



Carmel-by-the-Sea

Nova Romero <nromero@ci.carmel.ca.us>

(no subject)

1 message

Bill Karges <[REDACTED]>
To: nromero@ci.carmel.ca.us

Mon, Jul 8, 2024 at 2:28 PM

I am a 45 year resident of Carmel by the Sea and a 37 year business owner of Carmel by the Sea. I support the EIR for the Hofsas house project. Thank you, William Karges

City Council
Meeting Date

JUL 09 REC'D 7-8-24

Agenda Item

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WEBFORM SUBMISSION

Submitted by anonymous user: [107.77.214.26]

Message:

Please forward this email to the city council and planning department. Thank you. Mike Cate

Living in Carmel is hard because it's slipping away. The false attempt to preserve its character by the Planning Commission and the City Council is frustrating. What is historic, what keeps the character of Carmel is a question that is bantered around when someone or a group wants to see an element of Carmel saved, a great example today is the Hofsas House. The great pink building that has been standing since the 1950's in its location on San Carlos street is now headed toward the dumpster, how is this being allowed to happen. Historic, yes, over 70 years old. A big part of the character of Carmel, yes. I've always loved seeing the unique architecture of the building as you round the corner coming back into town since I've able to drive.

This is a huge part of what this town was and still kinda is. The Mediterranean Market building, the Bank of America building, the China Art Center, The El Paseo building, The Harrison Memorial Library, would those be allowed to be torn down?

The Hofsas House needs to be preserved, repaired and refurbished, not carted away in a hundred dump trucks. The Stillwell is a perfect example of preserving a look and still modernizing. Some deeper thought needs to go into this by all involved. Do your due diligence and examine all the aspects of it's removal and rebuilding and you'll see that it should not be allowed to happen. The large proposed glass structure has no place in this town, none at all.

Keep the Pink Hofsas House. Put a careful hand into its preservation and people will return with fond memories of what Carmel was and still can be.

I call on the city council to be the stewards of this town, as the words on the wall behind the council proclaims.

Mike Cate
Carmel, since 1956

City Council
Meeting Date

JUL 09 REC'D 7-8-24

Agenda Item

4



Nova Romero <nromero@ci.carmel.ca.us>

Kelp Petition Public Comments

4 messages

Keith Rootsart <keith@g2kr.com>
To: "nromero@ci.carmel.ca.us" <nromero@ci.carmel.ca.us>
Cc: Keith Rootsart <keith@g2kr.com>, Andy Beahrs <andy@g2kr.com>

Tue, Jul 9, 2024 at 2:43 PM

Dear City of Carmel Clerk,

I will be attending and presenting public comments at the Carmel City Council meeting this evening. My testimony is also attached for your review. I have provided similar testimony at the city of Pacific Grove, City of Monterey and the County of Monterey.

Attached is our Fish and Game Commission petition to restore kelp in Carmel Bay State Marine Conservation Area and redesignate the Marine Protected Area as a State Marine Reserve to protect the kelp we will restore.

We ask for your support for our initiative and we will reach out to you in the near future for a letter of support.

Thank you,

Keith Rootsart




Giant Giant Kelp Restoration

408-206-0721



Giant Giant Kelp
Restoration Project

3 attachments

-  **FGC1 G2KR Petition 2023-23MPA.pdf**
189K
-  **2023-23 pages from Regulation Petitions Marine.pdf**
210K
-  **24.0709 Carmel Comments.docx**
15K

Nova Romero <nromero@ci.carmel.ca.us>

Tue, Jul 9, 2024 at 2:45 PM

To: Jeff Baron <jbaron@ci.carmel.ca.us>, Bobby Richards <brichards@ci.carmel.ca.us>, Alissandra Dramov <renewcarmel@outlook.com>, Karen Ferlito <kferlito@ci.carmel.ca.us>, Dave Potter <dpotter@ci.carmel.ca.us>
Cc: Chip Rerig <crerig@ci.carmel.ca.us>, Brandon Swanson <bswanson@ci.carmel.ca.us>, Mary Bilse <mbilse@ci.carmel.ca.us>, Brian Pierik <bpierik@ci.carmel.ca.us>

Correspondence for tonight (not agenda item related).






Nova Romero, MMC
City Clerk

City of Carmel-by-the-Sea
P.O. Box CC
Carmel-by-the-Sea, CA 93921
(831) 620-2016
nromero@cbts.us

[Quoted text hidden]

3 attachments

-  **FGC1 G2KR Petition 2023-23MPA.pdf**
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15K

Nova Romero <nromero@ci.carmel.ca.us>

Tue, Jul 9, 2024 at 2:46 PM

To: Keith Rootsart <keith@g2kr.com>
Cc: Keith Rootsart <keith@g2kr.com>, Andy Behrs <andy@g2kr.com>

I am confirming that I received your public comments and will forward them to City Council.

Thanks,



Nova Romero, MMC
City Clerk

City of Carmel-by-the-Sea
P.O. Box CC
Carmel-by-the-Sea, CA 93921
(831) 620-2016
nromero@cbts.us

[Quoted text hidden]

Keith Rootsart <keith@g2kr.com>

Tue, Jul 9, 2024 at 3:16 PM

To: Nova Romero <nromero@ci.carmel.ca.us>
Cc: Andy Behrs <andy@g2kr.com>

Thank you so much!

Keith Rootsart

Giant Giant Kelp Restoration

[Quoted text hidden]

Good afternoon,

Keith Rootsart, founder of the Giant Kelp Restoration project in Monterey.

I first learned to scuba dive in Monterey in 1985 when I first fell in love with kelp forests. One of my favorite dive sites was Carmel River and Beds of Shale, CRaBS, off Carmel City Beach where we removed heavy bags golf balls. In 2009 I learned to identify and count fish and taught scientific protocols for Reef Check.

In October of 2013 we watched sadly as 22 species of sea stars were decimated by a wasting disease that turned them to goo. The ocean was overheated by “The Blob”, a warm water event that lasted through 2016. Kelp needs cold nutrient rich water and sunlight to grow and without that the urchins emerged from cracks and ate the kelp. Now urchin barrens dominate Carmel Bay and have spread down the Big Sur coast to Morro Bay. Urchin barrens last for decades.

In 2021 we received a sportfishing rule amendment from the California Fish and Game Commission to cull an unlimited number of sea urchins at Tanker’s Reef in Monterey. Volunteer scuba divers learned at local dive shops how to safely cull $\frac{3}{4}$ of a million urchins over 1,527 dives and grew an 11 acre kelp forest in a former urchin barren.

The California Department of Fish and Wildlife, Monterey Bay National Marine Sanctuary, Ocean Protection Council and Reef Check were our allies. But, after 3 years our amendment was allowed to sunset, and we no longer have a legal place to cull urchins and defend kelp forests. We again petitioned the Fish and Game Commission to allow volunteer divers to restore kelp forests in the best places, the marine protected areas, around the Monterey Peninsula which includes submerged lands within Carmel city limits.

Let's begin kelp restoration and ecotourism where visitors garden in a regenerative fishery in Carmel Bay State Marine Conservation Area and protect it as a State Marine Reserve.

Let's make restoration as common as fishing.

Tracking ID	Petitioner	Affected MPA	Bio-region	MLPA Action Category	Action Type	Proposed Action	Justification as Stated by Petitioner
2023-22MPA_6	Wendy Berube, Orange County Coastkeeper	Dana Point SMCA	South	Modify	Allowable uses	Change the description of tidepools to “rocky intertidal zone” with a modified definition, “the rocky intertidal zone includes all hard substrate between the highest high tide and lowest low tide.”	An OCOMPAC consensus; unclear that "area encompassing the rocky pools" includes all of the rocky intertidal habitat.
2023-22MPA_7	Wendy Berube, Orange County Coastkeeper	All Orange County MPAs, besides Upper Newport Bay	South	Modify	Allowable uses	Add an amendment that “Scientific research, monitoring, restoration, and education is allowed pursuant to any required federal, state or local permits, or as otherwise authorized by the department.”	Difficult to obtain permits for research, monitoring, and restoration in MPAs which is imperative to responding quickly in the face of changing oceanographic conditions; all rocky intertidal and reef habitats in Orange County are in MPAs, so there is no alternative for scientific study.
2023-23MPA_1	Keith Rootsart, Giant Giant Kelp Restoration Project (G2KR)	Edward F. Ricketts SMCA	Central	Modify	Classification /Take	Reclassify SMCA to an SMR to prohibit take	Protect restored kelp forests; improve diver safety from fishing boat propellers and fishing gear.
2023-23MPA_2	Keith Rootsart, G2KR	Edward F. Ricketts SMCA	Central	Modify	Take	Allow unlimited urchin removal	Restore kelp forests.
2023-23MPA_3	Keith Rootsart, G2KR	Edward F. Ricketts SMCA	Central	Modify	Unclear if within Commission authority	Allow out-planting kelp on the reef without an SCP	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; restore kelp forest

Tracking ID	Petitioner	Affected MPA	Bio-region	MLPA Action Category	Action Type	Proposed Action	Justification as Stated by Petitioner
2023-23MPA_4	Keith Rootsart, G2KR	Edward F. Ricketts SMCA	Central	Modify	Unclear if within Commission authority	Scientific collecting permit s/restoration: Allow spore dispersal by sporophyte bags without an SCP	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; restore kelp forest
2023-23MPA_5	Keith Rootsart, G2KR	Edward F. Ricketts SMCA	Central	Modify	Unclear if within Commission authority	Allow pruning kelp canopy to promote growth and resilience to storms without an SCP.	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; protect restored kelp forest from storm damage.
2023-23MPA_6	Keith Rootsart, G2KR	Pacific Grove Marine Gardens SMCA	Central	Modify	Classification /Take	Reclassify SMCA to an SMR to prohibit take	Protect restored kelp forests; improve diver safety from fishing boat propellers and fishing gear.
2023-23MPA_7	Keith Rootsart, G2KR	Pacific Grove Marine Gardens SMCA	Central	Modify	Take	Allow unlimited urchin removal	Restore kelp forests.
2023-23MPA_8	Keith Rootsart, G2KR	Pacific Grove Marine Gardens SMCA	Central	Modify	Unclear if within Commission authority	Allow pruning kelp canopy to promote growth and resilience to storms without an SCP	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; protect restored kelp forest from storm damage.
2023-23MPA_9	Keith Rootsart, G2KR	Pacific Grove Marine Gardens SMCA	Central	Modify	Unclear if within Commission authority	Allow out-planting kelp on the reef without an SCP.	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; restore kelp forest.
2023-23MPA_10	Keith Rootsart, G2KR	Pacific Grove Marine Gardens SMCA	Central	Modify	Unclear if within Commission authority	Scientific Collecting Permits/Restoration: Allow spore dispersal by sporophyte bags without an SCP.	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; restore kelp forest

Tracking ID	Petitioner	Affected MPA	Bio-region	MLPA Action Category	Action Type	Proposed Action	Justification as Stated by Petitioner
2023-23MPA_11	Keith Rootsart, G2KR	Carmel Bay SMCA	Central	Modify	Classification /Take	Reclassify SMCA to an SMR to prohibit take	Protect restored kelp forests; improve diver safety from fishing boat propellers and fishing gear.
2023-23MPA_12	Keith Rootsart, G2KR	Carmel Bay SMCA	Central	Modify	Take	Allow unlimited urchin removal	Restore kelp forests.
2023-23MPA_13	Keith Rootsart, G2KR	Carmel Bay SMCA	Central	Modify	Unclear if within Commission authority	Allow pruning kelp canopy to promote growth and resilience to storms without an SCP.	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; protect restored kelp forest from storm damage.
2023-23MPA_14	Keith Rootsart, G2KR	Carmel Bay SMCA	Central	Modify	Unclear if within Commission authority	Allow out-planting kelp on the reef without an SCP.	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; restore kelp forest
2023-23MPA_15	Keith Rootsart, G2KR	Carmel Bay SMCA	Central	Modify	Unclear if within Commission authority	Scientific collecting permit/restoration: Allow spore dispersal by sporophyte bags without an SCP.	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; restore kelp forest
2023-23MPA_16	Keith Rootsart, G2KR	Point Lobos SMR	Central	Modify	Classification /Take	Allow unlimited urchin removal	Restore kelp forests.
2023-23MPA_17	Keith Rootsart, G2KR	Point Lobos SMR	Central	Modify	Unclear if within Commission authority	Allow pruning kelp canopy to promote growth and resilience to storms without an SCP.	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; protect restored kelp forest from storm damage.
2023-23MPA_18	Keith Rootsart, G2KR	Point Lobos SMR	Central	Modify	Unclear if within Commission authority	Allow out-planting kelp on the reef without an SCP.	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; restore kelp forest

Tracking ID	Petitioner	Affected MPA	Bio-region	MLPA Action Category	Action Type	Proposed Action	Justification as Stated by Petitioner
2023-23MPA_19	Keith Rootsart, G2KR	Point Lobos SMR	Central	Modify	Unclear if within Commission authority	Scientific collecting permit/restoration: Allow spore dispersal by sporophyte bags without an SCP.	The SCP process is difficult to navigate which makes it harder to protect and restore kelp forests; restore kelp forest
2023-23MPA_20	Keith Rootsart, G2KR	N/A	Central	Establish	Establish new MPA	Establish a new SMR at Tankers Reef	Protect restored kelp forests; improve diver safety from fishing boat propellers and fishing gear.
2023-23MPA_21	Keith Rootsart, G2KR	Not specified	Central	N/A	Unclear if within Commission authority	Create regulatory pathway to allow placing of artificial reef structures and sunken ship for recreational diving.	Create new habitat for kelp and other marine life; expand diving opportunities.
2023-23MPA_22	Keith Rootsart, G2KR	Not specified	Central	N/A	Unclear if within Commission authority	Allow placement of buoys in restoration areas	Protect substrate from anchors in restored kelp forests.
2023-23MPA_23	Keith Rootsart, G2KR	Not specified	Central	N/A	Non-regulatory	Develop a framework to evaluate and approve appropriate restoration and mitigation actions within MPAs and marine managed areas	Allow restoration activities in MPAs.
2023-23MPA_24	Keith Rootsart, G2KR	Not specified	Central	N/A	Unclear if within Commission authority	Establish a new process in CDFW's scientific collecting permit program for restoration permits	The SCP process is difficult to navigate; wants to conduct restoration without scientific design to test effectiveness of methods.

Tracking ID	Petitioner	Affected MPA	Bio-region	MLPA Action Category	Action Type	Proposed Action	Justification as Stated by Petitioner
2023-23MPA_25	Keith Rootsart, G2KR	N/A	Central		Non-regulatory	Consider proposed kelp restoration sites as G2KR adopted reefs for continued kelp restoration	Protect and restore kelp forests; continued community engagement.
2023-24MPA_1	Mike Beanan, Laguna Bluebelt Coalition	Laguna Beach no-SMCA	South	Modify	Boundaries	Extend the Laguna Beach SMCA no-take regulation down to the southern border of the city of Laguna Beach	Make enforcement easier and more consistent with the same regulations covering the entire city; more effective outreach and education; overharvesting and substrate degradation adversely affects kelp beds in the Dana Point SMCA; the MLPA Master Plan for MPAs says to protect rocky habitat containing kelp; climate change leads to kelp decline so the area needs to be protected from fishing pressure; line of lobster trap buoys creates virtually impenetrable wall to migrating whales; supported by many Laguna Beach residents.
2023-25MPA_1	Burton Miller, Co-chair, Catalina MPA Collaborative	Blue Cavern Onshore SMCA	South	N/A	Non-regulatory	Change color of no-take SMCA from purple to red on maps	A Catalina MPA Collaborative consensus; there are accounts of fishing and poaching observed within the SMCA; a color change would create consistency in and simplify outreach and education materials.
2023-25MPA_2	Burton Miller, Co-chair, Catalina MPA Collaborative	Casino Point SMCA	South	Modify	Allowable uses	Remove the allowance for feeding fish	A Catalina MPA Collaborative consensus; it is against the intent of MPAs; can change fish behavior; public safety issue due to fish aggression.
2023-25MPA_3	Burton Miller, Co-chair, Catalina MPA Collaborative	Casino Point SMCA	South	N/A	Non-regulatory	Change color of no-take SMCA from purple to red on maps	A Catalina MPA Collaborative consensus; color change would create consistency in and simplify outreach and education materials.



Tracking Number: (2023-23MPA)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Keith Rootsart

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: Keith@g2kr.com

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Sections 200, 205(c), 265, 399, 1590, 1591, 2860, 2861 and 6750, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code.

3. Overview (Required) - Summarize the proposed changes to regulations:

Kelp Restoration

Multiple methods in 3 SMCAs and 1 SMR.

Kelp Protection by Redesignation

Edward F. Ricketts State Marine Conservation Area to Edward F. Ricketts State Marine Reserve.

Pacific Grove Marine Gardens State Marine Conservation Area to Pacific Grove Marine Gardens State Marine Reserve.

Carmel Bay State Marine Conservation Area to Carmel Bay State Marine Reserve.

Kelp Protection by Designation

The Tanker's Reef enforcement area as Tanker's Reef State Marine Reserve.

Permission to deploy buoys

Prevent anchor damage to rocky reef denizens,

Navigation aid for kelp restoration activities.



Regulatory Pathway for
Sunken ship and other artificial reef structures

SCP Framework Changes
Management of Kelp Restoration

Public Outreach
Adopt a Reef for Kelp Restoration

4. Rationale (Required) - Describe the problem and the reason for the proposed change:

This [Giant Kelp Restoration](#) petition advances MLPA [goals](#) 1-6 and has strong community support of volunteers and grassroots funding. The MPA Collaborative network [lists](#) many of these issues on rows 77, 78, 83, & 88, and was supported by all present at the Monterey MPA Collaborative Meeting at Asilomar, August 16, 2023.

This petition is in alignment with the [prioritized recommendations](#) from the California Marine Protected Area Decadal Management Review, [near-term Priorities \(ongoing- 2 years\)](#), Cornerstone Governance, Regulatory and Review Framework, Recommendation 04. Apply what is learned from the first Decadal Management Review to support proposed changes to the MPA Network and Management Program. Also: Management Program, Policy and Permitting 18: Utilize OPC's Restoration and Mitigation Policy to develop a framework to evaluate and approve appropriate restoration and mitigation actions within MPAs and MMAs

Kelp Restoration

Due to widespread urchin barrens following the 2014-2016 marine heat wave and kelp biomass decline in central and northern California, kelp restoration is a proven remedy by scuba divers culling urchins to suppress grazing pressure. Early [results](#) at Tanker's Reef in Monterey have shown that divers culling urchins results in natural kelp recruitment and survival.

This petition will allow certified Kelp Restoration Specialty Divers, recreational and commercial fishermen, to participate in a Regenerative Fishery which suppresses grazing pressure from urchins and promotes giant kelp survival in three State Marine Conservation Areas: Edward F. Ricketts, Pacific Grove Marine Gardens, and Carmel Bay State Marine Conservation Areas and in "Whaler's Cove", a portion of the Point Lobos State Marine Reserve.

The methods will involve multiple techniques to suppress grazing pressure on kelp and to enhance kelp recruitment and survivorship and are explained in further detail in [Blueprint for Kelp Restoration in Monterey](#).

Suppression:

Hand culling of urchins.

Commercial harvest of urchins for urchin ranching and food sales.

Baiting & trapping urchins.

Utilizing natural defenses of acid weed.



Removing invasive marine algae.

Benefitting:

Pruning kelp canopy to promote growth and resilience to storms.

Out-planting kelp on the reef.

Spore dispersal by sporophyte bags.

Artificial reef structures.

All the methods employed will be detailed, discussed, and approved by the [Department](#) and work would be performed in coordination with other restoration activities. [Reef Check California](#) is our monitoring partner and will perform modified kelp forest monitoring surveys of the treated sites and controls. Reports on the project criteria will be discussed bi-weekly with the Department and as requested by the FGC.

We are asking that these kelp restoration methods be permitted without a SCP both inside and outside MPAs and will involve changes to sportfishing regulations to allow unlimited culling of urchins by hand tools, deploying sporophyte bags, etc. We ask that recreational fishermen be allowed to trap, harvest, capture for research, and cull urchins. Commercial fishing regulations will require a restoration exception to harvesting urchins in MPAs and exemption to the [wanton waste rule](#) for kelp restoration activities to allow commercial fishermen to cull urchins that are below the 4.5 cm minimum useful harvest size or for commercial divers to alternate between commercial and recreational fishing.

Kelp Protection by Redesignation:

The MPAs were mapped without considering the possibility of a native invertebrate species becoming overabundant and gobbling up most of the algae in the ecosystem combined with the Department's unwillingness to address that crisis. Urchin barrens have occurred sporadically for millennia as evidenced by the millions of urchin-made holes in the benthos at Tanker's Reef. 250 years ago, when southern sea otters were nearly extirpated by the fur trade, the abalone and urchins flourished and for 125 years kelp disappeared from the central coast until abalone were eventually overfished and take banned south of San Francisco in [1997](#) and giant kelp again became dominant. In 2007, the central coast MPA rules were formed to prohibit the take of any invertebrates, relying on a written provision for "restoration" as an "allowed" activity in MPAs but the Department does not "permit" restoration because they have conjured a de facto contradictory 7th goal of MPAs to "not disturb" them.

In Monterey the community led group Giant Kelp Restoration Project has successfully defended a kelp forest at Tanker's Reef and is aspiring to restore large kelp forests on both sides of the Monterey Peninsula by SCP. FGC would not consider petitions allowing take of invertebrates in the SMCAs & SMRs until the [Decadal Management Review](#) could be completed. Now that the DMR has passed, this petition is seeking to begin the Adaptive Management Review Cycle for the central coast MPAs that have remained unmodified since 2007.

Kelp forests need protection from fishing pressure which has detrimental effects on species richness and kelp biomass. By designating the areas of kelp restoration as State Marine Reserves, fishing pressure will be considerably reduced. This is safer for the volunteer divers involved to avoid fishing boat traffic or getting hooked by fishing gear while diving.



The MLPA is now administered in 3-year Adaptive Management Review Cycles and there is now flexibility in addressing the kelp crisis in a way that accomplishes the MLPA goals but also does not harm the environment in a long term, unforeseen and unwanted way that occurred on the central coast for the last 16 years. The [G2KR](#) projects at Lovers Cove and at [Tanker's Reef](#) demonstrated that the effort of the certified volunteer divers can be consistently and positively directed to restore kelp forests. Restoration work in these clearly described and familiar MPA boundaries would avoid confusion and guide diver effort in a predictable and effective strategy. In an Adaptive Management Review Cycle these methods can be continuously evaluated and adapted to the evolving stressors in the environment and as our knowledge, techniques, and capabilities at restoring kelp similarly evolve.

In future Adaptive Management Review Cycles the consequences of kelp restoration can be reviewed and the FGC may consider applying these methods more broadly, changing allowed methods, and allowing fishing under modified conditions. The other Monterey SMRs are acting as “controls” without treatment, but in the next review cycle we may ask for those SMRs to be treated as well in order to halt urchin migration and to achieve our goal, pledged to the [Kelp Forest Alliance](#), to restore 2000 acres of giant kelp around the Monterey Peninsula by 2030.

[Research](#) shows the reduced fishing pressure in places where fish are born will be beneficial to the fishery in the future when more fish live to adulthood and make more fish. In the future the kelp situation may change, and these places may be opened again in future management cycles to fishing for selected species, or in coordination with scientific monitoring protocols. The three State Marine Conservation Areas mentioned presently have diminished fish stocks and species richness and could benefit from a temporary fishing prohibition. This closure, in coordination with kelp restoration, will benefit adjacent areas with the “spillover effect” of the MPAs providing better fishing opportunities for participants.

This closure would not affect commercial fishermen who are prohibited from fishing in SMCAs already, but mostly the recreational fishermen who fish from shore. The fishermen fishing from boats are typically fishing further from shore because the fish are not as plentiful in the nearshore SMCAs now that the kelp has thinned. Although this closure would prohibit fishing at the Monterey Breakwater parking lot, there is still accessible fishing at the Commercial Wharf. Surf fishing from shore is generally not done at the Tanker's Reef area but further to the north at Sunset, Seacliff and New Brighton State Parks.

There are some fishermen that fish on the west side of Lovers Point and the north side of Point Pinos that would be displaced in a portion of the Pacific Grove Marine Gardens SMCA that is frequented by tourists and rented out by Pacific Grove for [weddings](#). To mitigate the loss of this fishing opportunity we recommend the replacement of the Del Monte Bathhouse [Pier](#), by others. It is not fair that our community group of volunteers is working hard to restore kelp and suppress kelp grazers while the state licenses individuals to fish in the same place and time with activities that are detrimental to that same kelp's growth and survival while also endangering diver's lives with propellers and fishing hooks.

The [Central Coast](#) Regional Stakeholder Group's intent during regional MLPA planning process (including MPA-specific goals/objectives and design considerations), adopted in April



2007, was found to be aligned with our proposal to improve the conservation status. In the [Regional Goals Design Considerations #3](#). "To the extent possible, site MPAs to prevent fishing effort shifts that would result in serial depletion" is what has happened in these places due to fishing pressure being concentrated in only a few accessible places. Redesignating the SMCAs as SMRs aligns with the original intent of more fishing prohibitions at two sites and stopping serial depletion of species at all three sites.

[Edward F. Ricketts SMCA](#) was proposed by the [RSG](#) to be split as half Edward F. Ricketts SMCA and half Edward C. Cooper SMR so the original intent was to make the area closest to the breakwater into a SMR. John Wolfe, Diving representative to the Regional Stakeholder Group, recalled that a disabled veteran testified that the breakwater was the "only place he could fish" so fishing by hook and line was decided to be allowed. There was a favorite wolf eel that lived on the wall and a spearfisherman shot it and threw it in a garbage can and divers were outraged so fishing by spear was not allowed on this site and the site is partially closed to fishing already. The fishermen fishing off the breakwater wall is a constant danger to divers at this most popular dive site on the west coast of North America and for safety it must stop. There is disabled access at the municipal wharf for fishermen.

[Pacific Grove Marine Gardens SMCA](#) was proposed by the [RSG](#) to be an SMR north of Point Pinos. Presently the delineation between Asilomar SMR and PG Marine Gardens SMCA is at Point Pinos, so the original intent was to make a large portion north of the peninsula protected as a SMR. This was the first area impacted by widespread urchin barrens in 2015 and is a high priority site for kelp restoration.

[Carmel Bay SMCA](#) was implemented as designed but has poor fishing opportunities and depletion of species because it is the only accessible fishing place south of the Monterey Peninsula until Malpasos Creek south of Point Lobos SMR. The loss of kelp forests exacerbates the problem because rockfish are born in kelp forests and take 8-10 years to reach maturity.

These MPAs were all [described](#) as "High Priority" sites by OPC's [research](#) that would have the highest probability of kelp restoration success.

Kelp Protection by Designation:

We propose that the Tanker's Reef enforcement area be designated the Tanker's Reef State Marine Reserve (working title). This kelp forest was created by volunteer divers and is very vulnerable from fishing pressure because it is outside of MPA fishing prohibitions. Routinely fishermen in boats and kayaks take fish at the 11 acre kelp forest. The experimental 2.5-acre underwater cable grid is studied by OPC, CDFW, MBNMS, and Reef Check California. We try very hard to reduce externalities as much as possible to determine a natural process of kelp reforestation. Fishermen taking fish is an externality for the scientific design and confounds the results. Fishing gear often becomes entangled in underwater navigation cables used to guide divers. Furthermore, boat propellers are a threat to injure scuba divers in the area under the water.

Designating this area as a State Marine Reserve will also protect more sandy habitat at Del Monte Beach, the most eroded beach in California, at a time when the beach is nourished after the closure of [sand mining](#) in Southern Monterey Bay and studied by [USGS](#).



In the [Regional Goals Design Considerations #8](#), “To the extent possible, site MPAs to take advantage of existing long-term monitoring studies” is consistent with designating Tanker’s Reef, the site of CDFW/MBNMS and Reef Check surveys, as a State Marine Reserve.

Permission to deploy buoys

Boat anchors on rocky reefs often disturb sensitive marine habitat with their heavy chains scraping in an arc from the anchor to the boat. In a sensitive kelp restoration site that has frequent visits, dropping and recovery of the anchor disturbs the kelp we are trying to defend. By deploying a temporary buoy that the boats can attach to instead of dropping an anchor, the kelp is not disturbed. The use of buoys also aids the divers in the kelp restoration activity by providing underwater visual markers to guide where to cull the urchins and protect the kelp.

This petition seeks to allow seasonal deployment of certain colored and well-maintained buoys to be deployed in kelp restoration areas for the purpose of directing boats where to anchor and to direct divers for the purpose of kelp restoration.

Regulatory Pathway for an Artificial Reef:

Since 2010 Scuba divers have expressed an interest in diving on a sunken ship in Monterey Bay and this was proposed by the community group California Ships to Reefs and studied by the Office of National Marine Sanctuaries [in 2012](#). In 2017 Artificial Reefs was established as a priority for Monterey Bay National Marine Sanctuary Advisory Council. This was proposed to CDFW, but because the State has never permitted an artificial reef in State waters, this was never permitted. However, there are 52 other [artificial permitted reefs](#) in California including the Wheeler North Reef in Southern California. created in 2008.

Creating a shipwreck in protected nearshore waters deep enough to not be displaced by winter storms would be of interest to the scuba diving community. It will also serve as a unique scientific baseline to observe what is the order of marine life formation on a “blank” surface. It may also be beneficial to plant kelp on [artificial structures](#) better suited to kelp growth and marine aquaculture. This petition seeks a pathway for the FGC to determine if an artificial reef is in the public interest and establish an application process to obtain permission from CDFW and other state and federal agencies.

This request is in alignment with the [prioritized recommendations](#) from the California Marine Protected Area Decadal Management Review, near-term Priorities (ongoing- 2 years), Cornerstone Governance, MPA Statewide Leadership Team and Partner Coordination 09. Continue to coordinate and collaborate with OPC and other agencies on California’s ocean and coastal priorities to enhance coastal biodiversity, climate resiliency, human access and use, and a sustainable blue economy.

SCP Framework Changes

Management of Kelp Restoration

This petition is in furtherance of the [prioritized recommendations](#) from the California Marine Protected Area Decadal Management Review, near-term Priorities (ongoing- 2 years), Cornerstone Management Program, Policy and Permitting, Recommendations 17. Improve the application and approval process for scientific collecting permits. And 18. Utilize OPC’s



Restoration and Mitigation Policy to develop a framework to evaluate and approve appropriate restoration and mitigation actions within MPAs and MMAs

We propose to establish a new process in CDFW's Scientific Collecting Permit program for Restoration Permits. Presently the process available for the Department to manage restoration projects in marine ecosystems is the Scientific Collecting Permit process where applicants submit applications for \$71.62 and pay \$269.08 for a [Special Use Permit](#) to operate a project with certain methods, species take restrictions, and reporting requirements. We request similar fees for Kelp Restoration Permits.

In our 2018 SCP permit with Reef Check we were not able to amend the permit to take sufficient red urchins and we had to abandon the project. In our 2 attempts to obtain SCPs for kelp restoration methods we were denied. Our pre-application to cull urchins in 3 SMCAs has been in process for 18 months before we can submit it into the SCP portal. The problem is that kelp restoration seeks to change a grazer species population within the defined area, but "Decision Tree" limits the take of species to not affect and change a species population within the area. This leads to situations where kelp restoration experiments are impossible because the number of permitted animals to take is very small and not enough to benefit the recruitment and survival of kelp forests. This led to the abandonment of our experiment at Lovers Cove in year 3 when we couldn't remove sufficient red urchins.

The scientific method requires isolation of treatment methods and establishment of a control area. This places a limitation on kelp restoration practitioners to only employ singular methods when the best results are possible using [multiple methods](#). This also restricts the kelp restoration activities by attempting to answer scientific questions where the goal is simply kelp restoration and this scientific component is best accomplished by science divers rather than certified kelp restoration specialists. Once a permit application is obtained it is difficult to change as new discoveries are made that affect kelp survivorship and the process to attempt to amend a permit takes over a year. At the end of the typical 3 year SCP permit period the treatment must stop, and the 5 year post-restoration monitoring period begins. This is contradictory to the goals of kelp restoration and has led to similar abandonment of work in the treatment area at Tanker's Reef where the effort is desired to be continued by the volunteers, but because the experiment stops after 3 years, the divers are not allowed to come back and tend the kelp forest they successfully created and defended. The extension of Tanker's Reef is "noticed" at the FGC and hopefully will be extended 5 years, but the point is that restoration should lead the activity and scientific experiments should evaluate, but not interfere with, or seek to end, the restoration effort.

Kelp Restoration is an allowable activity in SMRs, and now with the unanimous passage of [AB63](#), in SMCAs as well. However, restoration is allowed but not permitted. Our attempt to obtain a [Restoration Management Permit](#) was denied because the law does not address conspecifics. The Department could issue a Letter of Authorization, similar to the one written for the Monterey Bay Aquarium to repair intake pipes, but that is not available to us for inequitable reasons that support the built environment over the natural environment. The only available process we are told is available to us is the SCP process, which is exceedingly slow and inappropriate mechanism which, by rule, restricts the restoration activity to being deliberately inconsequential to improving the health of the MPA.



To remedy this, we petition that the Department establish a “Restoration” category in the SCP process that would allow restoration methods, coordinate with CDFW Research, and establish periodic reviews of restoration efforts, allow for 10-year project durations, and allow take of overpopulating species until the species reaches the threshold density observed pre-marine heatwave of 2014.

Additional comments on the SCP Portal and Process are that the website interface is very clunky and time consuming to complete, especially when submitting for take of multiple species at multiple locations and the program slowly populates look-up tables. The response to permit applications is not transparent, we never know who made the comments and there is not an ability to clarify and discuss the commenter’s concerns. There is not an opportunity to have a conversation of what would be acceptable, only a rejection and it becomes incumbent on the petitioner to apply again and guess what would be acceptable. We ask that these issues be repaired in the SCP software and Restoration Project approval process.

Public Outreach

This petition asks the FGC to affirm kelp restoration as public policy in MPAs and to celebrate community collaboration in kelp restoration, mitigating climate change, and conserving biodiversity in public outreach to stakeholders and encourage ocean stewardship. At the October 12 [FGC meeting](#) the commissioners suggested kelp practitioner leadership be unified under an “Adopt a Reef” community program, which is a wonderful idea, and we ask the commission to consider our proposed sites as G2KR adopted reefs. We ask that FGC and the Department promote kelp restoration collaboration on their website and in public outreach. This is [prioritized](#) in California Marine Protected Area Decadal Management Review, near-term Priorities (ongoing- 2 years), Cornerstone Management Program, Outreach and Education, Recommendation 16. Conduct more targeted outreach to specific audiences to connect stakeholders with coastal resources and to encourage stewardship and compliance with regulations.

Thank you for considering our petitions! In our effort to be succinct and consolidate seven petitions into one, we reduced arguments in favor of the proposal yet still exceeded 5 pages. Additional rationale/justification is available upon request and may be presented at future FGC meetings.

SECTION II: Optional Information

5. **Date of Petition:** 11/29/23
6. **Category of Proposed Change**
 - X Sport Fishing
 - X Commercial Fishing
 - Hunting
 - X Other, please specify: MPAs, Section 6.32



- 7. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*
 Amend Title 14 Section(s): 29.06 and others.
 Add New Title 14 Section(s): 29.06 and others.
 Repeal Title 14 Section(s):
- 8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition 2021-025 & 2023-02**
Or Not applicable.
- 9. **Effective date:** If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: 4/1/24
- 10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: See blue links in this document and supporting documents [here](#).
- 11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: See Recreational Sea Urchin fiscal impact study in October FGC Meeting materials [here](#).
- 12. **Forms:** If applicable, list any forms to be created, amended or repealed: N/A

SECTION 3: FGC Staff Only

Date received:

FGC staff action:

- Accept - complete
- Reject - incomplete
- Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action:

Meeting date for FGC consideration:

FGC action:

- Denied by FGC
- Denied - same as petition

Tracking Number

Granted for consideration of regulation change



Carmel-by-the-Sea

Nova Romero <nromero@ci.carmel.ca.us>

Please share with City Council Members

1 message

Winona Stewart <[redacted]>

Tue, Jul 9, 2024 at 12:05 AM

To: nromero@ci.carmel.ca.us

Cc: Karyl Hall <[redacted]> Neal Kruse <[redacted]>

Dear Nova,
Please forward this email to the city council before Tuesday's meeting (7/9) at 4:30pm.

As residents who have owned our home here for 20 years, we are not happy about the proposed project involving the Hofsas House/Legacy Hotel. It is such a large project and sure to go on for years. We also feel the place has historic value and should not be destroyed. Carmel by the Sea should be protected from developers who want to change our quiet and quaint village by creating large and modern buildings.

We're also unhappy about how fast this has been sliding in without proper input from the community. Please don't set a new trend with this by destroying a part of our history to build modern monstrosities which go against the idyllic and serene atmosphere of our town.

Thank you,
Winona Stewart
Austin Keegan
Carmel by the Sea

City Council
Meeting Date

JUL 09 REC'D

Agenda Item

8



Constructors, Inc.

City Council
Meeting Date

3160 Ocean Terrace
Marina, Ca 93933, CSLB#972926
www.silcon-inc.com
email contact-
Dan, Sr. DSilverie@silconconstructors.com
Dan, Jr. danieljr@silconconstructors.com

REC'D

Agenda Item

8

Noise:

Construction is anticipated to take 30 months. Equipment would include tractors, loaders, a backhoe and forklifts. No pile driving is proposed. Noise generated during excavation, grading, site preparation, and building erection on the project site would result in potential noise impacts on off-site uses. Existing receptors in the vicinity, such as the adjacent residential uses on Camino Del Monte, San Carlos Street, 4th Avenues and Dolores Street would be subject to short-term noise generated by construction equipment and activities on the project site. These temporary impacts are not anticipated to create significant effects. To reduce these potential impacts Silcon Constructors will apply:

- Hours of construction: Construction and demolition activities are restricted to the hours of 8:00 a.m. to 4:00 p.m. weekdays and Saturdays from 8:00 a.m. 12:00 a.m.
- All construction equipment used in the City of Carmel by the Sea must be equipped with appropriate sound muffling equipment, which must be properly maintained, and always used such equipment is in operation.
- Temporary Sound Wall: During construction to minimize and reduce noise Silcon Constructors plan to implement a temporary portable sound wall. Specifically used to mitigate sound these walls and are easy to install and maintain. For reference please view this web page for further details or see the attached documents and specifications

<http://www.silconconstructors.com>

Air Quality: Air quality impacts due to the project would be in the form of vehicle emissions during operation of the project, and fugitive dust, odors, and construction equipment emissions during construction of the project.

The implementation of the proposed project would not result in any new sources of Toxic Air Contaminants (TACs), and the project would not be located near any existing major sources of TACs. Fugitive dust emissions are generally associated with demolition, land clearing, exposure of soils to the air, and cut and fill operations. For this project, demolition and grading activities are closely monitored, and proper notifications are sent prior to demolition scope of work to Monterey Bay Air Resource District (MBARD) The purpose program is to protect the public from uncontrolled emissions and noise through implementation and enforcement programs that are heavily monitored by MBARD.



Constructors, Inc.

During construction, various diesel-powered vehicles that would be used would create localized odors. These odors would be temporary and are not likely to be noticeable for extended periods of time beyond the construction area. Construction activities cause combustion emissions from utility engines, heavy-duty construction vehicles, equipment hauling materials to and from construction sites and motor vehicles transporting construction crews. The use of construction equipment results in localized exhaust emissions. As part of the conditions of approval, the City would require conformance with MBARD and their requirements for demolition and construction to reduce particulate matter and diesel emissions.

Traffic:

During construction of the project, there will be additional vehicles in the vicinity of the project site, including construction equipment vehicles, deliveries and contractor personal vehicles. The conditions of approval require implementation of a construction management plan to manage truck routes, construction vehicle circulation and parking, and potential sidewalk closures. With implementation of the construction management plan over the 30-month construction period, traffic impacts during construction are not anticipated to have significant effects.

Pre-Construction

We recommend a pre-construction meeting with the Public Works Director, Carmel P.D., neighbors, business owners, hotels and restaurants who will be directly impacted with traffic and their proximity of the project site. At this meeting we would like to gather contact information preferably an email address to send the entire group the air quality notifications, traffic delays, or detours due to closed streets, and safety vehicles access to neighbors and businesses, hotels and restaurants that will be directly affected with delays.

Damages to Existing Structures

After we survey and stake the existing properties and prior to any demolition or mobilization of any construction a video survey will carefully dictate existing conditions of neighboring properties highlighting foundations, walls, retaining walls, storm drain run-off, or any potential conflicts with the new project and its structures. Existing walls, structures or buildings that sit upon, share or are near the proposed work will be GPS monitored for current position. During construction operations a continuous monitoring of existing structures will remain in place during construction. The GPS monument points will alert immediately if any settlement begins that would cause cracking.



Carmel-by-the-Sea

Nova Romero <nromero@ci.carmel.ca.us>

Please share with City Council Members

1 message

Winona Stewart <[redacted]>

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City Council Meeting Date

JUL 09 REC'D

Agenda Item

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July 9, 2024

City of Carmel-by-the-Sea City Council
P. O. Box CC
Carmel-by-the-Sea, CA 93921

RE: City Council Agenda, July 9, 2024, Item 8

Dear Members of the Carmel City Council,

I am writing to express my strong support for the Hofsas House project and to urge you to deny the recent appeal against its approval. This project enjoyed near-unanimous public support at the approval hearing, with the sole dissenting voice being the filer of the appeal. The appeal, filed despite this overwhelming endorsement, seems obstructive and counterproductive.

The project has undergone extensive community consultation, including two community meetings, hearings before the Planning Commission and Historic Resources Board in December 2023, and the Planning Commission hearing on April 10, 2024, where it received unanimous approval. The Hofsas House team actively engaged with neighbors and concerned residents throughout these consultations, incorporating their feedback into the project design. Many initial critics have since become supporters upon realizing the project's smaller-than-expected scope.

The staff report addresses the concerns raised in the appeal, such as potential impacts on traffic, parking, noise, and air quality during demolition and construction. These impacts will be mitigated in accordance with applicable laws, ensuring that the project proceeds responsibly and with minimal disruption.

Given the significant revisions made in response to community feedback and the strong support demonstrated at every stage, I urge you to uphold the Planning Commission's decision and deny the appeal. The Hofsas House project represents a thoughtful, well-considered development that will benefit Carmel by enhancing its aesthetic, preserving its heritage, and improving parking infrastructure.

Thank you for your consideration.

Sincerely,

Mark Watson
General Manager

JUL 09 REC'D

To: Carmel City Council
Re: JB Pastor Project

Agenda Item

N/A

Thank you for reviewing my comment, which is specific to P1-27 of the Carmel-by-the-Sea Land Use and Community Character Element Plan. (Link retrieved from: https://ci.carmel.ca.us/sites/main/files/file-attachments/land_use.pdf?1510257768)

« P1-27 Continue to ensure that development, whether commercial or residential, does not diminish the village character by excessively blocking important public or private views »

Using the story poles and the online renderings from the Esperanza website (link below), I have ascertained that approximately 75% of the view and more importantly the light from my bedroom's picture window will be taken away by a JB Pastor Project wall that will rise to above my current view from Stone House Terrace, where I live. My view might not be deemed « important » by Esperanza and its architects but it is very important to me. I rely on the afternoon sun, especially in winter, to provide warmth for my bedroom; and, objectively, placing a wall a few feet out from my window and terrace will create a dungeon-like environment in a space where I spend many hours a day, as I use it as my bedroom and my office. Additionally, I would never use a terrace facing a wall. I don't own my unit, but I want to point out that the value of my apartment unit will be greatly diminished should this project, in its current form, be built.

I find it hard to understand why this project was designed to intentionally block an existing view. This doesn't seem in keeping with Carmel's ethos of neighborliness. Certainly, a long-existing property should be given priority consideration by the city over a project that has not yet been built, even if the new project's owner has threatened to walk away from two projects, if a quid pro quo is not provided by the city. (Carmel Pine Cone, Aug 4-10, 2023. Retrieved from: <http://pineconearchive.fileburstcdn.com/230804PC.pdf>)

Below please see a screenshot of a photo of my building and bedroom window (left) and a rendering from the Esperanza website that shows a man (my view) looking into a wall, with just a sliver of space where he (I) might see the sky if I crane my head. If lucky, according to this rendering, I might get half an hour a day of indirect sunshine.

The pole story also shows that the new building will create a solid wall effect from just south of the 7D main building to the south edge of the property, eliminating most of my direct views, including a partial ocean view, from my bedroom window.

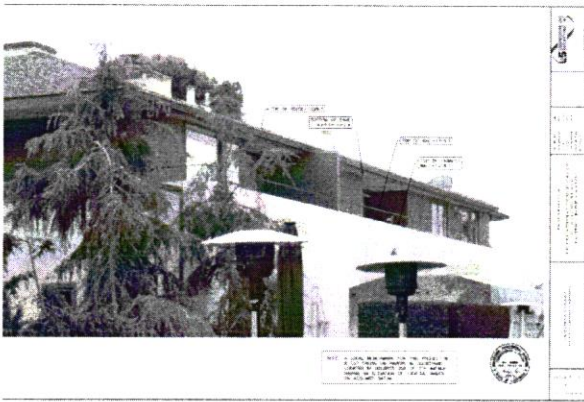
While I appreciate that Mr. Pastor is seeking to provide more residential units in a city that needs them and that he has attempted to do his due diligence and yet has been systematically frustrated in gaining approval for various projects, I also believe Mr. Pastor should consider the impact of his building plans on his neighbors, especially in light of city land-use policy.

Please see below two photos and a rendering from Esperanza Carmel. Below snap retrieved from:
<https://carmel.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=11186&ItemID=5635>

Thank you for your time and thoughtful consideration of this comment.

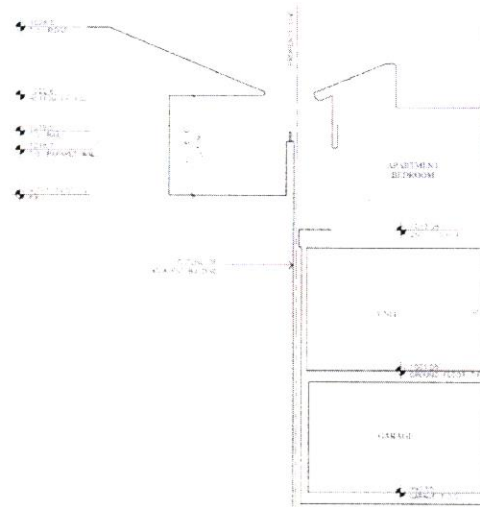
Claire Fay

ADJACENT BUILDING

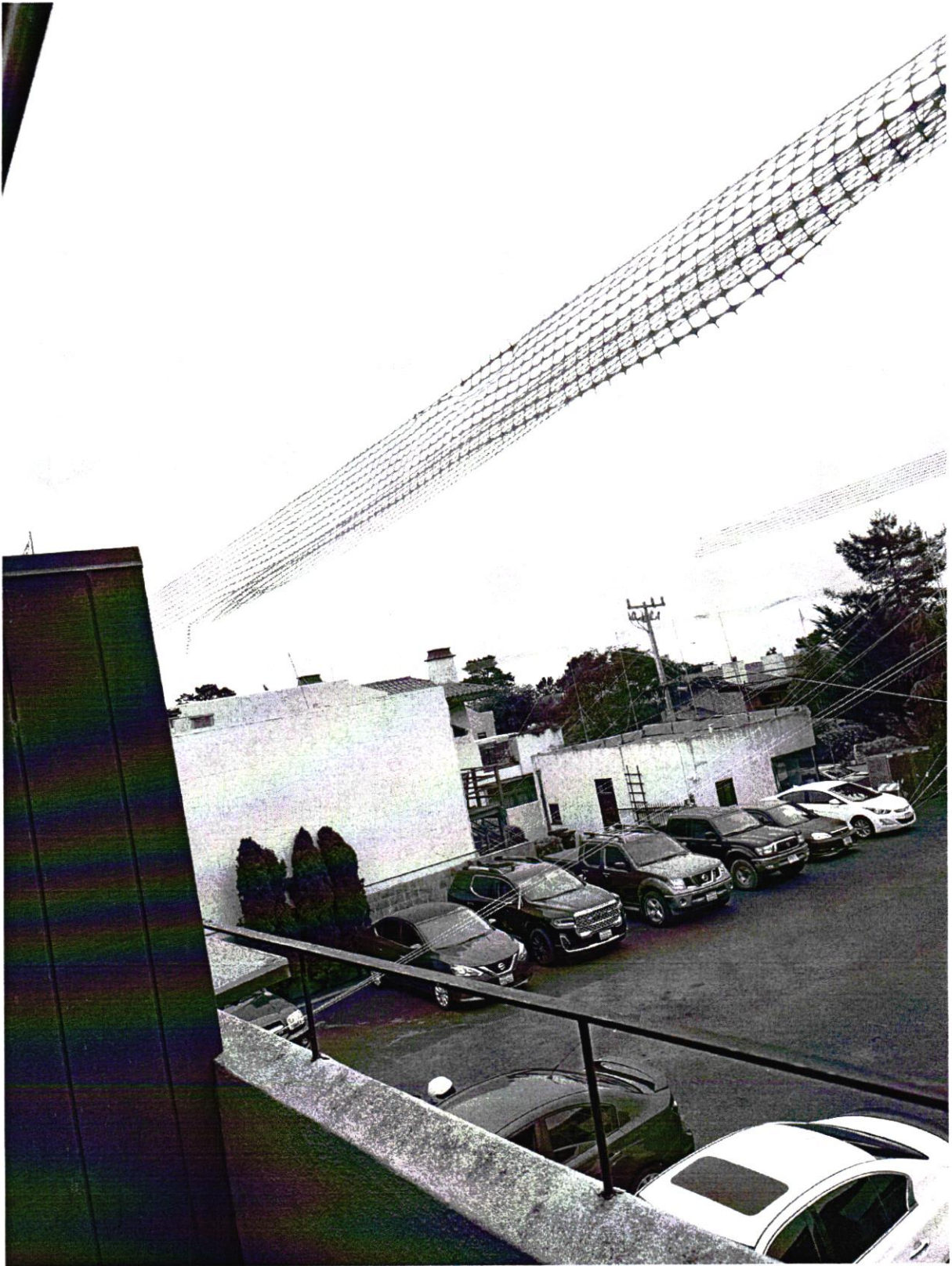


ADJACENT BUILDING

ADJACENT BUILDING



SECTION THRU ADJACENT BUILDING





Carmel-by-the-Sea

Nova Romero <nromero@ci.carmel.ca.us>

APP 24118 (Hofsas House, inc)

1 message

Keith Hawes <[REDACTED]>
To: cityclerk@ci.carmel.ca.us

Tue, Jul 9, 2024 at 11:39 AM

We are concerned by the placement of the pool, close to Dolores & right next to the wall of Svendgaard's Inn. The wall's reflection of the loud noises that accompany a pool and the placement close to Dolores could cause disturbances to the residents on Dolores North of 4th.

Tucking the pool back by the rooms would provide more of a buffer for the noises, and help preserve the peace and quiet we've come accustomed to on our street.

Keith

City Council
Meeting Date

JUL 09 REC'D

Agenda Item

8



Carmel-by-the-Sea

Nova Romero <nromero@ci.carmel.ca.us>

A plea for proper addresses in Carmel-by-the-Sea

1 message

Maria Ruess [redacted]
To: cityclerk@ci.carmel.ca.us
Cc: Maria Ruess [redacted]

Mon, Jul 8, 2024 at 7:48 PM

City Clerk, Carmel-by-the-Sea.

This letter is for the Mayor and City Council members. Please forward it to all of them in advance of the July 9 City Council meeting and archive it with the record for that meeting.

I live and own a home in Carmel-by-the-Sea at [redacted]. Additionally, I vote here. I am concerned about the lack of proper addresses in our beautiful city and urge the city to proceed with the implementation of a numbered-street address system as soon as possible. I am very excited knowing that the agenda for the July 9, 2024 City Council meeting includes this very important topic.

Not having addresses is a health and safety issue as it can delay response times for first responders such as fire or police in response to a 911 call. Delays can have significant negative impact on outcomes and the city may incur liability as an entity that can implement addresses but has not.

I had the opportunity to experience this situation first hand when my late neighbor fell multiple times in her home, reaching out to me for help, and I had to call 911 to get assistance and had to call my husband so he could stand out in the street waving down the emergency responder here in Carmel. This situation occurred multiple times. She reported to us that prior to knowing us her routine was to drag herself across the floor to the front stoop as it would make it easier for responders to find her. It's sad that she felt it necessary to plan this way. Obviously, if a 911 caller is alone and unable to go outside, there will be no one in the street helping.

I do worry that the city could be liable for a worse outcome due in part to a delayed response. This could be more property damage caused by not putting a fire out when it was small, loss of life in the precious moments lost due to a later administration of first aid or later arrival time at a hospital, or a more severe outcome (property or person) as part of a crime. Time matters in emergency response and simple addresses (number and street name) will facilitate quick reaction and minimize response time. Inaction or delay in assigning addresses constitutes a decision to delay emergency response times and compromise health and safety in Carmel-by-the-Sea.

In addition, although not life threatening, it is very difficult for family and friends to easily find our home. It usually takes multiple tries and for someone to wait outside so that they can find our home. I do not think this is quaint but rather an unnecessary inconvenience.

Thank you,

Maria E. Rengifo-Ruess

City Council Meeting Date

JUL 09 REC'D

Maria E. Rengifo-Ruess (she/her/hers)

Agenda Item

7

From: **Stephanie Kirz** <[REDACTED]>
 Date: Tue, Jul 9, 2024 at 12:41 PM
 Subject: Support for Hofsas House Demolition and NEW HOTEL
 To: Marnie R. Waffle <mwaffle@ci.carmel.ca.us>
 Cc: Brandon Swanson <bswanson@ci.carmel.ca.us>, Brian Attorney Cell Carmel Brian E. Turlington 11/21 <[REDACTED]>, Carrie <[REDACTED]>

July 9, 2024

Greetings Brandon and Marnie.

As you know my stepfather was Fred Hofsas who built the Hofsas House along with Carrie's grandmother. I also own a 1929 Comstock cottage which I lovingly restored so I'm ALL ABOUT HISTORIC. But as we all know from past meetings December 2023 and April 2024 right here in CITY HALL the Hofsas House is NOT historic. And it is also not in any shape to retrofit to today's hospitality and ADA standards.

So let's let the private property owners, Carrie and her family, contribute to the future of our little town by building Carmel's first 5 star hotel. I acknowledge that Neal Kruse and the Carmel Preservation Association feel that it their duty to stop these private property owners from doing a good thing.

But I ask you HOW WOULD YOU LIKE IT IF THEY DID THE SAME THING TO YOU AND YOUR FAMILY?

Thank you for your consideration.

Stephanie

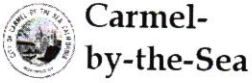
Stephanie Ager Kirz
 [REDACTED]

City Council
Meeting Date

JUL 09 REC'D

Agenda Item

8



Nova Romero <nromero@ci.carmel.ca.us>

JUL 09 REC'D

APP 24118 (Hofsas House, Inc.)

3 messages

Agenda Item

#

8

Tue, Jul 9, 2024 at 11:57 AM

Stephanie Locke <[redacted]>

To: Nova Romero <nromero@ci.carmel.ca.us>, Brandon Swanson <bswanson@ci.carmel.ca.us>

Dear Honorable Mayor Potter and City Council Members:

I urge you to deny the appeal of the Hofsas Hotel demolition and construction of The Carmel Legacy Hotel on the basis that there are appropriate CEQA exemptions cited in the staff report that clearly apply to this case. I was recused from participating in the Planning Commissions review of the project as I live nearby. However, I will definitely be impacted by the demolition and construction, and I fully support the proposed project.

The project will result in numerous benefits to the City of Carmel-by-the-Sea. In addition to upgrading the north end of town, the construction will replace old, outdated and ADA inaccessible hotel rooms with rooms available by elevator (not just stairs). The new building will also incorporate green building elements, providing guests and neighbors with improved views and landscaping and safer parking. A similar upgrade/update recently occurred down the street at the Stillwell Hotel.

CEQA. The Class 2 CEQA Exemption should have been included in the Planning Commission's review of the project in April 2024. From the 2024 CEQA Guidelines:

15302. REPLACEMENT OR RECONSTRUCTION

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

- (a)
- (b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.

The Class 2 exemption certainly applies to this project. Class 2, Replacement or Reconstruction, literally is the project, as proposed. There is no increase in the number of hotel rooms, and all proposed ancillary uses are appropriate and subordinate to the primary function as a full-service hotel.

Construction Impacts. Every project under construction in our village impacts the neighborhood to some extent for a limited time. The Theis family spent considerable time reaching out to the neighbors to inform them of the plans for the new building, and I am confident that their Construction Management Plan will be adequate. The City requires a Construction Management Plan that identifies delivery truck routes, parking, construction hours, noise restrictions, etc. The size of the site will also allow for on-site parking to some extent during construction, something that does not normally occur on other construction sites in our city.

The Monterey Bay Air Resources District (MBARD) enforces air pollution restrictions and the management of hazardous airborne materials that could potentially occur as the result of demolition. Staff contacted MBARD for this staff report and there was no concern. I would much rather have these hazardous substances removed than remain.

The appeal is inappropriate and should be denied. The CEQA finding made by the Planning Commission was appropriate and has been bolstered by the staff recommendation to include the Class 2 Exemption for Replacement and Reconstruction. The impacts cited in the appeal will be dealt with through the City's requirement for a Construction Management Plan. The end product, The Carmel Legacy Hotel, will enhance our village and will be a building to be proud of.

Thank you for your time.

Sincerely,

Stephanie Locke

Brandon Swanson <bswanson@ci.carmel.ca.us>
To: Stephanie Locke <carmelsteph@icloud.com>
Cc: Nova Romero <nromero@ci.carmel.ca.us>

Tue, Jul 9, 2024 at 12:00 PM

Received. We will forward to Council ASAP

Take care,

-Brandon

Brandon Swanson [he, him, his]
Assistant City Administrator
Acting Director, Community Planning and Building
City of Carmel-by-the-Sea
(831) 620-2024



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Nova Romero <nromero@ci.carmel.ca.us>
To: Stephanie Locke <carmelsteph@icloud.com>
Cc: Brandon Swanson <bswanson@ci.carmel.ca.us>

Tue, Jul 9, 2024 at 12:12 PM

I am confirming I received your email and it will be sent to Council for tonight's meeting.

thanks,



Nova Romero, MMC
City Clerk
City of Carmel-by-the-Sea
P.O. Box CC
Carmel-by-the-Sea, CA 93921
(831) 620-2016
nromero@cbts.us

On Tue, Jul 9, 2024 at 11:57 AM Stephanie Locke <carmelsteph@icloud.com> wrote:

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