Springs Creek both upstream and downstream from the proposed new bridge. Revegetation will also occur on disturbed soil resulting from construction of the new roadway approaches to the bridge. On the south side of Hot Springs Creek, the area between the stream bank edge and the new roadway approaches to the bridge will be revegetated with Sitka willows after the existing cape ivy has been eradicated. Eradication will occur as described above for Mitigation Measure 3.
- D) The total area to be revegetated is 0.071 acres (a restoration ratio of 3 to 1). Twenty-four Sitka willow slips, on 10' centers, shall be planted in this area. The slips shall be obtained from onsite Sitka willow trees. Cuttings shall be taken from second-year branches. These can be easily rooted in water; cuttings shall be immersed to ca. 2' depth during rooting. After the cuttings are rooted they shall be planted into 1' diameter gopher baskets to a 2' depth. The plants shall be kept weeded and watered until established.
- E) Further enhancement of this habitat will result from the reintroduction of a stand of maple-leaved sidalcea, as required by Mitigation Measure 8.
- F) In all areas of Sitka willow riparian forest habitat along Hot Springs Creek, exotic plants (especially cape ivy) shall be eradicated.
- G) Implementation and success of the Sitka willow riparian forest mitigation measures shall be monitored at least three times yearly for a period of at least five years after the areas are initially restored, or until the habitat area can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID).

Monitoring Actions 11 – Sitka Willow Riparian Forest

- A) Prior to issuance of grading and building permits, Planning and Building Inspection staff shall review the final site plans, building and grading, and landscape/revegetation plans to verify that the requirements of Mitigation Measure 11 are incorporated into the designs of all plans at all levels of ministerial approval and condition compliance, as well as included as notes on all such plans where appropriate.
- B) The project biologist shall submit monthly reports directly to MCPBID during all construction phases for the bridge to verify ongoing compliance with Mitigation Measure 11. The reports shall contain photographic documentation of compliance with or violation of required mitigation measures. Failure to submit a report on time shall be cause for a Stop Work Order to be issued by the County and/or initiation of a Code Enforcement investigation.
- C) Once the Sitka willow riparian forest areas have been initially restored, the project biologist shall submit monitoring reports directly to the MCPBID at least every four months for at least 5 years, or until the habitat areas can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID). Failure to submit a report on time shall be cause for the issuance of a Stop Work Order and/or initiation of a Code Enforcement investigation.

Mitigation Measure 12 – Northern Coastal Scrub

In order to minimize impacts to northern coastal scrub and any associated sensitive species:

- A) Northern coastal scrub habitat stabilization will be undertaken at the South Coast Center, and commence with approval of the landscape/revegetation plan. As shown on the South Coast Site Restoration Plan (sheet 4.4a of site plans; Reference #1), an area of 0.520 acres will be treated. This measure will require the removal of exotic plants such as cape ivy, jubata grass (*Cortaderia jubata*), sticky eupatorium, and French broom (*Ginstia monspessulana*). These plants are currently at a very low rate of infestation. Eradication shall be accomplished through manual methods or the use of an herbicide. Follow-up eradication measures will be necessary, until the targeted plants are dead.
- B) Consistent with Mitigation Measures 1 & 7, proposed new buildings 108 and 109 shall be relocated to avoid impacts to a Monarch butterfly roosting site and breeding habitat for the Monterey dusky-footed woodrat, which also serves to avoid impacts to the northern coastal scrub plant community at this location.
- C) At the Main Campus, northern scrub habitat lost to development of a new parking area (0.023 acres) shall be replaced. An area of 0.158 acres just south of Hot Springs Creek is designated on the Main Property Site Restoration Plan (sheet 3.4 of site plans; Reference #1) for revegetation of northern coastal scrub habitat. Eradication of cape ivy here shall follow procedures described for Mitigation Measure 3. However, in order to minimize the potential erosion of steep slopes above Hot Springs Creek after the eradication of cape ivy, this large area shall be divided in to four blocks of ca. 1,720 square feet each. These blocks shall be revegetated progressively, starting with Block #1 (the easternmost end; see Site Restoration Plan). This element of northern coastal scrub restoration shall be undertaken upon approval of the landscape/revegetation plan, and the treatment of each successive block shall be initiated after treatment of the previous block has been completed.

- D) Block #1 (the first to be cleared of cape ivy), shall be replanted with a mix of site-specific northern coastal scrub plants. After the first spraying of herbicide, the sprayed area shall be netted and mulched (at a 1"-2" depth) with sterile material. Follow-up spraying shall target emergent cape ivy appearing above the mulch, if necessary. To be outplanted in this area shall be specimens of California coffeeberry (*Rhamnus californica*) on 10' centers, blue blossom (*Ceanothus thyrsiflorus*) on 25' centers, canyon gooseberry (*Ribes menziesii* var. *menziesii*) on 15' centers, coyote bush (*Baccharis pilularis*) on 15' centers, lizard tail (*Eriophyllum staechadifolium* var. *artemisiaefolium*) on 10' centers, toyon (*Heteromeles arbutifolia*) on 30' centers, and northern sticky monkey flower (*Mimulus aurantiacus*) on 15' centers. These plantings shall be kept irrigated until established. Follow-up applications of herbicide shall be frequent enough to allow establishment of the outplanted specimens, as well as formerly-suppressed re-emergent native plants. Spraying shall continue until cape ivy has been eradicated from Block #1.
- E) The procedure outlined above shall be successively followed in Blocks #2, #3, and #4, with revegetation of Block #4 to be initially completed by at least the tenth year after approval of the landscape/revegetation plan.
- F) Implementation and success of the northern coastal scrub mitigation measures shall be monitored by a qualified biologist at least three times yearly for at least a period of at least three years after Block #4 has been initially restored, or until the habitat area (all 4 blocks) can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID).

Monitoring Action 12 – Northern Coastal Scrub

- A) Prior to issuance of grading and building permits, Planning and Building Inspection staff shall review the final site plans, building and grading, and landscape/revegetation plans to verify that the requirements of Mitigation Measure 12 are incorporated into the designs of all plans at all levels of ministerial approval and condition compliance, as well as included as notes on all such plans where appropriate.
- B) Once the 1st Block of northern coastal scrub area has been initially restored, the project biologist shall submit monitoring reports directly to the MCPBID at least every four months until at least 3 years after the initial restoration of the 4th Block, or until the habitat areas can be verified by the project biologist as successfully restored, whichever is longer. Should problems arise regarding the success of these measures, the project biologist shall notify, in writing, the management of Esalen Institute. If the success of these measures is jeopardized, the project biologist shall notify, in writing, the management of Esalen Institute and the Monterey County Planning and Building Inspection Department (MCPBID). Failure to submit a report on time shall be cause for the issuance of a Stop Work Order and/or initiation of a Code Enforcement investigation.

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? (Sources: 1, 2, 3, 8, 19, 29)	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Sources: 1, 2, 3, 8, 15, 25, 26, 27)	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Sources: 1, 2, 3, 8, 15, 25, 26, 27)	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 1, 15, 19, 25, 26, 27)	☐	☒	☐	☐

Discussion:

Archaeological Resources

The Esalen Institute is named after the Esselen linguistic group of Native Americans that inhabited the Big Sur coastal areas at the time of the European conquest. It is believed that the Esselen were probably among the least populous Native American group in the area now known as California, and are considered to be the first California group driven into cultural extinction, perhaps as early as 1840.

As noted in the archeological report prepared for this project, evidence of Esselen sites have been found in Big Sur on the north and south banks of almost every stream within their territory. The Hot Springs Creek that divides the Esalen Main Property is no exception. Positive archeological sites have been found and recorded on both sides of Hot Springs Creek at Esalen. There are also at least two areas identified by the archeological report where midden soils, possibly from one or both of the archaeological sites, has been redeposited.

No archaeological resources have yet been identified at the South Coast property. Nevertheless, in general, the entire Big Sur coast is considered to be an area of high archaeological sensitivity. Therefore, the possibility remains that archaeological resources may be discovered during construction activities.

A number of the proposed project elements at the Main Campus, both north and south of Hot Springs Creek, would have impacts to known archaeological resources. Mitigation measures detailed below, to include design modifications and an onsite archaeological monitor during construction activities, are required in order to minimize any potential impacts to less-than-significant levels through avoidance.

A standard condition of approval will also be imposed, which requires that:

“If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.”

Historical Resources

Potentially historic resources have been identified at the Esalen Main Campus by a qualified historian (none have been identified at the South Coast Property). Of the 8 to 10 structures identified as potentially historic, three are considered eligible for listing on the Monterey County Register of Historic Structures. These are the Big House [18], the Tok-i-tok Lodge [37] and one of the two original guest cabins [42] that date from the period of the Lodge. The Tok-i-tok Lodge and one of the two original guest cabins [42] are proposed to be rehabilitated and/or remodeled. The proposed modifications are required to be consistent with the Secretary of the Interior’s *Standards for the Treatment of Historic Properties* (1995), due to the potentially historic nature of the structures. No alterations are proposed for the Big House at this time.

Since one of the guest cabins [42] is more historically intact than the other [38], the less historically-significant cabin will be dismantled and its parts will be used to restore the remaining cabin. Another seven structures with the potential to be considered historic were deemed not so, either because they were not yet old enough [20 & 49], or because previous remodels have modified the structures [04, 09, 10, 16, 45] to the point where their historical integrity has been greatly compromised.

A “*Historic Building Design Approach*” has been proposed by Esalen for guiding the proposed improvements to the Lodge and guest cabin. This approach has been presented to, and reviewed by, the project’s consulting historian, Kent Seavey, who has offered a favorable recommendation of it in a letter to Anthony Carney (Esalen’s principle agent) dated September 9, 2003.

It is understood from Mr. Seavey’s letter that a flat-roofed canopy is proposed for a “*clearly...non-historic portion*” of the Lodge and that the proposed new laundry facility has been revised so that it will now be detached from the Lodge. Mr. Seavey states that “*the separation of the new laundry building from the Lodge proper was consistent with Standard #9 [of the Secretary of the Interior’s ‘Standards for the Treatment of Historic Properties’ (1995)], in that it will not destroy historic materials, features, and spatial relationships that differentiated from the old and will be compatible with the Lodge, to protect the integrity of the historic property and its environment.*”

Regarding the guest cabins, Mr. Seavey states that:

“Because the Tok-i-tok Guest Cabins #38 and #42 were identical in original design and construction, replacement of the much-altered Cabin #38 by replacement with the more historically intact Cabin #42, and its reuse as a Guest cabin is consistent with Standard #1. The historic character of the property will be retained and preserved in accordance with Standard #2, and the move will not create a false sense of historical development, as no conjectural features or elements will be employed in its rehabilitation, as required by Standard #3. Retention of distinctive materials, features, finishes will be accomplished to the extent possible by repair, rather than replacement, as called for in Standards #5 & #6.”

Mr. Seavey concludes that *“the proposed treatments for these historic features conform to, and are consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties at this phase of the planning process.”*

Conclusion:

The Main Campus contains both positive archaeological resources and potentially historic resources. The South Coast property has no known archaeological resources and no historic or potentially historic resources.

As proposed, project elements at the Main Campus would have adverse impacts to known archaeological resources. However, these proposed project elements can and will be mitigated to less-than-significant levels, as detailed below.

Also, the proposed modifications to two potentially historic buildings at the Main Campus have been modified so as to conform to the Secretary of the Interior’s *Standards for the Treatment of Historic Properties* (1995). Therefore, potential adverse impacts are avoided or mitigated to less-than-significant levels. Nevertheless, a mitigation measure is required below to ensure that these *Standards* are followed.

Mitigations:

Mitigation Measure 13 – Archaeological Resources

A) *In order to avoid impacts to areas of redeposited midden, thereby maintaining potential impacts at less-than-significant levels*, the inadvertent disturbance of midden material, or the inadvertent relocation of midden material, should be avoided to the greatest extent feasible, pursuant to page 3 of a supplemental report from the project’s consulting archaeologist, dated July 14, 2003, which recommends that the midden material not be moved. Given that the preliminary grading plans call for 268 cu. yds. of cut and 304 cu. yds. of fill at the redeposited midden area south of Hot Springs Creek and 178 cu. yds. of cut, and 209 cu. yds. of fill at the redeposited midden area north of Hot Springs Creek, a project-specific Archaeological Mitigation Plan shall be prepared for these project elements, pursuant to the recommendations of the project’s consulting archaeologist. If material from these sites must be moved, then the project’s consulting archaeologist shall select a single location for the material from both sites where the material will not be disturbed again in the future. This

area surrounding this location (including a buffer) shall be conveyed to the County as an Archaeological Easement.

B) *In order to avoid and minimize impacts to Archaeological Site #CA-MNT-254 (south of Hot Springs Creek), thereby maintaining potential impacts at less-than-significant levels:*

1. Proposed new plumbing and man-made stormwater wetlands that would impact this site shall be redesigned and relocated outside the boundaries of the site so as to avoid impacts, thereby maintaining them at less-than-significant levels.
2. A project-specific Archaeological Mitigation Plan shall be prepared for the proposed new plumbing, man-made stormwater wetlands elements, and proposed building 114, pursuant to the recommendations of the project's consulting archaeologist, who has determined that potential impacts from these project elements can be mitigated to less-than-significant levels in this way.
3. Proposed building 111 will be eliminated from the project proposal to avoid the need for a lot line adjustment. This revision also avoids potential archaeological impacts that may have been caused by the construction of building 111.
4. A project-specific Archaeological Mitigation Plan shall be prepared for the proposed new/upgraded walking path between existing buildings 22 & 23, to include adding only culturally-sterile fill (such as decomposed granite or indigenous soil), and there shall be no grading or leveling of the existing surface, pursuant to the recommendations of the project's consulting archaeologist who has determined that potential impacts from these project elements can be mitigated to less-than-significant levels in this way.
5. An Archaeological Easement shall be conveyed to the County over Archaeological Site #CA-MNT-254.

C) *In order to avoid and minimize impacts to Archaeological Site #CA-MNT-266 (north of Hot Springs Creek), thereby maintaining potential impacts at less-than-significant levels:*

1. Proposed new plumbing and man-made stormwater wetlands that would impact this site shall be redesigned and relocated outside the boundaries of the site so as to avoid impacts, thereby maintaining them at less-than-significant levels.
2. A project-specific Archaeological Mitigation Plan shall be prepared for the proposed new plumbing, and proposed buildings 102, 103, 105, and 106 that are proposed within Archaeological Site #CA-MNT-266, pursuant to the recommendations of the project's consulting archaeologist, who has determined that potential impacts from these project elements can be mitigated to less-than-significant levels in this way.
3. Proposed buildings 107, 108, and 109 are required to be relocated by Mitigation Measures 1 and 7. If they are to be relocated within the boundaries of Archaeological Site #CA-MNT-266, a project-specific Archaeological Mitigation Plan shall be prepared for these structures, pursuant to the recommendations of the project's consulting archaeologist who has determined that potential impacts from these project elements can be mitigated to less-than-significant levels in this way.
4. Proposed bio-swales #1 & 2 shall be relocated outside of the boundaries of Archaeological Site #CA-MNT-266 in order to avoid impacts to Archaeological Site #CA-MNT-266.
5. Existing building 14 shall not be relocated, as originally proposed, in order to avoid impacts to Archaeological Site #CA-MNT-266.
6. A project-specific Archaeological Mitigation Plan shall be prepared for the proposed new septic system for the Big House [18], to include a redesign so as to avoid crossing the roadway in front of the Big House, pursuant to the recommendations of the project's

consulting archaeologist who has determined that potential impacts from this project element can be mitigated to less-than-significant levels in this way.

7. A project-specific Archaeological Mitigation Plan shall be prepared for the proposed new Staff/Yurt City septic system south of proposed building 103, pursuant to the recommendations of the project's consulting archaeologist who has determined that potential impacts from this project element can be mitigated to less-than-significant levels in this way.
 8. A project-specific Archaeological Mitigation Plan shall be prepared for all proposed new/upgraded walking paths within the boundaries of Archaeological Site #CA-MNT-266, to include adding only culturally-sterile fill (such as decomposed granite or indigenous soil), and there shall be no grading or leveling of the existing surfaces, pursuant to the recommendations of the project's consulting archaeologist who has determined that potential impacts from these project elements can be mitigated to less-than-significant levels in this way.
 9. In order to mitigate impacts already caused to Archaeological Site #CA-MNT-266 due to the installation of a temporary indigenous-style sweatlodge in this area, a project-specific Archaeological Mitigation Plan shall be prepared for the removal of new charcoal introduced into the old deposit, the removal of the sweatlodge from this site, and to return this area to lawn (with an absolute minimum of earth disturbance, and using culturally-sterile soils), for obtaining two samples for radiocarbon dating to help add to the body of scientific knowledge concerning this site.
 10. An educational program concerning the importance of the archaeological resources onsite and ways to ensure their preservation shall be developed by the project's consulting archaeologist and shall be required for all current and employees and new hires at the institute, pursuant to the recommendations of the project's consulting archaeologist who has determined that the impacts caused by the installation this sweatlodge can be mitigated to less-than-significant levels in this way.
 11. An Archaeological Easement shall be conveyed to the County over Archaeological Site #CA-MNT-266.
- D) *In order to avoid and minimize inadvertent impacts to archaeological resources at the Main Campus during any grading, excavation, or initial construction activities (e.g., foundations, trenching, etc.), as part of all project-specific Archaeological Mitigation Plans, an onsite archaeological monitor shall be present.*

Monitoring Action 13 – Archaeological Resources

Prior to the issuance of grading and building permits at the Main Campus:

- A) Each project-specific Archaeological Mitigation Plan required by Mitigation Measure 13 shall be submitted to MCPBID staff and shall be subject to the approval of the Director, prior to the issuance of each related grading and building permit, area by area.
- B) MCPBID staff shall verify that all plan revisions required by Mitigation Measure 13 are reflected in the subsequent grading and building plans prior to issuance of such permits.
- C) MCPBID staff shall verify that all Archaeological Easements required by Mitigation Measure 13 are submitted for approval by the Director of PBID prior to their conveyance to the County and subsequent recordation, prior to the issuance of grading and building permits.
- D) Esalen Institute shall submit evidence of a contract with a qualified archaeologist for monitoring during grading, excavation, or initial construction activities (e.g., foundations,

trenching, etc.) at the Main Campus. Said contract shall be subject to the approval of the Director of PBID prior to the issuance of any grading or building permits.

- E) Esalen Institute shall submit evidence of an educational program concerning the importance of the archaeological resources onsite and ways to ensure their preservation, authored by a registered professional archaeologist, which shall be required for all current and employees and new hires at the institute. This educational program shall be subject to the approval of the Director of PBID prior to the issuance of any grading or building permits.

Mitigation Measure 14 – Historic Resources

In order to minimize potential impact to potentially historic resources at the Main Campus, a Design Approval shall be required for potentially historic buildings 37 (the Lodge) and 42 (original guest cabin) prior to issuance of grading and building permits for these structures. The final design plans shall be reviewed by a qualified historian, who shall verify that the final designs are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995), though notes on the plans to this effect. The final design plans shall also carry the dated signature of the project's consulting historian.

Monitoring Action 14 – Historic Resources

Prior to granting Design Approval and issuance of grading and building permits for potentially historic buildings 37 (the Lodge) and 42 (original guest cabin), MCPBID staff shall verify that the final design plans include the notes and dated signature of the project's consulting historian verifying that the final design plans are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995).

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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? (Sources: 1, 2, 3, 8, 21, 30) Refer to Division of Mines and Geology Special Publication 42.	☐	☒	☐	☐
ii) Strong seismic ground shaking? (Source: 1, 2, 3, 8, 21, 30)	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction? (Sources: 1, 2, 3, 8, 21, 30)	☐	☒	☐	☐
iv) Landslides? (Sources: 1, 2, 3, 8, 21, 30)	☐	☒	☐	☐

6. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, 3, 8, 21, 30)	☐	☐	☒	☐
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? (Sources: 1, 2, 3, 8, 21, 30)	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Sources: 1, 2, 3, 8, 21, 30)	☐	☐	☐	☒
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? (Sources: 1, 2, 3, 8, 21, 30)	☐	☐	☐	☒

Discussion:

Soils & Lithology

According to the *Soil Survey of Monterey County*, the soils at the South Coast Center's proposed project site are "*Lockwood shaly loam*." At the Main Campus proposed project site there are areas with *Lockwood shaly loam* soils and other areas classified as "*rock outcrop – xerothent association*" soils. The lithology of the South Coast Center is made up of landslide deposits. Much of the lithology at the Main Campus is also made up of landslide deposits but there are also some areas with marine terrace deposits. Development is proposed in both of these areas.

According to the information contained in the PBID's Geographic Information System (GIS), the area of the South Coast Center has a high susceptibility for landslides, whereas at the Main Campus the landslide susceptibility ranges from low to high. The erosion risk is moderate at the South Coast Center's project site, according to the PBID GIS, whereas at the Main Campus the erosion risk ranges from moderate to high. The risk of liquefaction is low at both project sites, according to the PBID GIS. Nevertheless, the geologic and preliminary geotechnical reports produced for the current proposal do not raise any negative concerns due to the soil characteristics or lithology found at either site.

Seismicity

Due to their elevation, Esalen's properties are not considered to be at significant risk from tsunamis, according to the Resource Maps of the *Big Sur Coast Land Use Plan*. However, the Resource Maps do characterize the seismic hazards at the Esalen properties as "*relatively unstable upland areas*."

In addition, a trace of the Sur Fault Zone passes through the Main Campus and within 1/8 of a mile of the South Coast Center. This Sur Fault is categorized as “*Quaternary undifferentiated*” by the GIS fault layer created for the Monterey County General Plan Update. The Quaternary Period dates from 1.6 million years ago. The fault’s “undifferentiated” categorization signifies that although its most recent movement is believed to have occurred during the last 1.6 million years, it is currently unknown precisely when during this period the most recent movement would have occurred. Further, this means that the Sur Fault is defined by the Monterey County Code as “*potentially active*” since it is thought to have experienced movement within the past 3,000,000 years. Potentially active faults are considered “*active*” by the Code unless proven otherwise. Therefore, to maintain plan consistency and to reduce potential seismic-related impacts to less-than-significant levels, necessary mitigation measures are designed to address impacts that could result from an active fault

More specifically, according to the geologic report produced for the current project by Nolan, Zinn, and Associates, dated September 4, 2003, the seismicity of the project area is characterized as follows:

“The Sur fault zone in the vicinity of the Esalen [main] facility is mapped as two northwest trending strands...The northeasterly of the two strands passes along the landward side of the Esalen [main] facility, roughly along the alignment of Highway One. The southwesterly trace is located about 800 feet offshore...If active, the Sur fault zone could be a source of strong seismic shaking at the site and the northeasterly trace could cause ground surface rupture through portions of the Esalen [main] property.”

However, the report concludes that in the opinion of its author, Jeffrey M. Nolan, who is a certified engineering geologist:

“...the Sur fault zone is not active within the present tectonic environment, although this conclusion does not preclude some sympathetic movement occurring on the sections of the fault closely aligned with the San Gregorio-Hosgri [an offshore fault considered active]. Consequently, we consider the hazard posed by movement on the strands of the Sur fault system adjacent to the subject site to be low. We do not believe, however, that this analysis categorically precludes more recent movement on the fault.”

Mitigation measures based on the consulting geologist’s recommendations are listed below and are required in order to minimize potential impacts resulting from the seismic risk in the project areas to less-than-significant levels.

Conclusion:

A number of geologic hazards are present at both project sites, including susceptibility for erosion, landslides, and earthquakes. A trace of the Sur fault runs through the length of the Main Campus westerly of Highway 1 and within 1/8 of a mile of the South Coast Center. The mitigation measures listed below will reduce potential seismic-related impacts from the Sur Fault

trace to less-than-significant levels at the Main Campus. No known fault runs through the South Coast Center's project site.

Mitigations:

Mitigation Measure 15 – *In order to reduce the risk of seismic-related impacts to newly-constructed habitable structures to less-than-significant levels, the following mitigation measures shall be followed:*

- A) Surface mapping shall be carried out in the vicinity of the Esalen Main Campus, by a registered geologist or certified engineering geologist, to accurately locate any fault traces on relevant portions of the project site; and
- B) Natural fault outcrops shall be inspected to evaluate the fault for recent activity;
- C) If after surface mapping, inspection of fault outcrops, and trenching (if necessary) the fault is determined to be active or potentially active, additional geologic and geotechnical reports shall be required.
- D) In addition, if the fault is determined to be active or potentially active, all new structures shall be sited a minimum of 50 feet from the identified fault, in order to maintain consistency with the Section 20.145.080.A.2.b of the *Regulations for Development in the Big Sur Coast Land Use Plan Area*. If structures must be resited for any reason, they shall be resited so as to have no impacts to archaeological resources, environmentally sensitive habitat, and the Critical Viewshed. Resiting of any structures will require either a Minor & Trivial Amendment or a Permit Amendment to the approved Combined Development Permit, depending on the facts and circumstances of any necessary resiting of structures.
- E) Regardless of the results of the fault investigations, all building plans for structures at both the Main Campus and the South Coast Center shall bear the wet-seal stamp, date, and signature of a registered geologist or certified engineering geologist and a certified geotechnical engineer, indicating that the plans adequately incorporate the recommendations of these consulting professionals for reducing seismic-related impacts to less-than-significant levels.

Monitoring Action 15 – *Prior to the issuance of grading and building permits:*

- A) The results of the surface mapping and fault outcrop investigations at the Main Campus shall be communicated to the PBID in the form of a report authored by a registered geologist or certified engineering geologist, prior to the issuance of grading and building permits.
- B) Should the surface mapping indicate that a strand of the fault crosses through areas intended for development, and should inspection of natural fault outcrops prove inconclusive, then the project's grading permit application shall be approved by the County's Grading Official to allow for the excavation of one or more geologic trenches to determine the activity of the fault.
- C) Prior to the issuance of any grading permits, the PBID shall verify that the proposed trenches will not impact areas of known archaeological resources or environmentally sensitive habitat.
- D) A qualified archaeological monitor shall be present during the excavation of geologic trenches. Esalen Institute shall submit evidence of a contract with a qualified archaeologist for monitoring during excavation of geological trenches. Said contract shall be subject to the approval of the Director of PBID prior to the issuance of any grading permit at the Main Campus.

- E) PBID staff shall verify that any resited buildings (pursuant to incise D, above) do not impact archaeological resources, environmentally sensitive habitat, and the Critical Viewshed prior to issuance of related grading and building permits, as part of the review for a Minor & Trivial Amendment or Permit Amendment to the approved Combined Development Permit.
- F) PBID staff shall verify that all building plans bear the wet-seal stamp, date, and signature of a registered geologist or certified engineering geologist and a certified geotechnical engineer, indicating that the plans adequately incorporate the recommendations of these consulting professionals for reducing seismic-related impacts to less-than-significant levels.

7. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: 1, 9, 24)	☐	☐	☐	☒
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? (Sources: 1, 9, 24)	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: 1, 8, 9, 24)	☐	☐	☐	☒
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, 2, 3, 9, 24)	☐	☐	☐	☒
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, 7, 8)	☐	☐	☐	☒
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? (Sources: 1, 7, 8)	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 2, 3, 9, 24)	☐	☐	☐	☒

7. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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, 2, 3, 8)	☐	☐	☐	☒

Discussion/Conclusion:

See previous Sections II. A (*Project Description*) and B (*Environmental Setting*) and Section IV. A (*Environmental Factors Potentially Affected*), as well as sources referenced.

8. HYDROLOGY AND WATER QUALITY				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Sources: 1, 2, 3, 4, 16, 17)	☐	☐	☒	☐
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)? (Sources: 1, 16)	☐	☐	☐	☒
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 <u>substantial erosion or siltation on- or off-site</u> ? (Sources: 1, 8, 17)	☐	☐	☒	☒
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 <u>flooding on- or off-site</u> ? (Sources: 1, 8, 17)	☐	☐	☐	☒
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? (Sources: 1, 17)	☐	☐	☒	☐

8. HYDROLOGY AND WATER QUALITY

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f)	Otherwise substantially degrade water quality? (Sources: 1, 17)	☐	☐	☒	☐
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? (Sources: 1, 2, 3, 8)	☐	☐	☐	☒
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Sources: 1, 2, 3, 8)	☐	☐	☐	☒
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? (Sources: 1, 2, 3, 8)	☐	☐	☐	☒
j)	Inundation by seiche, tsunami, or mudflow? (Sources: 1, 2, 3, 8)	☐	☐	☒	☐

Discussion:Water Supply & Water Quality

The project will not increase wastewater disposal to a point where it would violate the existing California Regional Water Quality Control Board's Water Quality Order No. 97-10 (*General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems*) already in place (Reference #17, page 2-2). Nitrogen loading will be reduced on both properties with the proposed wastewater disposal system (Reference #17, pages 2-9, 2-16, & 2-17). Wastewater will be denitrified through an enhanced wastewater treatment process (Reference #17, page 2-9). Through this process, the total nitrogen load (TNL) at the Main Campus will be reduced from 55.4 grams per acre to 30.4g/acre, whereas the TNL at the South Coast property will be reduced from 91.0g/acre to 52.8g/acre. Regardless, wastewater disposal on the South Coast property will still exceed the Monterey County limit of 40g/acre. However, the Environmental Health Division of the Monterey County Health Department has concluded that, due to the absence of usable freshwater groundwater resources under the South Coast property, the nitrogen loadings do not represent a significant environmental impact or public health threat (Reference #17, pages 2-17 & 2-18).

The project proposes to treat the wastewater for both facilities by using a septic/recirculation tank for primary solids removal and an Orenco Advantex textile filter wastewater system for secondary treatment and the denitrification of wastewater (Reference #16, page 2-9 & its Appendix A). Disposal of treated effluent will be through a subsurface landscape irrigation system and back-up leachfields (Reference #16, page 2-9). To further treat the wastewater, an open water constructed wetlands will be built (Reference #16, page 2-10). By incorporating subsurface landscape irrigation with the treated wastewater, at full build out of the Long-Term Development Plan, water use on the Main Property will decrease by 12% (Reference #16, Table

4.9, page 4-8) and on the South Coast property by 7% (Reference #16, Table 4.11, page 4-9). Therefore, there will be no depletion of groundwater supplies and there will be no substantial interference with groundwater recharge. Groundwater recharge would actually be improved with the proposed project since less water would be extracted from Hot Springs Creek and surface springs at the South Coast property.

Hot Springs Creek, which serves the Main Property, flows at approximately 150 gallons per minute (gpm) during drought periods – about 2 1/2 times the maximum allowable flow rate through the water treatment system (Reference #16, page 3-1). At 8 gpm (Reference #16, page 3-4), the spring serving the South Coast property produces 11,520 gallons per day, or four times what is needed at build out (Reference #16, Table 4.3, page 4-2).

Hydrology

Drainage conditions will be improved by the proposed project through the implementation of Best Management Practices (BMPs), such that substantial erosion or siltation on- or off-site will not result but instead will be reduced. Neither will flooding (on- or off-site) result from the proposed project, since the topography in the area is generally fairly steep and therefore not conducive to flooding. No levees or dams are located in the area. Stormwater drainage systems will be improved through the BMPs proposed by the project, which will slow and treat drainage with bio-swales, sod roofs and subterranean downspout drainage systems on some buildings. Since the project is located on the coast, it would be at risk from a major tsunami generated by an extreme seismic event, the likelihood of which is so low as to be considered a less-than-significant impact.

Erosion Control

Specific erosion control measures during construction are required above by Mitigation Measures 3, 4, 9, 10, and 11 under Section VI.4 – Biological Resources. These measures will also minimize impacts to the water quality of Hot Springs Creek to less-than-significant levels.

Conclusion:

The project will not generate significant hydrologic or water-quality impacts or impacts that would require mitigations in order to be lessened to less-than-significant levels. As stated above, overall water demand will be reduced through the use of water-saving technologies, wastewater treatment will be upgraded to secondary and tertiary treatment levels, and surface hydrology will be improved through the use of BMPs that address runoff. Therefore, the project is “self-mitigating” in the areas of hydrology and water quality due to the proposed implementation of BMPs and superior technologies for addressing these issues. Erosion controls during construction are required by Mitigation Measures 3, 4, 9, 10, and 11 under Section VI.4 – Biological Resources. These measures will also minimize impacts to the water quality of Hot Springs Creek to less-than-significant levels.

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? (Sources: 1, 2, 3, 7, 8)	☐	☐	☐	☒
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? (Sources: 1, 2, 3, 4, 5, 9, 24)	☐	☒	☐	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1, 2, 3, 4, 8)	☐	☐	☐	☒

Discussion:

The project will not physically divide an established community since the project is existing and in a sparsely populated area. It will not conflict with a habitat conservation plan or natural community plan since none exist at the project's locations.

Legal Non-Conforming Use

The “*Visitor-Serving/Commercial*” (VSC) use at the Esalen Institute properties represents a legal non-conforming use under its current zoning designations. The property west of Highway 1 at the Main Campus has a “*Rural Density Residential*” (RDR) zoning designation, whereas the South Coast Center is zoned “*Watershed and Scenic Conservation*” (WSC). Visitor-serving and/or commercial uses are not allowed under the RDR and WSC zoning designations.

Intensification

Under the Monterey County Zoning Ordinance (Title 20), legal non-conforming uses may not be “*intensified over the level of use that existed at the time the legal nonconforming use was established.*” Prior to the certification of the *Monterey County Local Coastal Program* (LCP) for Big Sur in 1987, the land use at Esalen Institute was also legal non-conforming since its zoning designation at that time was similar to its current residential designation (i.e., not Visitor Serving Commercial). Certification of the *Monterey County Local Coastal Program* by the Coastal Commission served to renew Esalen’s legal non-conforming status since it was not zoned Visitor Serving Commercial by the new LCP, although the *Big Sur Coast Land Use Plan* specifically recognizes Esalen Institute as a legal non-conforming VSC-use. MCPBID staff has determined that the level of use proposed by the current applications is consistent with Esalen’s level of use in 1987, and is consistent with its current level of use (see Reference #1). The proposed project (compared to 1987 levels of use) reflects a similar number of employees and a similar number of guest accommodations, although the project seeks to develop more onsite employee housing.

The table below details information provided by Esalen Institute regarding the number of people accommodated onsite in 1987 and presently, as well as the proposed capacity. An internal Esalen document entitled “People on Property,” dated October 26, 1987, details a variety of individuals by name and classification. The level of accommodation in 1987 appears to have been achieved though higher levels of occupancy at the South Coast Center (3 to 4 people per room), unless some of the 106 guest spaces at the Main Campus were used for people other than short-term guests, or both. However, it is not possible to verify the 1987 levels due to an overall lack of occupancy records, both on the part of Monterey County and Esalen Institute. In addition, representatives from Esalen Institute have stated to MCPBID staff that in the past the Institute has used available accommodations as necessary for either guests or employees.

Included in the 2003 totals are 5 as-of-yet unpermitted employee units. The current application seeks to legalize all unpermitted structures that will remain.

It is important to note that while the 1987 figures are claimed to represent the number of people accommodated at that time, the 2003 and proposed figures represent only supposed “capacity.” Therein lies the potential for intensification: if Esalen goes back to accommodating higher levels of occupancy beyond their *approved* level of capacity, intensification of a legal non-conforming use would occur. In the future, Esalen Institute could potentially overcome this limitation by applying for an amendment to the County’s certified Local Coastal Program that would seek to change the current zoning designations to VSC. However, to mitigate the potential for intensification in the interim, Mitigation Measure XX (below) is required. This mitigation measure imposes a deed restriction that prevents the intensification of a legal non-conforming use by precluding employee housing units from being used as guest units, and vice versa, so that the level of visitor-service- and employee-accommodations are not increased.

Accommodation Levels at Esalen Institute

	1987	2003 ³	Proposed ⁴
Employees	42		
Others	28		
Companions	4		
Children	11		
Extended Students	28		
Work Study	41		
Sub Total	139 ⁵	95	133
Guest Spaces	106 ⁶	124	124
Total	260	219	257

Expansion

The Monterey County Zoning Ordinance (Title 20) also prohibits legal non-conforming uses from being “*expanded, enlarged, increased, or extended to occupy a greater area than that occupied when the legal nonconforming use was established.*” According to sheet no. 3.7 of the

³ Reported capacity based on current application materials; breakdowns not provided.

⁴ Reported capacity based on current application materials; breakdowns not provided.

⁵ “People on Property” from 1987 Esalen document.

⁶ Reported capacity based on information submitted as part of prior applications to Monterey County.

site plans (Reference #1), the Main Campus has a total existing roof area of 1.61 acres (impervious + sod roofs). The project proposal would increase the total roof area to 1.71 acres (impervious + sod roofs). Overall at the Main Campus, total impervious surfaces (including buildings) would decrease with the proposed project from 6.19 acres to 5.68 acres. Total open space at the Main Campus would increase from 33.83 acres to 34.34 acres. In addition, all existing and proposed development will remain within the same general, disturbed area at the Main Campus.

At the South Coast Center, total impervious roof area would increase from 0.31 acres to 0.34 acres, whereas total impervious surfaces (including buildings) would increase from 1.11 acres to 1.53 acres. Open space would decrease accordingly. Nevertheless, the proposed development would occur within the same general area of the existing development.

Lot Line Adjustment

Building 111 is eliminated from the project proposal in order to eliminate the need for a lot line adjustment. This modification also minimizes potential impacts to archaeological resources.

Conclusion:

As discussed above, the proposed project is consistent with applicable Monterey County land use plans, policies, and regulations adopted to avoid or mitigate negative environmental effects. In addition to the mitigation measures required above, Mitigation Measure 16, below, requires the recordation of a deed restriction that will minimize the potential for intensification (and any related environmental effects) to less-than-significant levels. The proposed project does not represent an expansion of a legal non-conforming use since the proposed development is minor on balance and will occur in the same general area of the existing development. The project eliminates the need for a lot line adjustment by eliminating building 111 from the project proposal.

Mitigation:

Mitigation Measure 16 – No Intensification of a Legal Non-Conforming Use

In order to prevent the intensification of a legal non-conforming use, prior to issuance of grading and build permits, Esalen Institute shall record a deed restriction that precludes employee housing units from being used as guest units, and vice versa, so that the level of visitor service and employee accommodations are not increased. Employees at Esalen Institute include permanent and contract staff, extended students, and work study students. Visitors/guests are defined as persons staying a week or less. This deed restriction could possibly be revoked if in the future Esalen is successful in obtaining approval of an amendment to the County's certified Local Coastal Program that would change the zoning designation of Esalen's properties, which might then allow an intensification of use.

Monitoring Action 16 – No Intensification of a Legal Non-Conforming Use

Prior to issuance of building and grading permits, MCPBID staff will verify recordation of the deed restriction required by Mitigation Measure 16.

10. MINERAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Sources: 1, 2, 3, 8)	☐	☐	☐	☒
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, 2, 3, 8)	☐	☐	☐	☒

Discussion/Conclusion:

See previous Sections II. A (*Project Description*) and B (*Environmental Setting*) and Section IV. A (*Environmental Factors Potentially Affected*), as well as sources referenced.

11. NOISE				
Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Sources: 1, 2)	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Sources: 1, 2, 9, 24)	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1, 2, 9, 24)	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1, 2, 9, 24)	☐	☒	☐	☐
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? (Sources: 1, 2, 3)	☐	☐	☐	☒

11. NOISE				
Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Sources: 1, 2, 3)	☐	☐	☐	☒

Discussion/Conclusion:

See previous Sections II. A (*Project Description*) and B (*Environmental Setting*) and Section IV. A (*Environmental Factors Potentially Affected*), as well as sources referenced.

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)? (Sources: 1, 2, 24)	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources: 1, 2, 24)	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1, 2, 24)	☐	☐	☐	☒

Discussion/Conclusion:

See previous Sections II. A (*Project Description*) and B (*Environmental Setting*) and Section IV. A (*Environmental Factors Potentially Affected*), as well as sources referenced.

13. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
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? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
b)	Police protection? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
c)	Schools? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
d)	Parks? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
e)	Other public facilities? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒

Discussion/Conclusion:

See previous Sections II. A (*Project Description*) and B (*Environmental Setting*) and Section IV. A (*Environmental Factors Potentially Affected*), as well as sources referenced.

14. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
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? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒

Discussion/Conclusion:

See previous Sections II. A (*Project Description*) and B (*Environmental Setting*) and Section IV. A (*Environmental Factors Potentially Affected*), as well as sources referenced.

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)? (Sources: 1, 2, 3, 9, 24)	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
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? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
e) Result in inadequate emergency access? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
f) Result in inadequate parking capacity? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Sources: 1, 2, 3, 9, 24)	☐	☐	☐	☒

Discussion/Conclusion:

See previous Sections II. A (*Project Description*) and B (*Environmental Setting*) and Section IV. A (*Environmental Factors Potentially Affected*), as well as sources referenced.

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? (Sources: 1, 9, 17, 24)	☐	☐	☐	☒
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? (Sources: 1, 2, 3, 9, 11, 15, 17, 24)	☐	☒	☐	☐
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? (Sources: 1, 2, 3, 9, 11, 15, 17, 24)	☐	☒	☐	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources: 1, 9, 16, 24)	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Sources: 1, 9, 17, 24)	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Sources: 1, 2, 9, 24)	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: 1, 2, 9, 24)	☐	☐	☐	☒

Discussion:

The new onsite wastewater-treatment and stormwater-drainage facilities proposed by the project will have the potential to cause some environmental impacts. However, these potential impacts can and will be reduced to less-than-significant levels through required mitigation measures and monitoring actions. These issues are discussed in detail in Sections 4 (Biological Resources), 5 (Cultural Resources), and 8 (Hydrology and Water Quality), above. Local- or regional-level facilities will not be required.

Most potential impacts would occur to cultural resources. Mitigation measures required to minimize such impacts are discussed above in Section 5 (Cultural Resources). Potential impacts to biological resources and hydrology & water quality issues are self-mitigated through the design of the project, as described in Sections 4 and 8, above.

In addition, as stated in Section 8 (Hydrology and Water Quality), above, the project will not exceed the California Regional Water Quality Control Board's treatment requirements for wastewater. The Hydrology and Water Supply report prepared for the project (Reference #16) demonstrates that sufficient water supplies are available to adequately serve the proposed project.

All wastewater is and will be treated onsite; no regional wastewater treatment provider will be affected by this project. Solid waste disposal needs will remain unchanged by the project since the total number of guests staying and employees working at Esalen will not change with the proposed project. Much of the organic waste is composted and used onsite for agriculture and landscaping; recyclables are recycled. Monterey County's review of the proposed project to date has not revealed and potential for inconsistencies with federal, state, or local regulations related to solid waste and no allegations to this effect have been received.

Conclusion:

No new offsite utilities and service systems will be required. Onsite wastewater-treatment and storm-drainage facilities are designed to be self-mitigating with regard to biological resources and hydrology & water quality issues (see Sections 4 – Biological Resources and 8 – Hydrology and Water Quality). Where appropriate, mitigation measures are required to mitigate potential impacts to archaeological resources (see Section 5 – Cultural Resources).

Mitigations:

See Sections 4 (Biological Resources), 5 (Cultural Resources), and 8 (Hydrology and Water Quality), 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? (Sources: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 24)	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable ("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)? (Sources: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 24, 25)	☐	☒	☐	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 24)	☐	☐	☐	☒

Discussion/Conclusion:

The project has the potential to degrade the quality of the environment by impacting sensitive biological resources, positive archaeological resources, potentially historic resources, by exposing people to potential seismic impacts, and through the potential for intensifying a legal non-conforming use. Nevertheless, overall impacts will be less than significant through the successful implementation of the mitigation measures required under Section VI – 4 (Biological Resources), – 5 (Cultural Resources), – 6 (Geology and Soils), and – 9 (Land Use Planning), above. The required Mitigation Monitoring and Reporting Program is designed to ensure successful ongoing implementation of Mitigation Measures 1 through 16.

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, water courses, 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** 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 be required to pay the fee. The proposed project will cause changes to resources described in criteria A-G above.

Evidence: The amount of grading, site disturbance, and habitat restoration, associated with the project will cause changes to the resources in criteria A-G shown above.

IX. REFERENCES

1. Project Applications and Plans in files PLN010501 and PLN020599
2. *Monterey County General Plan*
3. *Big Sur Coast Land Use Plan*
4. *Regulations for Development in the Big Sur Coast Land Use Plan*
5. Title 20 of the Monterey County Code (Zoning Ordinance)
6. *CEQA Air Quality Guidelines*, Monterey Bay Unified Air Pollution Control District, Revised September 2002
7. Site visit conducted by project planner on August 30, 2002

8. Planning & Building Inspection Department Geographic Information System
9. *Esalen General Development Plan, 2003 – 2012*
10. *Biological Report: Esalen Long-term Development Plan*, prepared by Jeff Norman, consulting biologist, November 3, 2002
11. Letter from Jeff Norman, consulting biologist, to U. S. Fish and Wildlife Service, August 3, 2002 (unsigned copy)
12. Letters from Walter H. Sakai, monarch butterfly biologist, addressed to Andy Nausbaum, Esalen – Director of Finance and Long Range Planning, dated December 21, 2000, September 22, 2002, and July 12, 2002
13. *Smith's Blue and Monarch Butterfly Issues at Esalen Institute*, report prepared by Richard Arnold, Ph. D., September 19, 2001, addressed to Andy Nausbaum, Esalen – Director of Finance and Long Range Planning
14. *Smith's Blue Butterfly at the South Coast Center Project Site*, letter from Richard Arnold, Ph. D., October 31, 2002, to Margaret Grahame of Esalen Institute
15. *Cultural Resources Sensitivity Map and Recommendations for the Esalen Institute and South Coast Center Properties, South of Big Sur, Monterey County, California*, prepared by Gary S. Breschini, RPA, and Trudy Haversat, RPA, September 23, 2002, revised October 9, 2002
16. *Hydrology & Water Supply Report*, prepared by Peter Haase, PE, and Rachel Kozdon of Fall Creek Engineering, Inc., August 2002
17. *Wastewater & Drainage Report*, prepared by Peter Haase, PE, and Rachel Kozdon of Fall Creek Engineering, Inc., August 2002
18. *Esalen Design Guidelines*, prepared by Esalen Institute, June 4, 2001
19. *Esalen Institute Historic Resource Inventory 2002*, prepared by Kent Seavey, September 1, 2002
20. *Esalen Building Design Criteria*, prepared by Jason Hainline of ENSAR Group, Inc., August 2002
21. *Geotechnical Feasibility of Construction: Review of Geotechnical and Geologic Investigations*, by John E. Kasunich of Haro, Kasunich and Associates, Inc., September 13, 2002 (unsigned copy)
22. California Coastal Commission staff report for application number 3-87-188, October 14, 1987
23. *Esalen Institute Transportation Demand Management Plan Traffic Analysis Report*, prepared by Higgins Associates, Civil and Traffic Engineers, October 17, 2002
24. *Esalen Planning Manual*, Esalen Institute, June 6, 2001
25. Addendum to: *Cultural Resources Sensitivity Map and Recommendations for the Esalen Institute and South Coast Center Properties, South of Big Sur, Monterey County*,

California, prepared by Gary S. Breschini, RPA, and Trudy Haversat, RPA, July 14, 2003.

26. Letters from Dr. Gary S. Breschini, RPA (the project's consulting archaeologist), dated October 7 & 8, 2003, regarding recommended design changes to mitigate potential archaeological impacts.
27. Letter from Peter Haase of Fall Creek Engineering (the project's consulting engineer), dated October 7, 2003, regarding recommended design changes to mitigate potential archaeological impacts.
28. Letter from Jeff Norman (the project's chief consulting biologist), dated August 4, 2003, regarding recommended design changes to mitigate potential impacts to Monarch roosting sites.
29. Letter from Kent L. Seavey (the project's consulting historian), dated September 9, 2003, evaluating recommended design changes to mitigate potential impacts to potentially historic structures onsite.
30. Geologic report from Jeffery M. Nolan of Nolan, Zinn, and Associates (the project's consulting geologist), dated September 4, 2003