

From: |  
Date: Fri, Apr 24, 2020 at 5:21 PM  
Subject: Missed Opportunity?  
To: info@pgshoreline.org

There is a vacant parcel of land at Pt. Pinos, between Ocean View Blvd., the 12th golf course green, and the City's water recycling plant which can be developed into a beautiful picnic area. Install a covered area with a couple of BBQ pits and picnic tables, and off-street parking, to make this a very nice family scenic area on the very tip of the Peninsula. I see facilities like this in the Hawaiian Islands and along the CA coast. Many have retractable/rollup transparent sides to be used if there is wind.

Thanks,

On Fri, May 1, 2020 at 1:14 PM  
wrote:

Hi Ben and Joyce,

I have had a first read of the draft plan and posed some questions to Ben that might be better addressed to the two of you. I know we will be reviewing this soon, but some context would be helpful for me and there are some preliminary comments that might be addressed better with some advanced notice. Here, in no particular order:

- 1) What is the intended purpose for this plan? Will it be adopted as guidance, a commitment to action as stated, a starting point for future projects when/if they are needed?
- 2) What does the Coastal Commission say they will do when we give this to them: receive, adopt, or start a "negotiation" with us as with the LCP? Have Coastal Staff been party to this process and what role with they have when this is completed?
- 3) The plan for the trail is a 5 foot width. Given new norms, should we edge toward 6 feet when/where feasible?
- 4) There are a number of plans/timelines and commitments presented in this plan. To what extent are we literally or perceived to be committing to:
  - a) debris removal as identified by "volunteers". Nothing was mentioned about debris that now forms habitat
  - b) A monument to Rickets - is this a commitment?
  - c) An online tour - are we promising that to CCC?
  - d) Volunteer "rangers" with no notion about training, scope, supervision - could be wonderful, could be a nightmare
- 5) The parking areas (Sea Palm and Otter Point) are still planned to be Removed, reduced or relocated. The plan says the parking lot at Sea Palm is "rarely used". In fact it is used often for staging for divers and kayakers. I can see the value of having a contiguous path, but the plan to move parking to the street is dangerous for divers And kayakers that use space around their car to prep and clean their equipment after a dive. Doing this on a street is dangerous. I know this was brought to the consultant's attention, but they appear not to have integrated this into the plan.
- 6) Otter point offers fishing platforms as a way to give fishermen access at the edge of the platform. Again, I wonder if the consulting group visited the site as one of the platforms (the one to the far right) seems to be positioned over rocks - casting from there would cross over into other casting trajectories and would have the fisherman casting into rocks or wave action that is just above rocks. Why put one there?

I offer these as some ideas for a recheck on these concepts. However, item 1 and 2 will help us put this in context. For example, if this is "guidance" for future projects and each project will be separately considered, then all "good to go". However, if this plan is a commitment to the Coastal Commission and the public to implement this plan as it stands, then we need to do a considerable amount of work still.

Thank you for your consideration.

From:  
Sent: Monday, May 4, 2020 1:24 PM  
To: info@pgshoreline.org  
Subject: Shoreline Plan

I ride my bicycle for health and pleasure reasons. Measures to protect cyclists by including plans to provide a bike lane in the area of Ocean View from Lovers' Point to Asilomar Street are needed. It is important to encourage the cyclists by keeping them safe. I worry every time I am on that stretch of road with cars passing parked vehicles, cars manoevering to or from parking.

Please include a plan for a bike lane thus protecting cyclists of all ages and abilities.

Sent from my iPhone

From:

Sent: Tuesday, May 5, 2020 7:38 AM

To: P.G. Shoreline Management Plan <[info@pgshoreline.org](mailto:info@pgshoreline.org)>

Subject: Comments

1. I have lived in Pacific Grove for over 20 years. I participated in your meetings last year.

2. I am retired and spend at least 4-6 days a week walking along the coast.

3. I am a cyclist.

4. Please do not remove parking lots. When you start to remove parking, visitors park up the side streets taking away resident parking. This has happened to us before when we lived on Lighthouse Avenue. It is unfair to take resident parking away.

The parking lot at the end of Mermaid Lane & Ocean View always has at least two cars parked in it, and on the weekend is always full.

Otter point parking lot, especially on weekends is always full.

Getting rid of thesees parking areas forces more cars to park on the street which is a danger to bicyclists. Since you are promoting bicycling, you want it to be safe. With cars parked on the street, people open car doors onto cyclists, and cyclists have to get around the cars which puts them further into the street and in danger.

Improvements to the existing walking path from Lover's Point west could be good. By removing the ice plant at the street side of the parking lot (a invasive non-native) along the street, a suitable path could be built, keeping the parking lot.

Repairing or moving the walking path from Otter Point to the West is a great idea. The current path is so close to the edge in areas it is eroding and a little dangerous. By removing the ice plant at the street side, a wide walking path could be created along Ocean View.

5. Sewage pump is fine where it is, you cannot see it, let's not spend more money on this that could be spent better elsewhere.

6. I think the city should put the money into other areas of Pacific Grove that need safety enhancement:

a. Sidewalk on Lighthouse Ave from the intersection of 17 mile drive to Asilomar Ave, a walker has to walk in the street which is not safe.

b. More cross walks on Ocean View Boulevard. There are only about three of four for the entire street from Hopkins to Point Pinos.

c. More side walks on Pine, there are many areas without side walks.

d. Safer crossing at streetlights at Pine and a Forest, and Gibson & Forest; Pine & Forest has no verbal instruction to cross; Gibson & Forest has no buttons on the lights on the west side of the street and no verbal instruction to cross.

On Tue, May 5, 2020 at 5:13 PM

Joyce,

**After review of the subject draft, I have several comments about this plan.**

- The objective of this plan is to improve public access to Pacific Grove's shoreline as directed by the California Coastal Commission. It is difficult to see how closure of the parking lots at Sea Palm and Beach is in line with that objective. Closure of these parking lots might be in line with the author's desire to improve the looks of the landscaping in these areas but this will only be accomplished at a significant cost. In addition putting the cars that use these parking lots onto Ocean View Blvd. makes use of Ocean View Blvd. more problematic for bicycles. The scuba divers and fishermen that use these parking lots now would be forced onto a busy street at their peril.
- Burrowing animals(mainly ground squirrels) are responsible for the majority of the loss of coastline that Pacific Grove has experienced. While the draft mentions this problem, the authors clearly do not understand the process by which this has happened. The sea wall damage in 2017 was also partly due to burrowing in that area. The burrows funneled runoff rain water through the area behind the wall, eroding the earth behind the wall causing a loss of backup support for the wall. To this day, public feeding of ground squirrels continues at the parking lots between the Esplanade and Point Pinos. If the authors had walked that area, they would discover that the large number of squirrels running around looking for food. The City will have to devise a program to stop the feeding of these animals. The shoreline between the Esplanade and Point Pinos is riddled with their burrows which will ultimately result in the loss of more coastline. A mitigation program in Perkins Park has reduced the number of squirrels and halted the loss of the coastal bluff, but it requires constant attention or their numbers start to build again.
- Painted bicycle lanes should be added to Ocean View Blvd. between Lovers Point and Point Pinos. The most common question I get from tourists on bicycles is why there are no painted bicycle lanes.
- “Bulb-outs” should not be used along Ocean View Blvd. If they were installed, it would be much more difficult to have useable bicycle paths.

- Speeding is a problem on Ocean View at certain times of the day, but there is almost no police presence on Ocean View to enforce the speed limit. Putting in raised cross walks and rumble strips would slow people down, but would also irritate the residents who use this street on a regular basis.
- An extension of the sea wall from the Beach street area down to the Esplanade area is needed now. We are only lucky that we have not had a serious storm with high waves and a storm surge over the last ten years. That type of storm would have undermined Ocean View and damaged the utilities buried under the roadway. When this sea wall is completed, there would be sufficient room between Ocean View and the new wall for the coastal trail.
- The issue not mentioned at all is the growing presence of tour buses. We can expect that cruise ships will continue to stop in Monterey and there have been a growing number of Asian tour operators making regular visits to Pacific Grove. This plan should address where the City would like to see tour passengers dropped off and picked up. It should also address where we want the tour buses to park as their passengers are out walking the coast line. What is happening now is that the drivers pretty much park wherever they want.

I appreciate the opportunity to comment.

Regards,

**From:**

**Sent:** Tuesday, May 12, 2020 10:42 AM

**To:** info@pgshoreline.org

**Subject:** Comment on PG Shoreline Management Plan Draft

All,

My family owns Borg's Ocean Front Motel, the location at Lover's Point to which you refer in the Shoreline Management Plan.

For over 72 years we have provided reasonably priced accommodations in the Coastal Zone with a spectacular view of Monterey Bay. For those many years our family's business has been aligned with one of the CCC's objectives as stated in the Coastal Act, Section 30213: to protect and provide low cost visitor facilities along the coast. Preserving the view at Lover's Point for our tourist guests is not only in keeping with our interests but is also the CCC's mission. So, we are very relieved to see that the overlook huts which were originally proposed right in front of our property have been removed from this Plan. Those huts would have not only blocked our guest rooms' views but also anyone driving by wishing to see the view. Fortunately, good judgment prevailed and the outlook huts have been removed.

We do have 2 concerns with the current plan for a grander, wider Recreation Trail at Lover's Point:

1) The proposed steel railing at the top of the retaining wall and also the one at the top of the sea wall have the propensity to block the views for those driving by and those walking along or sitting across the street. (The existing wood fencing is a disaster for ocean viewing from any perspective. Big, flat wood boards were put up without any regard for ocean viewing.) Even the fat, vertical steel railing slats (currently existing at the top of the sea wall) that might be the proposed style, serve only to block the views of breaking waves. Since it is unclear what type of fencing this Plan is considering, we are offering for your consideration, the following...

We would like to suggest that the project consider a steel cable railing such as one of these below:





The above are strong and provide for clearer, see-through viewing. It's also a fresh, clean and more contemporary look. We hope that you will consider this style of fence/rail.

With regard to the responsibility for ensuring the best views through the new fencing, please refer to CCC Act 30251: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas....."

I have personally seen this cable fencing along CA coastal areas and it really looks great. We hope you will consider the importance of this fence design selection.

2) The loss of parking spaces at Lover's Point and along Ocean View Blvd in that vicinity is also a significant concern. We're not sure where you expect tourists to park. The Shoreline Plan only reduces parking but does not add any that we can see.

The properties on the residential side of Ocean View will be experiencing more parking right in front of their homes and blocking their views(??), eliminating their guest parking. Will tourists be sneaking into our motel parking lot, causing us to tow cars??

Right now there are no businesses on the corner (next door to us) at Lover's Point but someday there will be and their parking lot may also be in jeopardy of not meeting their own demands let alone dealing with non-authorized cars.

Overall, we understand and appreciate the value of the Recreation Trail and join with you in wanting to insure its best use for all. So, we respectfully submit these 2 concerns.

Thank you for your serious consideration.

**From:**

**Sent:** Tuesday, May 12, 2020 12:22 PM

**To:** info@PGshoreline.org

**Subject:** PG Shoreline Management Plan Comments

Thank you for the opportunity to provide comments:

- Figure 6.11 – In order to share the beauty of the coastline, we believe centralized parking should be maintained to provide access to the beautiful views, while minimizing traffic and parking along Ocean View Blvd. Parking along Ocean View Blvd. increases danger to on-street parked cars, their occupants and cyclists
- Segment 2(d) (1045-1119 Ocean View Blvd) - The plan eliminates ocean side parking in order to replace the eroding trail. Eliminating 25 parking spaces on the ocean side will result in visitors parking on the land side of the street between 1045 and 1119 Ocean View Blvd. Parking on the land side of the street in this segment will cause danger to the public in that they will try to make the crossing to the ocean side right where they have parked their car. In addition, Ocean View Blvd curves around 1115 and 1111 Ocean View Blvd which further exacerbates parking in front of these two houses since cars driving by, often very fast, go outside their travel lane in order to pass people that have just parked and/or are getting out of the cars. Bicyclists are also in danger as they pass by parked cars with people entering and exiting their vehicles. Parking on the land side and crossing a very busy street is not recommended. Finally, since there are no sidewalks on the land side of this section, people getting out of their cars will damage homeowner's landscaping. Land side parking should be prohibited in this segment. Parking should be encouraged all around Esplanade Park (on the park side of the street), with proper street crossing markings across Ocean View Blvd.
- Segment 2(d) (between the Kissing Rock and Lucas Point) – No specific mention was made that the existing rip rap would be replaced and maintaining going forward. Can you please add this specification.
- Segment 2(d) (Coral Street to halfway to Acropolis Street) – The plan calls for eliminating 21 parking spaces along this section, in front of Coral Street Beach. Coral Street Beach has become a very popular spot for people to launch their kayaks and other water sport activities, with their cars/trucks and trailers (please see attached pictures). Eliminating parking along the ocean side of this section will cause people to park on the land side on Ocean View and in the surrounding neighborhoods. Parking trucks/trailers with people changing their cloths and loading/unloading their kayaks on land side of Ocean View is suicide. If people park in the surrounding residential neighborhoods, they will also need to cross a very busy Ocean View Blvd with all their gear. A seawall is already present their and needs to be reinforced. There is no reason to eliminate ocean side parking in this section. The exiting space allows for the continuation of the trail with minor modifications.
- Figure 6.14, Relocation of Coral Street Pump Station Equipment – Pump house and equipment should remain in their current location and a seawall or rip rap should be used to protect the equipment. Relocation of equipment to Esplanade Park would cause a portion of the public space to be taken for utility use.

We hope that you'll be able to carefully consider our comments. We'd be happy to answer any question you may have.

Thank you.







From:  
Sent: Tuesday, May 12, 2020 12:33 PM  
To: info@pgshoreline.org  
Subject: Coastal Trail

Hi

I want comment on the Shoreline Plan.

I generally agree with the findings and suggested solutions. However, I also want to emphasize the need to add pavement markings on the existing coastal trail to encourage separate pedestrian and cyclist facilities. For instance, add crosswalks at each stair location, add split rail fencing in Berwick Park to discourage pedestrians from accessing trail between trees and bushes, add an additional strip of paving for ADA access (maybe grants available to help defray costs).  
For the rest of the shoreline, provide separate pedestrian and cycling facilities and enforce the C.V.C. as far as the prohibition of obstructing bike lanes with garbage cans, by walking and by parking cars.  
Thank you.

Sent from my iPad

**From:**

**Sent:** Tuesday, May 12, 2020 1:23 PM

**To:** P.G. Shoreline Management Plan <info@pgshoreline.org>

**Subject:** Re: The deadline for comments on the draft plan is this Friday

The Plan looks okay to me. I appreciate that you've considered various comments.

From:  
Sent: Tuesday, May 12, 2020 8:18 PM  
To: info@PGshoreline.org  
Subject: Feedback on shoreline plan

I think you should spend the money fixing our broken streets and not on improvements for tourists.

Sent from Xfinity Connect Application

From:  
Sent: Wednesday, May 13, 2020 8:08 AM  
To: info@pgshoreline.org  
Subject: Shoreline

The shoreline trail between the Aquarium and Lovers Point is already a popular place to exercise. As the weather gets warmer more people will attempt to use the trail while maintaining social distancing...with more and more difficulty.

I suggest that Ocean View, in this segment, be closed to traffic. This would allow both the trail and the road to be used more safely for exercise as it would allow for more people to enjoy the scenery. There are few, if any, driveways that open onto Ocean View in this segment. Through traffic can use Central.

Thank you for your consideration.

Sent from my iPad

**BORG'S "Ocean Front" MOTEL**

Lover's Point by the Sea  
635 Ocean View Blvd.  
Pacific Grove, CA 93950

Phone: (650) 340-1663  
[arbormail@prodigy.net](mailto:arbormail@prodigy.net)

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May 13, 2020

VIA EMAIL ([info@PGshoreline.org](mailto:info@PGshoreline.org))

Shoreline Management Plan  
c/o Joyce Halabi  
City of Pacific Grove—City Hall  
300 Forest Avenue  
Pacific Grove, CA 93950

Re: Pacific Grove Shoreline Management Draft Plan

Dear Ms. Halabi:

I am writing on behalf of the owners of Borg's Motel, the property most affected by the proposed boardwalk on Ocean View Blvd., adjacent to Lover's Point Park, after discussion with another owner.

The views from many of our Motel rooms are truly unique. They offer guests gorgeous views of Monterey Bay, which are some of the best views from any motel on the entire Monterey Peninsula.

We have something else at Borg's that is irreplaceable on the Peninsula—modestly priced rooms with spectacular views of the Bay.

We have a very real concern that the proposed boardwalk and railing/fence would all but destroy these views of Monterey Bay from all of our ground floor ocean front rooms. We respectfully request that you reconsider this area of the Shoreline Management Plan.

Our concern is that the combination of the boardwalk with a new railing/fence on top of it will effectively result in a permanent 5 foot or higher virtual wall along the entire front of Borg's Motel.

This is how we arrive at the approximate 5 foot obstruction:

- 1) There is a natural downward slope of approximately 1 foot from the center of Ocean View Boulevard roadway to the top of the existing concrete retaining wall.

When constructed, the ocean side edge of the boardwalk would effectively be raised by approximately 1 foot from the center of Ocean View Boulevard to the top of the retaining wall, so it would be level.

- 2) The boardwalk would need a curb where it meets Ocean View Boulevard, which would raise it another approximate 6".
- 3) The proposed fence/railing would add another 42" on top of the boardwalk. If the new fence/railing looks like the existing steel railing above the seawall, the combination of the above changes would effectively destroy our views from our ground floor rooms.

The Shoreline Management Team might consider removing the existing low retaining wall and wood fence and then combining the space from the existing seawall with the space to be created by the removal of the parking spaces. That area would be approximately 21' wide per one of the Shoreline Management Plan's conceptual designs.

Since this new space would not have a steep downward slope over its 21' width to the top of the existing seawall, the Shoreline Management team could probably design a new pathway, or possibly a more narrow boardwalk, with the pink ice plant as a buffer zone between the roadway and the new pathway.

This would result in a more natural and scenic pathway for the public and offer open views of Monterey Bay for motorists, as well as preserving our guest room views, as all of these views would no longer be obstructed by an unnatural boardwalk and 42" fence/railing as proposed. This is because the new pathway would be out of the line of sight of Monterey Bay from the roadway and from our guest rooms, due to the new changed downward slope starting from the top of the roadway to the existing seawall.

This outcome would seem to conform with the original intent of the California Coastal Act as well as with the City of Pacific Grove's Land Use Plan (LUP).

The Coastal Act and the City's LUP both require protection of views and visual access from visitor serving accommodations as a component of protected public access to Pacific Grove's coastline. One Section of the Coastal Act requires the protection and encouragement of lower cost visitor serving facilities in the Coastal Zone—Borg's Motel being the most prominent one in Pacific Grove due to its 72 year history and reputation of providing modestly priced lodging to its guests.

The City of Pacific Grove LUP includes the Lover's Point Area, referred to in the LUP as "Area III", as a protected area. In its description of Area III, the LUP specifically references views from Borg's Motel and other visitor serving accommodations as resources worthy of protection.

Thank you for your consideration with this very important matter to Borg's Motel.

Sincerely,

I have reviewed the proposed Pacific Grove Shoreline Management Plan (PGSMP) and agree with most of the plan but have concerns that there are portions that do not comply fully with the Coastal Commissions and Coastal Conservancy's criteria & guidelines. Specifically, it appears that segments of the plan are not consistent with Coastal Act (1976, Public Resources Code Section 30210) - "public safety needs and the need to protect public rights and rights of private property owners". I think portions of the plan leaves it open for possible litigation and potentially delaying the implementation of the Point Pinos Coastal Trail Construction/Pacific Grove Shoreline Management Plan (PGSMP).

To the best of my understanding of the PGSMP, I have listed my concerns and recommendations:

- By eliminating much of the parking along the shoreline side of Ocean View Blvd, the PGSMP will shift/force visitor parking into the residential areas along Ocean View Blvd. To minimize this impact to residential areas, some of the existing off-street parking areas should be retained, improved and maintained.
- Figure 6.11 – I support the efforts to minimize some of the off-street parking along the shoreline. However, in order to share the beauty of the coastline, I believe the existing off-street parking should be retained, improved and maintained to provide access to the beautiful views, while minimizing traffic and parking along Ocean View Blvd. Parking along Ocean View Blvd. increases danger to on-street parked cars, their occupants and cyclists
- Segment 2(d) (1045-1119 Ocean View Blvd) - The plan eliminates ocean side parking in order to replace the eroding trail. The proposal to remove the existing curb and move it out 7' to 8' to accommodate the widening of the trail and eliminating 25 parking spaces on the ocean side will result in narrowing this section of Ocean View Blvd. Visitors, kayakers, fisherman will be forced to park on the land side of the street between 1045 and 1119 Ocean View Blvd. Parking on the land side of the street in this segment (narrowed street) will cause danger to the public in that they will try to make the crossing to the ocean side right where they have parked their car. In addition, Ocean View Blvd curves around 1115 and 1111 Ocean View Blvd which further exacerbates parking in front of these two homes since cars driving by, often very fast, go outside their travel lane in order to pass people that have just parked and/or are getting out of the cars. Bicyclists are also in danger as they pass by parked cars with people entering and exiting their vehicles. Parking on the land side and crossing a very busy street presents a real and serious public safety situation. In addition, people getting out of their cars will damage homeowner's landscaping. Land side street parking should be prohibited in this segment and "No Parking" signs should be installed. Parking should be encouraged all around Esplanade Park (on the park side of the street), with proper street crossing markings across Ocean View Blvd.
- Segment 2(d) (between the Kissing Rock and Lucas Point) – From my reading of the PGSMP , no specific mention was made that the existing rip rap would be replaced and maintained going forward. Can you please add additional information/specifications?
- Segment 2(d) (Coral Street to halfway to Acropolis Street) – The plan calls for eliminating 21 parking spaces along this section, in front of Coral Street Beach. Coral Street Beach has become a very popular spot for people to launch their kayaks and other water sport activities, with their cars/trucks and trailers. Eliminating parking along the ocean side of this section will cause people to park on the land side on Ocean View and in the surrounding neighborhoods. Parking trucks/trailers with people changing their clothing and loading/unloading their kayaks on the land side of Ocean View presents a real and serious traffic hazard to the public. If people park in the surrounding residential neighborhoods, they will also need to cross a very busy Ocean View

Blvd with all their kayaks and gear. A seawall is already present there and needs to be reinforced. There is no reason to eliminate ocean side parking in this section. The exiting space allows for the continuation of the trail with minor modifications.

- Figure 6.14, Relocation of Coral Street Pump Station Equipment – Pump house and equipment should remain in their current location and a seawall or rip rap should be used to protect the equipment. Relocation of equipment to Esplanade Park would cause a portion of the public space to be taken for utility use. However, I support the proposal to move the controls for the Pump Station to Esplanade Park, if the control housing is not an “eye sore” and blends in with the natural park environment.

We hope that you'll be able to carefully consider my comments and recommendations. Please feel free to contact me directly if you have any questions or need additional information.

Respectfully yours,

From:  
Sent: Thursday, May 14, 2020 3:16 PM  
To: info@pgshoreline.org  
Subject: Pt. Pinos within Pacific Grove Shoreline Management Plan

Mayor, Counsel members, and interested persons:

Thank you for allowing me to comment on management of Pt. Pinos within Pacific Grove Shoreline Management Plan I have reviewed the Biological Resources Assessment, which is a part of the plan, and was disappointed to find that it appeared to overlook any broad perspective as to the importance of Pt. Pinos for birds and for birders.

I moved to Pacific Grove in 1979 because (as I said at the time) "Pt. Pinos was my favorite birding spot on earth." I have been surveying the birds there for over 40 years, and have compiled substantial data on birds from my own work and those of others, much of which is summarized in my 1985 book "Monterey Birds" and its successor "Monterey Birds, 2d ed" (2002), both published by Monterey Audubon Society. Data continues to be compiled daily — multiple birders, both local and visitors, are at Pt. Pinos essentially every day — and much of its is constantly compiled via Cornell's "eBird" database, open to scientists and the public from free at all times. My wife Rita Carratello and I have served at the Monterey County eBird editors for the past decade, as well as continuing personal observations at the Point. Specific data on Pt. Pinos, constantly updated, is available at <https://ebird.org/hotspot/L374642>

You will see there that nearly 4000 visits are represented by checklist from the Point, and to date some 338 species of birds have been recorded there. In addition, Monterey Audubon has operated a dawn-to-dusk Pt. Pinos Seawatch for the last 5 autumns, with data accumulated separately at <https://ebird.org/hotspot/L109309>

with the entry of over 6000 additional checklists.

Only Andrew Molera State Park — a huge acreage on the Big Sur coast, where a bird-banding lab was operated for 15 years — has recorded more species than the about one-square-mile at Pt. Pinos [360 species to 338 species]. When one considers the tiny size of the birding area at Pt. Pinos, it has by far the highest biodiversity of birds anywhere in Monterey County or the entire central Pacific coast. This information is missing from the management plan.

Pt. Pinos is known around the world as an undisputed top bird-diversity location from four major reasons:

(1) its location at the NW tip of the Monterey Peninsula positions it as the closest land to the world-renowned Monterey Bay underwater canyon and its oceanic productivity. The location permits land-based birdwatchers to view seabirds in unprecedented numbers. This is particularly true when northwestern storms push pelagic birds into the Bay and close to shore. Although bird surveys have been tried at every other point on the Monterey Peninsula, nothing remotely compares to Pt. Pinos as a location to view pelagic birds from shore.

(2) The same location characters make Pt. Pinos an ideal land-based location to watch seasonal migrations, spring and fall, of waterbirds that migrate along the Pacific Coast in huge numbers. The Pt. Pinos Seawatch has been vitally important in monitoring that migration in October to early December when the largest numbers of migratory loons, sea-ducks, gulls and terns are passing.

(3) The lighthouse at Pt. Pinos (when a light is shining at night) and the position of Pt. Pinos combine to concentrates migrant small landbirds in fall and spring migration, and the cypress trees around the golf course provide necessary shelter and food for these migrants. Many Neotropical migrants are included (e.g., migrating from North America to the tropics in fall, and returning from the Neotropics to breed in North America in spring), along with a wide variety of shorter-distance migrants. The trees at Pt. Pinos represent "migrant traps" for birds migrating at night but, as dawn arrives, find themselves over the ocean. Huge numbers of these migrants turn and fly to the nearest point of land to "tank up" for a day or two before continuing their migration. Peninsulas that stick out into the sea are overwhelmingly rich in the occurrence of these migrants. Pt. Pinos stands with Pt. Reyes, Pt. Loma, and a very few other similar locations in the western United States as among the best-of-the-best migration locations for landbird diversity; and

(4) Crespi Pond, a small freshwater pond adjacent to the ocean — at the tip of this prominent point sticking out into the sea — does the same to attract waterfowl, shorebirds (in season), and reed-loving landbirds. Hundreds of different species of birds have been seen on or adjacent to Crespi Point over the years, making it the most-famous tiny pond for avian diversity in all of California.

It is a disappointment that although all of this information has been in publication for years, and I've provided prior comments to the City of Pacific Grove on this topic, it is overlooked in the biological assessment and therefore not prominently considered in the plans for shoreline management. Rather, the biological assessment focused on endangered species — primarily breeding birds — and Pt. Pinos is overlooked for its spectacular importance for migrants — including a long list of endangered species that only pass through — because it is not a breeding location for these birds. For the most part, Pt. Pinos is world-renown for its seabirds and its migration.

Among species of concern, only Black Oystercatcher is a resident and breeder at the Point — and there have been annual studies of nesting productivity of Black Oystercatchers at the Point for the last 8-9 years [all that data, coordinated with California Coastal National Monument]. Black Oystercatcher is an excellent "flagship" species for the rocky intertidal habitat at the Point, and a key indicator species for the health of the intertidal. It is our most important breeder here — but to state that alone overlooks the hundreds of migrant species that appear over the course of the year.

The management of Pt. Pinos should include a full understanding of its importance to migrant birds, and the needs of local and visiting birders to view and survey them. Reducing access to the Point for local birders is a concern to be considered. In addition, the potential continuation of the work of the Pt. Pinos Seawatch needs emphasis. Monterey Audubon has offered to build and maintain a sea-watching platform, just across the street from the pull-out currently used to dawn-to-duck surveys in late fall, and that concept should be welcomed.

Thank you for giving consideration to the world-famous migration of birds at Pt. Pinos.

**From:**

**Sent:** Thursday, May 14, 2020 4:20 PM

**To:** info@PGshoreline.org

**Subject:** PG Shoreline Plan

Re Strategy 8

I am concerned at the plan to locate a building holding the electrical components in Esplanade Park. I think several years ago at a meeting held at the PG Golf Clubhouse the citizens made it very clear that they did NOT want a building on Esplanade Park. A better location would be the PG Public Works yard located adjacent to the golf course off Ocean Blvd. I know my neighbors feel very strongly about this.

I appreciate the opportunity to express my views on this matter.

**From:**

**Sent:** Thursday, May 14, 2020 9:01 PM

**To:** info@pgshoreline.org

**Subject:** Recommendations for the Pacific Grove Shoreline Management Plan

Dear P.G. Shoreline Management Plan officials,

Pursuant to the notice I just received soliciting comments to the P.G. Management Plan, I am respectfully submitting the following recommendations for your considerations. Please feel free to contact me if you have any further questions or concerns regarding my submission. I may be reached at either 831-333-1033 or 626-437-4262.

Figure 6.11      I firmly believe centralizing parking will help mitigate much of the congestion and the practice of people driving needlessly in search of parking and in many instances parking illegally in prohibited areas. I live directly across one of the pumping stations at 1123 Ocean View and visitors on a daily basis pull into the service driveway and park while they visit the shoreline. Centralizing parking would help mitigate and reduce these infractions and also help prevent accidents and pedestrians from engaging in walking on the street alongside traffic.

Segment 2(d) (1045 thru 1119 Ocean View Blvd.)      Eliminating parking on the ocean side of Ocean View Blvd, in the captioned addresses above will only serve to create traffic and pedestrian hazards. Beginning with the fact that crossing Ocean View Blvd. is already a dangerous proposition for pedestrians; speeding traffic and many drivers are not yielding to runners, walkers, bikers and the like. Traffic speed has increased over the years and often times speed exhibition is the order of the day, especially with some of the young drivers attempting to draw attention to themselves. There are also a couple of major blind spots that drivers often break suddenly to prevent impact to pedestrians either crossing or traffic slowing down. One of the most obvious hazards that also exist on the home-side of Ocean View Blvd. is the fact that there are no sidewalks. People exiting vehicles facing east on Ocean View Blvd. exit right on to private property and unfortunately many simply walk over plants and landscaping that homeowners work hard to preserve and nurture. In some instances people cannot exit their vehicles when parked on the home-side of the street because of structural and landscaping projects that meet the street. An alternative to this dilemma is the abundant parking located adjacent to Esplanade Park. By directing traffic away from the captioned addresses above and to the Esplanade Park area would help resolve this matter.

Segment 2(d) (Coral Street to mid Acropolis Street)      Eliminating the existing parking spaces in this area will only place pressure on drivers to locate and park in other areas impacting side streets and other areas that are less suited for those who generally park there to access the beach area, divers and kayakers. This area becomes impacted on the weekends especially by divers and people launching their kayaks. Why not just leave the parking spaces as they exist and not create another parking dilemma. With the slightest of modifications the existing trail can be enhanced and continue to be utilized.

Figure 6.14 (The relocation of the Coral Street Pump Station Equipment). The pumping station located here is an eye-sore and one of the most unpleasant sites on the boulevard. Although necessary to facilitate pumping of sewage and other water means the site should be concealed in a way that does not detract from the beautiful ocean scape. At absolute minimum, all structural projections above ground should be removed once the sensitive electronics have been transferred to the proposed site at Esplanade Park. Further, abatement of the strong sewage smell should also be addressed. There is still question whether the foul odor emanating from the site is hazardous to people in close proximity. Once again, at minimum the visual and odor elements of this site should be addressed by restoring to the greatest extent possible the original coast line.

The above comments are respectfully submitted and I trust will be considered as viable recommendations to the overall P.G. Shoreline Management Plan.

Shoreline Management Plan  
City of Pacific Grove—City Hall  
300 Forest Avenue  
Pacific Grove, CA 93950

ATTN: Joyce Halabi [info@PGshoreline.org](mailto:info@PGshoreline.org)

May 15, 2020

Re: Pacific Grove Shoreline Management Draft Plan

Dear Ms. Halabi:

I am writing to provide my comments, in addition to the comments I previously submitted during the survey process. I will not repeat all of my comments, but only touch on a couple of the items of concern which remain after reviewing the draft plan.

**1. Parking**

A number of parking spaces are slated to be removed. This area is not used just by the neighborhood residents and motel guests, but by a much broader constituency. Parking is highly important, and the loss of even a few parking spaces is problematic. Please reconsider ways to keep as many parking spaces as possible, or replace parking spaces with others in the area in very close proximity to the removed parking spaces.

**2. The trail portion between Lovers Point Park and Sea Palm Avenue**

For many years I have used this trail at various times of the year during my visits from the Bay Area. As lovely as Monterey Bay is, and as nice as the existing trail has been to use, I always felt the portion nearest Lover's Point Park was not much more than a roadway's sidewalk, not in fitting with the rest of the trail or the coastal walk experience at all.

There are several reasons for this. First, it is a narrow portion of the path. Second, the existing metal railing is poorly designed, and does not take into consideration the need to maintain the natural view for a wide variety of people: the walkers using the trail, the drivers and bicyclists on Ocean View Boulevard, the guests at the local businesses, the pedestrians using the sidewalk on the landward side of Ocean View Boulevard, and the adjacent homeowners. To make matters worse, in the recent past a hideous wooden barrier was added between the trail and the roadway, totally destroying the view for all.

The Draft Plan does not adequately address these issues. The metal railing seems to remain. It should be replaced by a design much more conducive to preserving the natural views. I have seen a number of stainless steel cable fences in public parks which do a nice job of serving as a fence and minimizing disruption of the views. Tahoe City's lakeside Commons

Beach Park is one example, which can be further improved on to preserve views. There may be other designs as well. Please make sure this fence is of a proper design, with the views taken into consideration.

The current design shows here, at the narrowest portion of the shoreline, not only a ten foot wide path, but also six foot wide overlook areas. These overlook areas should be removed and relocated to other areas of the trail having greater shoreline depth, allowing greater flexibility in the design configuration along the narrowest strip of shoreline near Lovers Point Park.

An excellent and workable solution to the desirable goal of improving the trail while preserving and enhancing natural views for many stakeholders, is to remove the existing concrete retaining wall (which is not a seawall) and add the space adjacent the seawall (which can be made a bit taller if necessary) to the space previously used for parking along the roadway, with the new pathway being at an elevation substantially the same as the existing elevation adjacent the seawall, i.e. the same elevation as the currently existing pathway. While some excavation will be required, its effort and cost will be amortized over decades of benefits to all users.

With this design there will be ample room for an improved pathway of adequate width and permeability, as well as a separation strip between the pathway and the roadway, which can be filled with suitable groundcover vegetation. This will provide more vegetation and a more appropriate location for most but not necessarily all of the revegetation, between the roadway and the pathway, rather than between the pathway and the bay as is currently depicted. Users of the new pathway will feel more distant from the roadway due to both the landscaped lateral separation and the elevation separation, enhancing their coastal pathway experience, unlike the present plan which effectively keeps this section of the pathway as nothing more than a slightly modified boulevard sidewalk. Importantly, do not include a hideous barrier adjacent the roadway which destroys views and seems not to be in accordance with the Coastal Act requirements to preserve views. A suitable curb should be sufficient.

This improved design will make this portion of the pathway more natural and more consistent with the rest of the pathway. It will also provide proper views of Monterey Bay for motorists, walkers, bicyclists, homeowners, et. al.

This improved design better conforms with the California Coastal Act, the Land Use Plan of Pacific Grove, and the stated goals of the Shoreline Management Plan, all of which require protection of views and visual access, which is lacking.

This new and improved trail system will be a great asset to the community, and now is the time to get it right. Thank you.

Very truly yours,

**From:**

**Sent:** Friday, May 15, 2020 9:23 AM

**To:** info@PGshoreline.org

**Subject:** Comments on PG shoreline plan

I have two comments :

My first comments are in the area of " Related Plans" pg 22. Why are you including the Lovers Point Park Master Plan if it was not adopted? A lot of the plan has been implemented, yet I feel a reason as to why the plan was not approved should be added, or remove the plan from the document.

In addition, there is no mention of the Lovers Point State Marine Reserve as a resource for the plan.

My second comment relates to the area on pg 58, 2 (b) Sea Palm Ave to Balboa Ave. I live on Bayview Ave, close to Del Monte Ave, and have walked down to the ocean on Del Monte for 50 years.

Between Jewell and Egan Ave, on Del Monte, on the golf course there, is a substantial natural spring (we used to harvest water cress herb there). The city has since added a pump station and routinely pumps it for watering the landscape.

That area, when in the rainy season will drain water all the way down del Monte, you can see leaking under the homes on Sea Palm a to the outfall drain, which I believe is labeled 309-PGSD. The outfall is not located on the image, and or does the plan address the implications of this water in the area. I believe the water is routed underground to the drain (outfall), which is at a low point. A couple of years ago a took a picture of that drain overflowing and the public works staff cleaning the knee deep drain in a pouring rainstorm.

So, I would like to see how natural springs impact this area and how you would plan to mitigate this sensitive area.

Thank You for providing this opportunity to comment,

Sent from [Mail](#) for Windows 10

**From:**

**Sent:** Friday, May 15, 2020 1:12 PM

**To:** info@PGshoreline.org

**Subject:** M1W Comments: Draft PG Shoreline Management Plan

Good afternoon,

Attached you will find M1W's comments on the Draft Pacific Grove Shoreline Management Plan for your consideration. Should you have any questions or require further information, please feel free to reach out to me via email.

Thank you,

[www.MontereyOneWater.org](http://www.MontereyOneWater.org)



<p>Pacific Grove Shoreline Management Plan</p> <p><b>Strategy 7: From Beach Street to Coral Street</b></p> <p>This stretch of shoreline consists of a thin band of land—which keeps getting thinner due to high coastal erosion, particularly around Esplanade Park. Just east of Esplanade East, the otherwise continuous shoreline trail essentially disappears for a stretch, forcing pedestrians onto a thin strip of dirt right next to Ocean View Boulevard. Seawalls exist around Coral Street. To protect public access, Ocean View Boulevard and the sewage pump station east of Coral Street, the strategy for this segment would be to maintain the seawalls and riprap, and to build additional short segments, particularly around Esplanade Park. The existing trail would be replaced with a wider path next to Ocean View Boulevard, with access points to the water's edge. To accommodate the new path, parking on both sides of the boulevard would be removed around Esplanade Park.</p> <p></p> <p><b>Strategy 8: Sewage pump station near Coral Street</b></p> <p>Along the shoreline between Coral Street and Esplanade Street is underground equipment that pumps sewage from Pacific Grove to the regional sewage treatment plant. In recent years, flooding has knocked out the equipment's power, which could cause raw sewage spills into the bay. This strategy would relocate the electrical components to Esplanade Park, at a site that is further from the ocean and at a higher elevation. Pumps and motors would remain at the existing site, underground. They would be operated remotely from the new site by way of a buried cable duct along Ocean View Boulevard.</p>	<p>Draft management strategies   36</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <span> 68%</span> <span> 19%</span> </div> <ul style="list-style-type: none"> <li>• Do not eliminate on-street parking.</li> <li>• Riprap is ugly and ineffective.</li> <li>• Retain and maintain the seawalls.</li> <li>• Keep the trail close to the water and away from traffic.</li> <li>• A wider trail is needed along this stretch.</li> <li>• Move the trail closer to the road to protect it from erosion.</li> <li>• No new seawalls.</li> <li>• Keep and enhance the ice plan/pink carpet.*</li> </ul> <div style="display: flex; justify-content: space-between; align-items: center;"> <span> 81%</span> <span> 5%</span> </div> <ul style="list-style-type: none"> <li>• The facility is an eyesore and is at risk from storm waves.</li> <li>• Do not relocate the equipment to Esplanade Park.</li> <li>• Preventing sewage spills is a top priority.</li> <li>• Relocate the entire facility inland, not just the electrical components.</li> <li>• Need more information about how the new structure would look.</li> <li>• Restore the current site.</li> <li>• Reduce the sewage smell.</li> <li>• Communicate with the neighborhood about any proposed plans.</li> </ul>
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May 15

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M1W proposes the following language to better describe the concept project:

Along the shoreline between Coral Street and Esplanade Street is a discrete, underground wastewater pump station owned and operated by Monterey One Water (M1W), the regional wastewater and water recycling entity. The pump station conveys wastewater flows to the Regional Treatment Plant (RTP) located in Marina for treatment and beneficial reuse.

As a result of its location, the station is subject to the ever-increasing effect of climate change, including sea level rise, coastal erosion, and storm surges, which result in inundation, and thus, electrical reliability challenges. To improve station reliability, M1W has begun long-range planning for relocating electrical assets outside of the underground station to an alternate location inland, to be determined pending agreement with the City of Pacific Grove. This concept project is described in greater detail in the Monterey Peninsula, Carmel Bay, and South Monterey Bay Integrated Water Management Plan, "Coral Street Pump Station Climate Resiliency Project."

Add a reply...

May 15, 2020

Mr. Daniel Gho, Director  
Public Works Department  
2100 Sunset Drive  
Pacific Grove, CA 93950

Dear Mr. Gho:

Please find below comments regarding the recently published **draft Pacific Grove Shoreline Management Plan**. First, I want to congratulate you and your staff for leading a first-rate process in developing this document. Second, my comments below are mine alone as a private citizen and do not represent those of the City Planning Commission, of which I am a member.

My comments are listed and described below:

**1. Page 8: Delete the second sentence, paragraph 2, beginning, “The shoreline is threatened by Ocean View Boulevard...”**

Not only is this statement unsubstantiated in this document, but in reality, Ocean View Boulevard is a scenic drive that is both a residential street and “intended for recreational travel.” It also has storm drain, sewer lines, and other important City infrastructure. Does the presence of this statement imply that the street should not be there? If that is the case, then how do people access the scenic vistas we treasure? How do people get to their homes?

**2. Pages 35 and 59: Improve the parking lots from Seal Palm to Point Pinos, i.e., at Beach Street; do not replace them with street parking.**

The parking lots on Ocean View Boulevard, including near Beach Street, were put there for a reason many years ago – to enable people to get out of their cars in order to enjoy the scenery without having to park and walk on the street. There is plenty of room in the area from Sea Palm to Point Pinos for the redesign of existing parking lots, wider walking trails, and plantings. Placement of parking on the street would restrict traffic flow and present safety problems for bicyclists. In fact, it should be noted that a leading cause of bicycle accidents is the result of drivers’ opening car doors onto passing cyclists. Also, the width of Ocean View Boulevard is already a problem as described in Strategy 9, which calls for traffic calming devices (page 37).

**3. Page 78: Delete the fifth bullet, “Identify and remove non-natural debris from the bluffs and beaches.”**

The problem with this near-term implementation recommendation is that non-natural debris is not defined. For example, on the coastal trail from Hopkins Marine Station to Lovers’

Point, does this mean that the City must remove giant boulders placed for fill to provide a roadbed for the railroad decades ago? What about the sea walls that provide necessary armoring of the coastal trail from Hopkins to Lovers' Point and then to Point Pinos? What about storm drain lines? And the list goes on.

4. **Pages 78-79: There should be an introductory statement, “The Pacific Grove Shoreline Management Plan is a public document describing issues, identifying potential solutions, and recommending strategies, actions, and timelines. The implementation of proposed strategies and actions in this document is a policy and budgetary matter subject solely to the periodic deliberation and consent of the City Council. Further, no statement, strategy, or recommendation in this document may supersede or substitute any portion of the approved Local Coastal Plan, as the basis for consideration of Coastal Development Permits.”**

The purpose of the Shoreline Management Plan is described in the Introduction (pages 2-3), “...the main focus of the plan is one providing a continuous recreational trail along the shoreline, at the same time looking for opportunities to enhance and offer long-term protection from coastal erosion and sea-level rise to other coastal amenities, public infrastructure, and natural and cultural resources.”

Again, thank you for the opportunity to make comments on this important effort.

Sincerely,

May 15, 2020

To: [info@PGShoreline.org](mailto:info@PGShoreline.org)

From:

Re: Draft Shoreline Management Plan Public Comment

I appreciate the excellent organization, and the clear descriptions and objective analyses throughout the SMP! The very helpful organization and discussions in the Plan provide a great framework for thinking about the issues and options.

**Corrections to descriptions are needed in two areas:**

**Ocean View**

“Otter Point” is the well-known local name for the location of the paved parking area just east of Beach Street, described in the SMP as “halfway between Shell Avenue and Beach Street” (page 14, paragraph 2). It would promote clearer understanding to use the local name for this beautiful scenic overlook and wildlife viewing area as well as popular fishing spot, to aid in ready identification.

**Point Pinos**

Inaccurate description: “On the ocean side, this segment includes several unpaved parking pull-outs (at Otter Point, which is between Coral Street and Acropolis Street....” (page 16, paragraph 1) Correction: Otter Point is east of Beach Street, not between Coral and Acropolis; the name on Google maps that has been used for the parking lot between Coral and Acropolis (for example, in the Point Pinos Trail Project IS/MND) is “Marine Gardens Park”.

Also on page 16, under “A world of recreational opportunities”, I recommend changing “strolling” to “walking”. “Walking” includes strolling, but “strolling” doesn’t necessarily include walking.

**TECHNICAL STUDIES**

- The Cultural resources section on page 23 needs small but important revisions. Please correct the last sentence of the first paragraph on page 23 to say, “The full report is not being made available to the public ....”, adding the word “full”. And include a link to the (partial) report. It’s important to see the description of the regulatory context for protection of cultural resources and the summary of the prehistory of the region.

Also please correct the last sentence of the third paragraph: “The vast majority of these resources are archeological, namely Late Period shell middens (refuse heaps).” This description oversimplifies and is inaccurate and seems to trivialize the resources. I do not see that in the report, and that is not what archaeologist Gary Breschini said about

our shoreline archaeological resources which come from different periods and include a variety of artifacts and ancestral remains in addition to evidence of the 7,000 year old village at the Senior Center/Mobile Home Park area. (Settlement was generally related to the various freshwater streams, many of them underground now, which have been mapped and should be identified as resources to evaluate.) There are different types of midden, and they can provide useful information in understanding the Indigenous people who lived here, and traveled here from great distances, for the bountiful and accessible seafood. Abalone “layers” or “pavements” are unique to Pacific Grove.

### **MONTEREY BAY COASTAL TRAIL (the REC TRAIL)**

- The Plan needs to address people walking in the street from their parallel-parked cars as much as a block to reach an access point, which are spaced generally 2 blocks apart and which visitors can't necessarily even see. Along with the issue of pedestrians crossing the street from the south to reach the trail access points, the issue of walking in the street is an important reason to calm traffic, preferably with 3-way stop signs on Ocean View at (added) crosswalk locations: 1<sup>st</sup>/2<sup>nd</sup> St, 5<sup>th</sup> St, 9<sup>th</sup> St, Fountain Ave., and Forest. Crosswalks alone will not slow traffic. Bulb-outs can be hazardous, but they might be useful for holding stop signs. Bicyclists probably won't like stop signs, but perhaps if a “Stop as yield” law is enacted in California (or if Pacific Grove can investigate the City of Berkeley's reported policy of deprioritizing ticketing of “Idaho stops”), bicyclists might be more accepting. Specially colored, patterned or textured crosswalks seem very ineffective in the Cannery Row area—visible to pedestrians, but not necessarily to cars, and seem to require frequent refreshing. Raised crossings also seem expensive and not particularly beneficial.
- User conflict on the trail can be addressed with stencils with a simple graphic of a bike, and in the paved walking areas with a simple graphic of a walker, an excellent recommendation and one the Traffic Safety Committee is planning to address in response to public requests. But no more (upright) signs on the trail, please.
- Large rain puddles and surf puddles on the trail force walkers onto the bike pavement. The solution isn't more pavement. But what is the solution? A topic for future consideration.
- Removing a rock wall for the Lovers Point Coastal Access Project and adding concrete benches changed the character of the area, not in a positive way. I recommend restoring and adding rock walls. The Lovers Point Coastal Access Project is an expensive disappointment. Future projects on the coast should emulate the transparency of the SMP process and start with meaningful opportunities for community input in the planning process.
- Transition from the west end of the trail to the street is an issue to look at.

## **LOVERS POINT TO POINT PINOS**

- The simplification of the Plan across from Borg's is a big improvement. The trail should definitely be relocated to the street parking area along the fence there. However, the trail should be DG, and not a boardwalk that's expensive to construct and maintain, particularly in a wave over-topping area. In the future, a wave deflector on top of the rubble seawall may be needed.
- Recommendations to move the trail landward in critical areas west of Lovers Point are excellent, removing on-street parking on the seaward side of the street where necessary: Naiad to Clyte (moving parking probably not necessary at that location), Sea Palm, and the Esplanade area, extending past Coral Street beach; and also in areas where the trail is undermined (747-755 Ocean View, and 807-809 Ocean View).
- There's a confusing reference at the end of the first paragraph on page 51 to two locations circled in blue in Figures 6.7 and 6.8. Those appear to be locations on either side of Moss Street where the trail is undercut. Moving the trail landward there is a great idea.
- At Sea Palm and at Otter Point, I believe diagonal parking accessed from the street instead of the current parking lots, set in an adequate distance from the street for people to unload dive or fishing gear, fishing rafts, etc. would be better than parallel parking on the street (except for boats), which will create too much activity on the street, and make crossing the street less safe at Sea Palm given the curvature of the road. There should still be stop signs to protect any crosswalk installed at Sea Palm.
- The City should follow the recommendations to remove the street parking and move the trail landward where the parking lane is now, to widen it along Coral Street. And then repair the west end of the wall along the beach to improve the access there, making it easier for divers, and fishers who may go out in boats or rafts, to come over from the parking lot (Marine Gardens). (The west end of the beach is a very popular access point for divers and fishers.)
- While poison oak in the Sea Palm area (and spreading to the east and west of there) may be dealt with by the landscape architect, there's a lot more poison oak between the Marine Gardens and John Denver parking lots. The ice plant interlaced with poison oak has been allowed to grow out onto the curbside trail so there's little if any room to walk. It's also risky on the volunteer trails through the ice plant because of the abundant poison oak.
- The recommendation to install expensive boardwalks in locations where we get significant wave overtopping—across from Borg's Motel, at Otter Point, and across from Crespi Pond—is inadvisable. If the intention is for handicapped accessibility, please

consider that Point Lobos uses DG (decomposed granite) for wheelchair accessible trails, which is much less expensive to construct and to replace than boardwalks.

## POINT PINOS

- The COVID-19 routine for families and people of all ages to get out and walk more, together or individually, has highlighted the issues across from Crespi Pond, where pedestrians have to walk in the bike lane (and large winter storm surf washes boulders into the street). This is an especially dangerous stretch for families with young children to walk, so they miss out on the delights of this area. Constructing an “anchored” boardwalk across the foredune in this area is not an environmentally friendly approach, and repairs for surf damage will be costly.

Reducing the road to a single one-way lane for automobile travel west and south would allow room for a DG trail on the current roadway *and* bike lanes. Three-way stop signs, along with crosswalks, are needed at Asilomar Blvd, the Crespi Pond restrooms, and the corner of Lighthouse and Sunset/Ocean View, with or without the one-way plan, to promote traffic calming and pedestrian safety.

For northbound traffic on Sunset Drive, Lighthouse Avenue Extension would likely need to be one-way east to connect to Asilomar Blvd and back to Ocean View because the road is so narrow. This is a beautiful road with open space dune land on the right (south) from which deer cross to the Lighthouse Reservation/golf course on the north and back, and there's also the beautiful, ecologically themed mural around the top of the NOAA building. Many people would like to see Pt Pinos closed off to vehicle traffic entirely right now, and as noted, this is the long-term plan for the area. Such a radical change from the current condition would likely be difficult to carry out and to achieve the support of the whole community at this point, and the one-way option is a much simpler change while accomplishing many of the same goals and allowing time to evaluate all the repercussions of an eventual full closing.

## CHAPTER 7

Chapter 7 might be better re-titled and divided into two or even three chapters, since the chapter has many very beneficial discussions and suggestions. The Shoreline armoring and Implementation timeline are especially essential topics that shouldn't be simply tacked on to that chapter, probably each deserving a chapter of its own.

- Good to Excellent issue identification and discussions in Chapter 7:  
Traffic calming on Ocean View Blvd  
Trail widening  
Debris removal—Excellent discussion!

Cultural and Archaeological resources—Excellent discussion!

Erosion control—Excellent discussion!

Hopkins Marine Station

Ed Ricketts monument

Bird observation platform

Volunteer shoreline “ambassadors” and rangers

Online tour of the shoreline

- Addressing the multiple factors contributing to erosion is very useful!
- The recommendations for an Ed Ricketts monument and a bird observation platform provide welcome recognition for these unique aspects of PG’s identity, although there is barely any mention of PG’s incredible biodiversity in the Plan, including the birdlife and marine life—they’re pared down to “tidal pools”, “wildlife sightings”, and “sensitive natural... resources”.
- Maybe the tourist information kiosk could be located near the bird observation platform rather than the more congested Lovers Pt area.
- The objective discussions of shoreline armoring are illuminating, including the recommendation for maintaining existing seawalls and retaining walls in good condition(!), while avoiding construction of unnecessary new seawalls between Sea Palm and Esplanade.
- No more “vertical access” to the beaches, please! (Page 77, last sentence) The wildlife need some respite from humans.
- The implementation timeline at the end of the report is an excellent resource!

Thank you for all the careful work and planning that went into the Shoreline Management Plan! I hope the City will make good use of it.

**From:****Sent:** Friday, May 15, 2020 3:16 PM**To:** info@pgshoreline.org**Subject:** Shoreline Management Plan Input

I want to congratulate the city staff who have been involved with this plan for many years now. This is shaping up as a first rate Plan, though I wish to add a few comments which may help to make it an even better one. My comments are:

On Page 8 the Plan states that "Ocean View Boulevard is a two-lane scenic drive intended primarily for recreational travel." I think we need to also include that this is also a major artery of the city for residents going about their business, as well as by those residents who live on Ocean View or many of the streets that go inland from that road.

On page 9 the Plan states that "With the exception of metered spaces adjacent to Hopkins and around the commercial area, parking here on Ocean View is free, though limited to two hours; on some stretches parking is on both sides of the street and on others on only one side of the street." While true, it may be useful to use this section to discuss the need for more of the Pacific Grove shoreline to be metered; with the proceeds used to maintain the shoreline area. I feel it is important to make the point with the Coastal Commission that the city cannot forever – especially in the current circumstances – use regular city revenue to pay for shoreline maintenance and improvement.

Page 16, the discussion on Ocean View segment states that "In the area of the Sea Palm Avenue stairway to the beach are several shallow slope failures abutting the trail. Erosion in this area appears to be a result of not only wave action but also poor drainage. I have spent a lot of time in that area and, while true, this area needs significant work to shore up the bottom of sea walls and the parts of the stairways that go to the beach. Some of these walls look stable but, if you go to the bottom, you will find sections where you could stick a good portion of your arm in the undercut areas. This needs to be addressed and we should state that.

Page 34 "From Lovers Point to Sea Palm Avenue". Though I dislike reducing parking along our shore, I agree that eliminating the parking so as to create a wider path closer to Ocean View Boulevard.

Page 41 Needs and Concerns of the Monterey Coast Trail discusses the conflicts between users of the trail – pedestrians and bicyclists. I believe, however, that the bike path portion is either too wide or uses too large a portion of the path. There are far more pedestrians than bicyclists, but pedestrians are squeezed into (in many places) a small and narrow section of pathway. This may require widening of the trail to reduce these conflicts, but when you have walkers (especially with young children) you have to expect them to stray from the designated path. I hesitate to use even flush surface demarcation, however, simply because the sand surface gets worn down due to walking and the elements and could cause a tripping hazard – which could actually make the situation worse.

Page 45. I think the ocean side trail adjustment across from Burg's Motel is a great idea. However, this part of the road is fairly wide and may be able to accommodate a combined pedestrian/bike section – though the city may have to remove parking from both sides to do that effectively.

Page 55. I agree with the trail alignment from south of Balboa Avenue to just east of Esplanade Park to make it more pedestrian friendly. Although allowed, I do not like the idea shown in Figure 6.12 showing a fishing pier that close to a Marine Sanctuary.

Page 59, Esplanade Park to Point Pinos. I agree that we must repair this section of coast, even to the point of adding some protective rip-rap on the ocean side of the bluffs. The erosion in this section has been concerning for years, and the white plastic pipes sticking out in parts shows how bad it has been (they used to be under the ground in that area). Eliminating the parking in this area is appropriate so that the city can restore that section to a more natural condition. Any trail in this area should be along the roadway so as to protect this delicate area, however. In fact, I feel the best solution would be a consistent five foot wide trail along the roadway from Lovers Point to south of Esplanade Park.

Page 61. I am glad that we have eliminated the idea of making this part of the road a one-way road. This is a major road for both visitors and residents and would have created a major burden for both. I hope this idea never raises its head again.

Page 63. I feel the city needs to support – and move quickly on – Monterey One Water's request to move the electrical components of the pump station in this area to Esplanade Park. Having served on the Board of that agency, I can assure you that there is a great deal of legitimate concern here. The pump station has had salt water intrusion in past storms, and it is important for both the city and the agency to avoid future sewage spills there.

Page 69. Especially as we enter a time of limited resources we should avoid changing Ocean View by adding bulb outs. This is a fairly wide road and the same slowing can be accomplished at much less expense with pedestrian ladder type crosswalks and/or rumble strips. Traffic generally does not move that fast on this section of roadway, and we should not spend money here when there are so many other roads in Pacific Grove that are in much worse condition.

This is an opportunity to talk to the Coastal Commission about allowing more metered parking with the proceeds going toward maintaining coastal roads and trails. The taxpayers of Pacific Grove cannot continue paying for coastal roads that visitor dollars should pay for. There are many other areas of the city that could benefit from road work done with the tax dollars the citizens pay.

Page 71 Debris Removal. The debris in this area was placed there many years ago and now serves as rip-rap to protect the coastline. Debris removal should not even be considered unless material removed is replaced with local natural granite and other materials. The main objection I have heard to this material is aesthetic, but even here, this is misplaced. There are numerous examples of sea life which have attached to those rocks and should not be disturbed.

Again, thank you for a first rate plan, and I look forward to completion of this major project.

All the best,

Sent from [Mail](#) for Windows 10



Virus-free. [www.avast.com](http://www.avast.com)

**From:**  
**Sent:** Friday, May 15, 2020 4:00 PM  
**To:** info@pgshoreline.org  
**Subject:** DRAFT SHORELINE MANAGEMENT PLAN

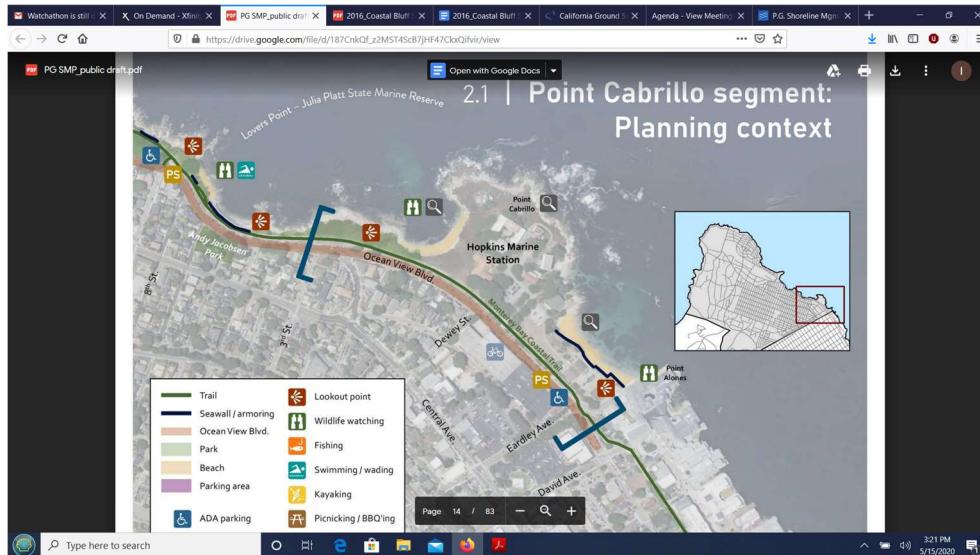
Dear Joyce Halabi, et. al.

This is the time to take back control of Pacific Grove's named Streets and Avenues, which GOOGLE has usurped and eroded! The perpetuation of their take-over simply Must be stopped. On page 13 and page 14 of the Draft Shoreline Management Plan, **DEWEY AVENUE** has been changed to Dewey Street, as reflected in GOOGLE Maps. This mistake by Google needs City Officials to notify Google to correctly identify on their maps. I have tried, as an individual citizen, to get Google to correct, but it has not been enough for them to act upon. Who runs this City? Google or Pacific Grove? Please do not continue this fallacy into our SMP, and correct immediately.

My 70 years experience in Pacific Grove of this Avenue (right in my neighborhood) as well as original City maps, pre-Google days, gives me the authority to request this change!

Sincerely,

"On the land side of Ocean View Boulevard is a small visitor- oriented commercial area east of Dewey Street (American Tin Cannery Outlets) and single-family homes west of Dewey." pg. 13



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## MEMORANDUM

**DATE:** May 15, 2020

**TO:** Niko Letunic, Project Manager, Eisen | Letunic Consultants

**FROM:**

**SUBJECT:** Draft Pacific Grove Shoreline Management Plan, April 2020

I am writing to support the Shoreline Management Plan (SMP) as an objective assessment of the existing conditions with strategies for near-term and long-term planning to strengthen the community's efforts to sensitively integrate project design solutions into the natural coastal setting and to manage the Local Coastal Plan's policies to protect, restore and enhance the natural resources.

The following is a list of recommendations to assist with the completion of the SMP:

- 1) Maps, legends and key to resources and recreational uses:

Add a graphic "Surfing" icon to detailed map segments of the recreational uses to identify locations at Otter Point Beach Street, Esplanade, Point Pinos, Lovers point an Asilomar State Beach; also, add a graphic "Diving" icon at Lovers Pt, both sides, Sea Palm, Otter Point, Coral Point Pinos etc.

- 2) Indicate location of Crespi Pond Rock Monument and describe its historical significance.
- 3) Water Quality: Use existing Hydrological Studies or conduct new Hydrological Studies of urban runoff, and of the adjacent ocean and bay waters, to assess water quality, and potential pollutants of the entire PG shoreline.
  - A. Prepare recommendations to eliminate pollutants and or flow of urban runoff into the Ocean and Monterey Bay.
  - B. Create a near term and long-term water quality monitoring and reporting program to be funded by a "Development Impact Fee Program", established by an LUP policy and Implementation Plan.
- 4) Consider adding a physical description of resources and recreational uses in the Asilomar State Park Shoreline and State Marine Reserve with a link to the P&R General Plan and "*highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation*" (Coastal Act Section 30251).
- 5) Long Term Recommendations:
  - A. The recommendation and considerations for Point Pinos provide an excellent basis for carrying out the terms and conditions of the federal government's Grant Deed of that land to the City in 2006. I suggest that the SMP add a statement about the purpose and intent defined in the deed, including the provisions to preserve and maintain the sand dune habitat and wetland as natural coastal resources.
  - B. The Lighthouse Reservation Lands (AKA Point Pinos Light Station or, Point Pinos Coast Guard Reservation, point Pinos Rancho are described and mapped as a large parcel including lands from

the ordinary high water line of Monterey Bay at the northwest end of Asilomar Avenue extending in a continuous prolongation westerly and southerly to the southwest end of Lighthouse Avenue; inland to the south side of Lighthouse Avenue and the west side of Asilomar Avenue) – Zoning: Open Space Recreational, and the Lighthouse, NAVY/NOAA and Water Reclamation are zoned Open Space Institutional.

- C. I also suggest a supplemental study to review the Grant Deed (filed on August 23, 2006) terms and conditions and prepare Specific Plan for the preservation, protection, restoration and enhancement of the ecological and cultural coastal resources, consistent with the Grant Deed (attached), and to consider free public uses, shared uses and lateral access and preparation of an open space and conservation plan as an long range alternative to the exclusive use for a fee-based golf course that excludes the general public from the natural resources, etc. (The Bird Observation Station recommended on page 74 is a good, but not the only, example of a shared use of the Lighthouse Reservation.)
- D. Crespi Pond – conduct a specific biological assessment of the Crespi Pond wetland and its hydrological watershed and quality to identify and define the pond and surrounding wetland and riparian area. Evaluate its biological health with recommendations to preserve, protect and enhance the wetland and riparian area.
- E. Point Pinos Traffic Patterns - Conduct automobile and pedestrian traffic studies and prepare an alternative modes of transportation circulation plan to allow closure of Ocean View Boulevard between Asilomar Ave. and the west end of Lighthouse Avenue. Remove Ocean View Boulevard paving and restore shoreline to pre-existing natural conditions with linkages to provide for pedestrian and bicycle lateral and pedestrian vista point lookouts and vertical accessways.
- F. NOAA Navy Portion of Lighthouse Reservation – Prepare a study of historic structure and lands for its alternative reuse and conservation that could provide low-cost facilities, such as a shoreline interpretive center, or walk-in or bike-in camping accommodations.
- G. Please note that the biological study assumed the Point Pinos Trail was adequate, however, neither it or the SMP included the findings of the “Biological Opinion or Plan” part of the grant deed endangered species covenant sections, or the studies by RANA consultants of the subject government property. I recommend that study and report be included as part of the background and basis for future planning.

Respectfully submitted by,

Attachment: Point Pinos Lighthouse Reservation Grant Deed

WHEN RECORDED MAIL ORIGINAL TO:

City of Pacific Grove  
300 Forest Avenue  
Pacific Grove, CA 93950  
Attention: City Manager

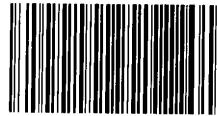
WHEN RECORDED MAIL DATED AND STAMPED  
COPY TO:

Commander (s)  
United States Coast Guard  
Maintenance and Logistics Command Pacific  
1301 Clay Street, Suite 700N  
Oakland, California 94612-5203

Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of  
**City of Pacific Grove**

CINTERIM  
8/23/2006  
11:54:01

DOCUMENT: **2006074277** Titles: 1/ Pages: 25



Fees...  
Taxes...  
Other... **4.00**  
AMT PAID **\$4.00**

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

THIS DEED is made as of the 23<sup>rd</sup> day of August, 2006 between the **UNITED STATES OF AMERICA**, acting by and through the Commander, U.S. Coast Guard Maintenance and Logistics Command Pacific, acting under written delegation of authority dated November 15, 1996, issued by the Commandant, U.S. Coast Guard pursuant to the power and authority of the Secretary of the Department of Homeland Security, as set forth in the Homeland Security Act of 2002 (Public Law 107-296, enacted November 25, 2002) ("GRANTOR"), and further pursuant to the authority contained in the provisions of the Maritime Transportation Security Act of 2002, Public Law 107-295, Section 349 (the "Act"); and the **CITY OF PACIFIC GROVE**, a political subdivision of the State of California, acting by and through the City Council of the City of Pacific Grove, and its successors and assigns ("GRANTEE").

GRANTOR, without payment of consideration, does hereby **REMISE, RELEASE, AND FOREVER QUITCLAIM**, without representation or warranty, express or implied, unto the said GRANTEE, its successors and assigns, the property commonly known as the Point Pinos Light Station, GSA Control No. 9-U-CA-1603, hereinafter referred to as the "Property", legally described as a parcel of land situated in the County of Monterey and State of California, more particularly described in **Exhibit "A"**, and depicted on the "Survey Plat" map described in **Exhibit "B"**, both of which are attached and incorporated by reference herein.

TOGETHER WITH all buildings, improvements, and personality located thereon, and all and singular the tenements, hereditaments, appurtenances, improvements thereunto belonging, or in anywise appertaining, except as rights to same may be retained herein.

The terms "GRANTOR" and "GRANTEE" as used in this Quitclaim Deed to designate either of the parties herein shall be deemed to include the heirs, representatives, successors, and assigns of each such party.

The term "Commandant" as used in this Quitclaim Deed shall mean the Commandant of the United States Coast Guard.

The term "Federal Aid-to-Navigation" as used in this Quitclaim Deed shall refer to any device, operated and maintained by the United States, external to a vessel or aircraft, intended to assist a navigator to determine position or safe course, or to warn of dangers or obstructions to navigation, and shall include, but not be limited to, a light, lens, lantern, antenna, radio, sound signal, camera, sensor, electronic navigation equipment, power source, or other associated equipment, in, on or upon the **Property**, or such light and optics or other navigational aid placed in lieu thereof.

The **Property** is hereby conveyed subject to any and all existing reservations, easements, leases, licenses, outgrants, restrictions, and rights, recorded or unrecorded, for public roads and access thereto, highways, streets, railroads, power lines, telephone lines and equipment, pipelines, drainage, sewer and water mains and lines, public utilities, and other rights-of-way, including but not limited to the specific easements, reservations, exceptions, rights, restrictions, conditions, and covenants that are described herein.

**RESERVING AND EXCEPTING FROM THIS CONVEYANCE THE FOLLOWING EASEMENTS, RESERVATIONS, EXCEPTIONS, AND RIGHTS:**

**1. RESERVATION OF FEDERAL AID-TO-NAVIGATION EASEMENT.**

The **GRANTOR** reserves for itself, its successors and assigns a perpetual, nonexclusive easement to continue to operate, maintain, and have the right upon reasonable notice to the **GRANTEE** to install, repair, inspect, remove, relocate, replace, or add any **Federal Aid-to-Navigation** upon the **Property** as may be necessary for navigational purposes.

**2. RESERVATION OF ACCESS AND UTILITY EASEMENTS.**

The **GRANTOR** reserves for itself, its successors and assigns a perpetual, non-exclusive easement for: (a) unrestricted access upon, through, over, and across the **Property**, at any time and without notice, including but not limited to, the right of ingress and egress in, to, and through the interior of the light station structure, for the purpose of operating, maintaining, and inspecting the **Federal Aid-to-Navigation** in use on the **Property**; or (b) egress and ingress, and utilities, including power and communications lines, to the **Federal Aid-to-Navigation** located on the **Property**, including but not limited to access by motor vehicles, at any time and without notice, hindrance or interference by any structure, building or activity which may be constructed or permitted upon the **Property** by the **GRANTEE**; or (c) the purpose of enforcing compliance with the terms and conditions of the **Act**.

**3. RESERVATION OF VISUAL AND AUDITORY EASEMENTS.**

The **GRANTOR** reserves for itself, its successors and assigns, easements for the operation and maintenance of the **Federal Aid-to-Navigation**, including, but not limited to, a perpetual, exclusive visual easement to insure the continued, effective and unobstructed arc of visibility if a lighted **Federal Aid-to-Navigation**, or to produce sound if a fog horn or other sound-based **Federal Aid-to-Navigation**, or electronic signals and characteristics of the **Federal Aid-to-Navigation** located on the **Property**, including the right to trim or remove vegetation and trees, or to require or perform the modification or removal of structures or equipment that causes interference with said visual, sound, or electronic characteristics of the **Federal Aid-to-Navigation**, and the operation thereof.

**THIS CONVEYANCE FURTHER CONTAINS THE FOLLOWING RESTRICTIONS,  
CONDITIONS AND COVENANTS:**

**1. HISTORIC PRESERVATION COVENANT.**

The **Property** is listed in the National Register of Historic Places as Reference No. 77000312. The **GRANTEE**, in accepting this Quitclaim Deed, covenants for itself, its successors, and assigns and every successor in interest to the real property hereby conveyed, or any part thereof that the **Property** is hereby conveyed subject to the conditions, restrictions, and limitations hereinafter set forth which are covenants running with the land; that the **GRANTEE**, its successors and assigns, covenants and agrees, that in the event that the **Property** is sold or otherwise disposed of, these covenants and restrictions shall be inserted in the instruments of conveyance:

- A. Any structures identified by the California State Historic Preservation Officer ("SHPO") pursuant to *the National Register of Historic Places*, Reference #77000312, and situated on the **Property**, shall be preserved and maintained in accordance with plans approved in writing by the State of California, State Historic Preservation Officer, 1416 9<sup>th</sup> Street, Room 1442-7, Sacramento, CA 95814.
- B. The **GRANTEE** shall preserve and maintain the lighthouse in accordance with the Secretary of Interior's Standards for Rehabilitation (36 CFR Part 67).
- C. No physical or structural changes or changes of color or surfacing shall be made to the exterior of the structure(s) and architecturally or historically significant interior features as determined by the **SHPO** without the written approval of the **SHPO**.
- D. Development of the **Property** shall be in compliance with The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.
- E. Development plans shall be approved by the **SHPO** for guidance in development of the **Property** as it effects the archeological sites identified in *the November 1977 Archaeological Inventory and Evaluation of the U.S. Lighthouse Reservation, Pacific Grove, California by Rob*

*Edwards and Gary S. Breschini. (Map Updated July 2003).*

- F. In the event of violation of the above restrictions, the U.S. General Services Administration (the "GSA") or the SHPO may institute a suit to enjoin such violation or for damages by reason of any breach thereof.
- G. The GSA or authorized representative, and/or the SHPO shall be permitted at all times to inspect the **Property** in order to ascertain if the conditions under this Section 1, HISTORIC PRESERVATION COVENANT, are being observed.
- H. In the event that the **Property**, or any historic artifacts associated with the **Property** ceases to be maintained in compliance with the covenants, conditions, and restrictions set forth in this Historic Preservation Covenant, the **Property** shall, at the option of the GSA, revert to the United States to be placed under administrative control of the GSA.
- I. The failure of the GSA and/or the SHPO to exercise any right or remedy granted under this Section 1, HISTORIC PRESERVATION COVENANT, shall not have the effect of waiving or limiting the exercise of any other right or remedy, or the use of such right or remedy at any time.
- J. The SHPO may, for good cause, and with the concurrence of the Advisory Council on Historic Preservation, modify or cancel any or all of the foregoing restrictions under this Section 1., HISTORIC PRESERVATION COVENANT, of this Quitclaim Deed, upon written application of the GRANTEE, its successors or assigns.
- K. These covenants, conditions, and restrictions under this Section 1., HISTORIC PRESERVATION COVENANT, shall be binding on the parties hereto, and their successors and assigns in perpetuity, and shall be inserted by the GRANTEE verbatim or by express reference in any deed or other legal instrument by which it divests itself of either the fee simple title or any lesser estate in the **Property**, and shall constitute a binding servitude upon the **Property** and shall be deemed to run with the land.

## 2. ENDANGERED SPECIES COVENANT.

GRANTEE covenants for itself, its successors, and assigns, and every successor in interest to the **Property** hereby conveyed, or any part thereof, that the **Property** above described is conveyed subject to the conditions, restrictions, and limitations hereinafter set forth which are covenants running with the land; that the GRANTEE, its successors and assigns, covenants and agrees, that in the event that the **Property** is sold or otherwise disposed of, in whole or in part, these covenants, conditions and restrictions shall be inserted in the instruments of conveyance.

- A. With the exception of an emergency action required to protect the existing lighthouse, GRANTEE shall not use the **Property** or authorize any third party to use the **Property**, for any purpose that would, in the judgment of the U.S. Department of the Interior, Fish and Wildlife Service (the

**"USFWS")**: 1) alter the existing topography and/or present character of the **Property**; or 2) adversely affect the Menzie's wallflower, Tidestrom's lupine, Beach layia, or Monterey spineflower, or the habitat of any of these species; other than as specifically allowed in the **USFWS Biological Opinion No. 1-8-04-F-35** (the "Biological Opinion"), issued to **GSA**, unless the **GRANTEE** first obtains the express written authorization of the **USFWS**, Ventura Fish and Wildlife Office, California. Specifically, **GRANTEE** shall not use the **Property**, or authorize any third party to use the **Property**, or authorize any third party to use the **Property**, for a golf course or any other use unless such use is carried out in conformance with the "Biological Assessment and Dune Habitat Restoration Plan" dated May 17, 2004, as amended by Addendum dated October 20, 2004 (the "Plan"), and as the **Plan** may be revised from time to time by **GRANTEE** in consultation with and subject to the written concurrence of the **USFWS**. The **Biological Opinion** and the **Plan** are incorporated herein by reference. Copies of the **Biological Opinion** and the **Plan** are maintained in 1) City Hall located at 300 Forest Ave, Pacific Grove, CA 93950, 2) the Public Library, 550 Central Ave, Pacific Grove, CA 93950, and 3) the Ventura Fish and Wildlife Office of the **USFWS**. In the event of an emergency action as described above, **GRANTEE** shall promptly consult with the **USFWS** and remediate any damage to the **Property** caused by **GRANTEE**'s response to the emergency.

- B. **GRANTOR** hereby reserves a reversionary interest in all of the **Property**. If **GRANTOR** (or its assigns), acting through the **USFWS** or a designated successor agency, determines that any portion of the **Property** subject to a restriction or other requirement of the **Biological Opinion or the Plan** is not being conserved and/or managed in accordance with the provisions of the **Biological Opinion or the Plan**, then **GRANTOR**, through the **USFWS**, may, in its discretion, exercise a right to reenter the **Property**, or any portion thereof, in which case, the **Property**, or those portions thereof as to which the right of reentry is exercised, shall revert to **GRANTOR** through the **USFWS**. In the event of an occurrence on the **Property** that violates a restriction or other requirement of the **Biological Opinion or the Plan**, **GRANTEE** shall 1) promptly notify the **USFWS** of any such occurrence; 2) immediately take any actions necessary to protect and preserve the affected portion of the **Property** so as to prevent and avoid any further adverse affect; and 3) supply copies of any notice, reports, correspondence, and submissions made by **GRANTEE** to any Federal, State, or local authority, or received by **GRANTEE** from said authority relating to the violation. **GRANTEE** shall have 120 days from the date of the notice of violation to prepare and submit a corrective action plan for review and approval by the **USFWS** in order to correct any noted deficiencies prior to **GRANTOR** taking action under this provision. **GRANTOR**, through the **USFWS**, agrees that it will not exercise its right of reentry and reversion of the property without giving **GRANTEE** notice of **GRANTOR**'S intent to reenter and revert the property. In the event that **GRANTOR**, through the **USFWS**, exercises its right of reentry as to all or portions of the **Property**, **GRANTEE** shall execute any and all documents that **GRANTOR**, through the **USFWS**, deems necessary to perfect or provide recordable notice of the reversion and for complete transfer and reversion of all right, title and interest in the **Property** or portions thereof. Subject to applicable federal law, **GRANTEE** shall be liable for all costs and fees incurred by **GRANTOR** in perfecting the reversion and transfer

of title. Any and all improvements on the **Property** or those portions thereof reverting back to **GRANTOR**, through the **USFWS**, shall become the property of **GRANTOR** and **GRANTEE** shall not be entitled to any payment therefore.

### 3. USE AND MAINTENANCE OF PROPERTY.

- A. The **GRANTEE** shall maintain the **Property** in a proper, substantial, and workmanlike manner, and in accordance with the terms and conditions established in Section 1, HISTORIC PRESERVATION COVENANT, pursuant to the National Historic Preservation Act (16 U.S.C. 470 et seq.)
- B. The **GRANTEE** shall be responsible for maintaining and keeping the access roads on the **Property** in a suitable and usable condition.
- C. The **GRANTEE** shall be responsible for all utilities associated with its use of the conveyed **Property**, and as necessary, the **GRANTEE** shall be responsible for the installation of meter(s) and other hardware necessary to isolate and measure utility use by the **GRANTEE**.

### 4. RETENTION, MAINTENANCE AND NON-INTERREFERENCE OF FEDERAL AID-TO-NAVIGATION.

The **GRANTOR** shall retain all right, title, and interest to the **Federal Aid-to-Navigation** located on the **Property**. The **GRANTEE** shall not be required to maintain the **Federal Aid-to-Navigation** associated with the **Property**, except any private aid to navigation permitted under Section 83 of Title 14, United States Code. The **GRANTEE** shall not interfere, or allow interference in any manner, with any **Federal Aid-to-Navigation**, nor hinder activities required for the operation and maintenance of any **Federal Aid-to-Navigation**, without the express written permission of the **GRANTOR**.

### 5. NON-INTERFERENCE WITH BEAM OF LIGHT.

The **GRANTEE** shall not construct, maintain, operate, or permit any structures, building, or activities on the **Property** which shall in any manner interfere with the beam of light from the **Federal Aid-to-Navigation** or which shall make said light as it presently is operated or as it may be operated, less discernible to the public, or to water or aircraft as a navigational aid, including but not limited to any lights, structures, buildings, or activities which might cause confusion with or apparent diminution of the beam of light or which might interfere with the use of the lighthouse structure as a **Federal Aid-to-Navigation**.

### 6. REVERSIONARY INTEREST OF THE UNITED STATES.

Upon reasonable advance written notice to the **GRANTEE**, all right, title, and interest in and to the **Property** shall, at the option of the **GSA**, immediately revert to the United States of America, if:

- A. The **Property**, any part thereof, or any associated historic artifacts, ceases to be available for educational, park, recreational, cultural, historic

preservation, or other similar purposes set forth in the terms, conditions, or covenants of this Quitclaim Deed; or

- B. The **Property** or any part thereof ceases to be maintained in a manner that is consistent with and ensures its present or future use as a site for **Federal Aid-to-Navigation**, or ceases to be maintained in a manner that is in compliance with the **Act**; or
- C. The **Property** or any part thereof ceases to be maintained in a manner consistent with the conditions under Section 3.A., USE AND MAINTENANCE OF PROPERTY, set forth in this Quitclaim Deed; or
- D. The **Property** or any part thereof is needed for national security purposes in which case the **GRANTOR** shall provide written notice to the **GRANTEE** at least 30 days prior to the reversion.

In the event that there is a breach of any of the conditions and covenants herein contained by the **GRANTEE**, its successors and assigns, whether caused by legal or other inability of the **GRANTEE**, its successors and assigns, to perform said conditions and covenants, or otherwise, all right, title, and interest in and to the **Property** shall revert to and become the property of the United States at the option of the GSA. The United States, in addition to all other remedies for such breach, shall have the right of entry upon the **Property**, and the **GRANTEE**, its successors and assigns, shall forfeit all right, title, and interest in the **Property**, and in any and all of the tenements, hereditaments, and appurtenances thereto belonging.

The **GRANTEE**, by its acceptance of the Quitclaim Deed, covenants and agrees for itself, and its successors and assigns, that in the event the United States of America exercises its power to terminate the **GRANTEE**'s interest in the **Property** then the **GRANTEE** shall provide protection to and maintenance of the **Property** at all times until such time as the title is actually reverted, including the period of any notice of intent to revert. Such protection and maintenance shall, at a minimum, conform to the standards prescribed by the **GSA** in its Federal Management Regulations in effect at the time of the reversion. Prior to any such reversion, the **GRANTEE** further agrees to complete and submit to the United States of America an environmental assessment of the **Property** that sufficiently documents and evaluates its condition in regard to the release of hazardous substances as defined under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. & 9601 (14)).

## 7. HISTORIC ARTIFACTS.

The **GRANTOR** shall retain all right, title, and interest to any historic artifact, including any lens or lantern, located on the **Property** at or before the time of conveyance, as personal property of the United States under the administrative control of the **Commandant**.

## 8. SUBMERGED LANDS.

No submerged lands are included as a part of this conveyance.

**9. NOTICE OF WETLANDS.**

The northern portion of the **Property** contains jurisdictional wetlands near Crespi Pond. Activities contemplated for the **Property** by the **GRANTEE**, its successors and assigns are subject to any and all Federal, State and local laws, rules, and ordinances governing land use in wetland areas. No work by the **GRANTEE**, its successors or assigns on the **Property**, including filling, excavation, digging, or dredging is permitted in this area without a permit from the U.S. Army Corps of Engineers, if applicable.

**10. NOTICE OF POSSIBLE PRESENCE OF LEAD-BASED PAINT AND CONVENTION TO RESTRICT USE OF PROPERTY.**

A. Definitions Pertinent to This Paragraph 10.

- (1) Department. "Department" means the State of California acting by and through the Department of Toxic Substances Control and includes its successor agencies, if any.
- (2) Owner. "Owner" is synonymous with **GRANTEE**, Grantee's successors in interest, and their successors in interest, including heirs and assigns, during **GRANTEE**'s ownership of all of any portion of the **Property**.
- (3) Occupant. "Occupant" is synonymous with **GRANTEE** and any person or entity entitled by ownership, leasehold, or other legal relationship to the right to occupy any portion of the **Property**.
- (4) Covenantor. "Covenantor" is synonymous with **GRANTEE**.

B. Notice. The **Property** is being conveyed "As Is" and the **GRANTEE** shall be responsible for any and all liabilities, damages, loss, expenses or judgments arising out of or related to health problems which are the result of exposure to lead-based paint where the exposure occurred after the **Property** was conveyed to the **GRANTEE**. The light station was constructed in 1854 and was placed in use on February 1, 1855. The **Property** may contain Lead Based Paint (**LBP**). The Phase 1 Environmental Due Diligence Audit, US Coast Guard Point Pinos Light Station, Pacific Grove, Monterey County, California, dated July 2002, states that due to the age of the structures, it is likely that **LBP** was used during construction and in touchups. The **GRANTEE** is hereby informed and does acknowledge that the lighthouse and buildings on the **Property** and existing on the date of this Quitclaim Deed were constructed prior to 1978 and, as with all such property, a lead-based paint hazard may be present.

C. Restrictions to Run with the Land. This Covenant sets forth protective provisions, covenants, restrictions, and conditions (collectively referred to as "'Restrictions'"), subject to which the **Property** and every portion thereof shall be improved, held, used, occupied, leased, sold, hypothecated, encumbered, and/or

conveyed. Each and every Restriction: (a) runs with the land pursuant to the California Health and Safety Code (H&SC) section 25355.5(a)(1)(C) and Civil Code section 1471; (c) is enforceable by the Department; and (d) is imposed upon the entire **Property** unless expressly stated as applicable only to a specific portion thereof.

D. Binding upon Owners/Occupants. Pursuant to H&SC section 25355.5(a)(1)(C) and Civil Code section 1471, this Covenant binds all owners and occupants of the **Property**, and their heirs, successors, and assignees, and agents, employees, and lessees. Pursuant to Civil Code section 1471(d), all successive owners and occupants of the **Property** are expressly bound hereby for the benefit of the Department.

E. Notice of the Presence of Lead in Surface Soil. Prior to the sale, lease or sublease of the Property or any portion thereof, the **Owner**, lessor, or sublessor shall give the buyer, lessee, or sublessee notice that hazardous substances are located on or beneath the **Property**, as required by H&SC section 25359.7.

F. Incorporation into Deeds and Leases. The Restrictions set forth herein shall be incorporated by reference in each and all deeds and leases and subleases for any portion of the **Property**.

G. Conveyance of Property. The **Owner** shall provide notice to the Department not later than thirty (30) days after executing any document conveying any ownership or leasehold interest in the property (excluding mortgages, liens, and other non-possessory encumbrances). The Department shall not, by reason of this Covenant alone, have authority to approve, disapprove, or otherwise affect a conveyance, except as otherwise provided by law, by administrative order, or by a specific provision of this Covenant.

H. Costs of Administering the Deed Restriction. The terms of this Covenant run with the land and will continue in perpetuity unless a Variance is granted or the Covenant is Terminated pursuant to sections N or O, below. The Department has incurred and will in the future incur costs associated with the administration of this Covenant. Pursuant to California Code of Regulations, title 22, section 67391.1(h), the **Owner** agrees to pay the Department's costs associated with the administration of this Covenant. In the event that **Property** ownership changes between the time the Department incurs administrative costs and the invoice for such costs is received, each owner of the property for the period covered by the invoice as well as the current owner is responsible for such costs.

I. RESTRICTIONS

(1) **Property** shall not be used for any of following purposes: a residence, including any mobile home or factory built housing used as residential human habitation, a hospital for humans, a public or private school, a day care center for children, a playground.

(2) Soil Management. No activities that will disturb the surface soil to 12 inches below ground surface (e.g. excavation, grading, removal, trenching, filling, earth movement, or mining) shall be allowed on

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**Property** without a pre-approved Soil Management Plan and a Health and Safety Plan approved by the Department.

(3) **Owner** shall provide the Department written notice at least thirty (30) days prior to any building, filling, grading, mining, or excavation of the Property surface soil to 12 inches below the ground surface.

(4) Any soil removed from the **Property** shall be managed in accordance with all applicable provisions of state and federal law.

J. **Access for Department.** The **Department** shall have reasonable right-of-entry consistent with the purposes of this Covenant as deemed necessary by the Department to protect the public health and safety and oversee any remediation activities.

K. **Inspection and Monitoring of Restrictions.** The **Owner** shall inspect the **Property** annually for compliance with any of the Restrictions herein. Any violations of the Restrictions shall be grounds for the Department to take enforcement actions in accordance with section M, below.

L. **Reporting.**

Notices to the Department shall be made to: Department of Toxic Substances Control, Office of Military Facilities, Attn: Charlie Ridenour, 8800 Cal Center Drive, Sacramento, CA, 95826.

The **Owner** shall provide written notice to the Department of any violations identified during annual inspections and corrective actions taken, within 30 days of the date of the inspection.

M. **Enforcement.** Failure of the **Owner** or **Occupant** to comply with any of the Restrictions shall be grounds for the **Department** to exercise any or all of their rights to require that the **Owner** or **Occupant** modify or remove any improvements ("improvements" includes but is not limited to all buildings, roads, driveways, paved parking areas, water wells, and surface impoundments) constructed or placed upon any portion of the **Property** in violation of the terms of this Covenant or the terms of the Historic Preservation Covenant set forth in Section 1, above. Violation of any provision of this Covenant shall be grounds for the **Department** to file civil or criminal actions as provided by law.

N. **Variance.** The **Owner**, or with the **Owner's** consent, any **Occupant**, may apply to the **Department** for a written variance from the provisions of this Covenant. Such application shall be made in accordance with H&SC section 25233.

O. **Termination.** Any **Owner**, or with the **Owner's** consent, any **Occupant**, may apply to **Department** for a termination of the Restrictions or other terms of this Covenant as they apply to all or any portion of the **Property**. Such application shall be made in accordance with H&SC section 25234.

P. Term. This Covenant shall continue in effect in perpetuity unless ended in accordance with the Termination paragraph above, by law, or by the **Department** in the exercise of its discretion.

Q. No Dedication Intended. Nothing set forth in this Covenant shall be construed to be a gift or dedication, or offer of a gift or dedication to the general public or anyone else for any purpose whatsoever.

R. State of California References. All references to the State of California and the **Department** include successor agencies/departments or other successor entity(ies).

S. Notices Between the Parties. Whenever **Owner** gives or serves any Notice ("Notice" as used herein includes any demand or other communication with respect to this Covenant), each such Notice shall be in writing and shall be deemed effective: (a) when delivered, if personally delivered to the person being served or to an officer of a corporate party being served; or (b) three business days after deposit in the mail, if mailed by United States mail, postage paid, certified, return receipt requested:

#### **11. NOTICE OF THE PRESENCE OF ASBESTOS.**

The **Property** may have asbestos containing material. The Phase 1 Environmental Due Diligence Audit, US Coast Guard Point Pinos Light Station, Pacific Grove, Monterey County, California, dated July 2002, states that due to the age of the structures, it is likely that asbestos-containing material (**ACM**) exists in the building materials. **ACM** has been confirmed in the construction materials used at the lighthouse.

The **GRANTEE** Covenants and agrees, on behalf of themselves, their successors and assigns, that in their use and occupancy of the **Property**, or any part thereof, they will comply with all Federal, state and local laws relating to asbestos. The **GRANTOR** assumes no liability for damages for personal injury, illness, disability or death, to the **GRANTEE**, or to the **GRANTEE**'s successors, assigns, employees, invitees, or to any other person subject to the control or direction of the **GRANTEE**, its successors or assigns, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the **Property** described in this Quitclaim Deed, whether the **GRANTEE**, its successors or assigns has or have properly warned or failed to properly warn the individual(s) injured.

#### **12. HAZARDOUS SUBSTANCE ACTIVITY.**

Notice. Pursuant to 40 CFR 373.2 and Section 120(h)(3)(A)(i) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA)(42 U.S.C. §9620(h)(3)(A)(i)), and based upon a complete search of agency files, the United States gives notice that other than the substances identified in paragraphs 10 and 11, above, no hazardous

substances have been released or disposed of or stored for one year or more on the **Property**.

**Covenant.** United States warrants that all remedial action necessary to protect human health and the environment has been taken before the date of this conveyance. United States warrants that it shall take any additional response action found to be necessary after the date of this conveyance regarding hazardous substances located on the **Property** on the date of this conveyance.

This covenant shall not apply:

- (a) In any case in which the **GRANTEE**, its successor(s) or assign(s), or any successor in interest to the **Property** or part thereof is a Potentially Responsible Party (PRP) with respect to the **Property** immediately prior to the date of this conveyance; **OR**
- (b) To the extent but only to the extent that such additional response action or part thereof found to be necessary is the result of an act or failure to act of the **GRANTEE**, its successor(s) or assign(s), or any party in possession after the date of this conveyance that either:
  - (i) Results in a release or threatened release of a hazardous substance that was not located on the **Property** on the date of this conveyance; **OR**
  - (ii) Causes or exacerbates the release or threatened release of a hazardous substance the existence and location of which was known and identified to the applicable regulatory authority as of the date of this conveyance.

In the event the **GRANTEE**, its successor(s) or assign(s), seeks to have United States conduct any additional response action, and, as a condition precedent to United States incurring any additional cleanup obligation or related expenses, the **GRANTEE**, its successor(s) or assign(s), shall provide United States at least 45 days written notice of such a claim and provide credible evidence that:

- (A) The associated contamination existed prior to the date of this conveyance; and
- (B) The need to conduct any additional response action or part thereof was not the result of any act or failure to act by the **GRANTEE**, its successor(s) or assign(s), or any party in possession.

**Access For Environmental Investigation, Remediation or Other Corrective Action.** United States reserves a right of access, at reasonable times and upon reasonable advance written notice to the **GRANTEE**, to all portions of the **Property** or to any adjoining properties, for environmental investigation, remediation or other corrective action. This reservation includes the right of access to and use of available utilities at reasonable cost to United States. These rights shall be exercisable in any case in which a remedial action, response action or corrective action is found to be necessary after the date of this conveyance, or in which access is necessary to carry out a remedial action,

response action, or corrective action on adjoining property. United States shall exercise reasonable efforts to minimize any interference with the operations of any then existing tenants on the **Property** or any then ongoing development activity in carrying out such response or corrective actions. Pursuant to this reservation, the United States of America, and its respective officers, agents, employees, contractors and subcontractors shall have the right (upon reasonable advance written notice to the record title owner) to enter upon the **Property** and conduct investigations and surveys, to include drilling, test-pitting, borings, data and records compilation and other activities related to environmental investigation, and to carry out remedial or removal actions as required or necessary, including but not limited to the installation and operation of monitoring wells, pumping wells, and treatment facilities. Any such entry, including such activities, responses or remedial actions, shall be coordinated with record title owner and shall be performed in a manner that minimizes interruption with activities of authorized occupants.

### **13. CONDITION OF PROPERTY.**

The **GRANTEE** attests by its acceptance of this Quitclaim Deed that it has inspected, is aware of, and accepts the condition and state of repair of the **Property** herein conveyed. It is understood and agreed that the **Property** is conveyed "AS IS" and "WHERE IS" without any representation or warranty on the part of the **GRANTOR** to make any alterations, repairs, or additions. The **GRANTOR** shall not be liable for any latent or patent defects in the **Property**, except to the extent required by applicable law. The **GRANTEE** acknowledges by acceptance of this Quitclaim Deed that the **GRANTOR** has made no representation or warranty concerning the condition and state of repair of the **Property** nor any agreement or promise to alter, improve, adapt or repair the **Property** which has not been fully set forth in this Quitclaim Deed.

### **14. CONVEYANCES AND OBLIGATIONS.**

- A. The **GRANTEE** attests by its acceptance of and recording of this Quitclaim Deed that all of the covenants and obligations stated in this conveyance run with the **Property** and are binding upon the **GRANTEE**, and agrees to perform all of its obligations related thereto.
- B. This Quitclaim Deed and its acceptance by the **GRANTEE** shall constitute the entire agreement between the **GRANTEE** and the United States of America, unless modified and approved in writing by both parties. This agreement becomes binding upon execution or delivery of the Quitclaim Deed by the United States.
- C. The **GRANTEE** shall save, hold harmless, defend, and indemnify the United States, its employees, agents, and representatives from any suit, claim, demand, or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage (including death, illness, or loss of or damage to the **Property** or economic loss) that arises from the **GRANTEE's** or the **GRANTEE's** employee's, agent's, or representative's use or occupancy of the **Property** and/or the **GRANTEE's** failure to comply with the terms and conditions of the conveyance excepting those claims arising

out of the negligence of the United States.

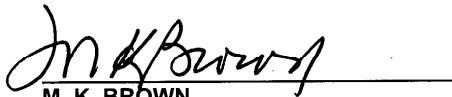
- D. Except to the extent they conflict with California law, the **GRANTEE** further covenants and agrees for itself, its successors, and assigns, to comply with the provisions of the Federal Disaster Protection Act of 1973 (87 Stat. 975); Executive Order 11988, relating to the evaluation of flood hazards; Executive Order 11288, relating to the prevention, control, and abatement of water pollution; and Executive Order 11990, relating to the protection of wetlands, where and to the extent said Act and Orders are applicable to the **Property**, and the **GRANTEE** shall be subject to any use restrictions issued under said Act and Orders.

**15. COMPLIANCE AND FAILURE OF GRANTOR.**

The United States, and any representative it may so delegate, shall have the right of entry upon the **Property** at any time to conduct periodic inspection to ensure compliance with the terms and conditions of the conveyance. The failure of any agency of the United States to exercise any right, term, covenant, condition or remedy granted under this Quitclaim Deed shall not be deemed to be a waiver of the same or any other term, covenant, condition, right or remedy. No term, covenant, condition, right or remedy shall be deemed to have been waived by the United States unless such waiver is in writing executed by a duly authorized representative of the United States, and the **GRANTEE's** obligations with respect to such future performance shall continue in full force and effect.

**IN WITNESS WHEREOF**, the GRANTOR, acting by and through the Commandant, U.S. Coast Guard, and by further delegation to the Commander, U.S. Coast Guard maintenance and Logistics Command Pacific, has caused this Quitclaim Deed to be executed as of the day and year first written above.

For the UNITED STATES OF AMERICA



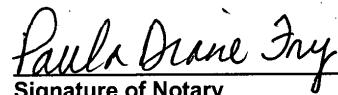
M. K. BROWN  
Rear Admiral, U.S. Coast Guard  
Commander, Maintenance and Logistics Command Pacific

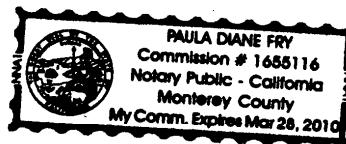
**WITNESS:**

CERTIFICATION BY NOTARY PUBLIC  
State of California  
County of Alameda MONTEREY AF

On AUGUST 23, 2006, before me, PAULA DIANE FRY personally appeared M.K. Brown and Daniel Curt, personally known to me, or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she is in his/her authorized capacity, and that by his/her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

**WITNESS** my hand and official seal.

  
Signature of Notary

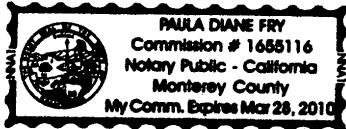


Notary Stamp

ACCEPTANCE of QUITCLAIM DEED

The **GRANTEE**, through its authorized representative, hereby accepts title to the conveyed **Property** and accepts and agrees to all of the terms, conditions, and restrictions contained in the QUITCLAIM DEED set forth above. Executed on behalf of the **GRANTEE** this 23RD day of AUGUST, 2006, at Monterey County.

CITY OF PACIFIC GROVE



Daniel Evan Cort

By: Daniel Evan Cort  
Mayor of the City of Pacific Grove

EXHIBIT "A"

LEGAL DESCRIPTION

For Point Pinos Coast Guard Reservation  
Point Pinos Rancho, City of Pacific Grove, California

## POINT PIÑOS COAST GUARD RESERVATION

Certain real property situate in Point Piños Rancho, City of Pacific Grove, California, particularly described as follows:

BEGINNING at a point in the line of ordinary high water of the Bay of Monterey, at the intersection of said line with the northerly prolongation of the easterly boundary of the Point Piños Lighthouse Reservation, as said Reservation is described in that certain deed to the United States of America dated November 23, 1870 and recorded in Book J of Conveyances at Page 305, records of Monterey County, California, which point bears N. 15° 36' E., approximately 260 feet from a stone monument marked "L.H.R." at the northeast corner of the said Point Piños Lighthouse Reservation; and running thence, following the meanderings of the line of ordinary high water of the Bay of Monterey and of the Pacific Ocean (bearings based on the true meridian)

- (1) westerly, southwesterly and southerly to the point of intersection of said ordinary line of high water with the a westerly prolongation of the southerly boundary of said original Lighthouse Reservation; thence leaving said line of ordinary high water and running along said westerly prolongation of said boundary
- (2) S. 74° 34' E., 1200 feet, more or less, to a stone monument marked "L.H.R" standing at the southwest corner of said Point Piños Lighthouse Reservation; thence along the southerly boundary of said Reservation
- (3) S.74° 34' E., 545 feet to a 10" by 10" granite monument marked "U.S.L.H." at the southeast corner of said Reservation; thence along the easterly boundary of said Reservation
- (4) N. 15° 26' E., 2000.00 feet to the above said stone monument marked "L.H.R." at the northeast corner of the said Point Piños Lighthouse Reservation; thence
- (5) N. 15° 26' E., 260 feet, more or less, to the point of beginning.

### EXCEPTING THEREFROM:

A certain parcel of land particularly described as follows:

BEGINNING at a point which bears N. 15° 26' E., 116.05 feet from the southeast corner of the above described Point Piños Coast Guard Reservation; and running thence along the easterly boundary of said Reservation

- (1) N. 15°26' E., 193.37 feet; thence leaving said easterly boundary
- (2) S. 74° 29' 33 W., 748.63 feet; thence

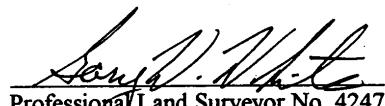
- (3) S.  $15^{\circ} 28' 43''$  W., 250.39 feet; thence
- (4) S.  $74^{\circ} 34'$  E., 692.78 feet; thence
- (5) 79.27 feet along the arc of a tangent curve to the left having a radius of 56.05 feet through a central angle of  $90^{\circ} 00'$  (long chord bears S.  $29^{\circ} 34'$  E., 39.63 feet) to the point of beginning.

**ALSO EXCEPTING THEREFROM:**

A certain parcel of land particularly described as follows:

BEGINNING at a point which bears N.  $15^{\circ} 26'$  E., 827.1 feet from the southeast corner of the above described Point Piños Coast Guard Reservation; and running thence along the easterly boundary of said Reservation

- (1) N.  $15^{\circ} 26'$  E., 200.00 feet; thence leaving said easterly boundary
- (2) N.  $74^{\circ} 34'$  W., 300.00 feet; thence
- (3) S.  $15^{\circ} 26'$  W., 200.00 feet; thence
- (4) S.  $74^{\circ} 34'$  E., 300.00 feet to the point of beginning.

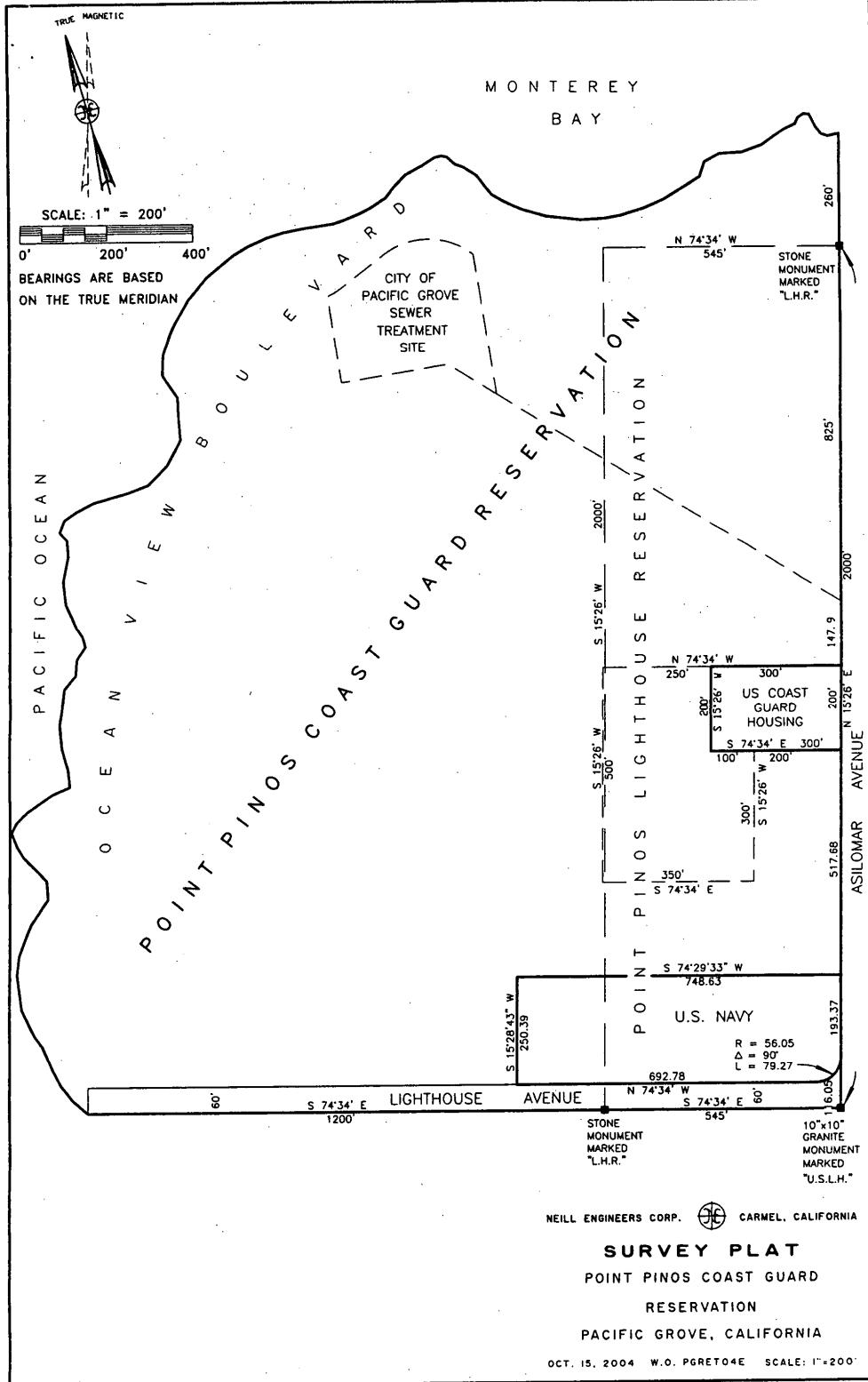
  
 Professional Land Surveyor No. 4247  
 October 18, 2004



**EXHIBIT "B"**

**SURVEY PLAT**

**For Point Pinos Coast Guard Reservation  
Pacific Grove, California**



**EXHIBIT "C"**

**California Department of Toxic Substance Control**  
**Transfer and Use Restrictions Concurrence**



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Maureen F. Gorsen, Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



Arnold Schwarzenegger  
Governor

July 3, 2006

Mr. Robert L. Smith  
Chief, Civil Engineering Division  
U.S. Coast Guard  
1301 Clay Street, Suite 700N  
Oakland, California 94612-5203

### POINT PINOS LIGHTHOUSE INVESTIGATION AND TRANSFER TO THE CITY OF PACIFIC GROVE, CALIFORNIA

Dear Mr. Smith:

Thank you for your letter dated May 19, 2006 regarding the investigation and proposed transfer of the Point Pinos Lighthouse, Pacific Grove, California from the Federal Government to the City of Pacific Grove. You requested the Department of Toxic Substances Control (DTSC) review the submitted investigation report and sign a quit claim deed transferring the lighthouse in an "as-is" condition to the City of Pacific Grove. We have reviewed the site investigation report and the quit claim deed and concur with the proposed transfer and use restrictions, but request you make the changes to the quit claim deed as described below.

The Phase II Lead Contamination Assessment Report, January 2006, provides the results of lead sampling conducted around the lighthouse. Lead concentrations in soil ranged from 6 mg/kg to 6490 mg/kg. Risk analysis using DTSC's Lead Spread Model indicates the lead concentrations would pose a significant risk to humans for a residential use scenario but not a significant risk for a commercial/ industrial use scenario. Based on the mandated future use as a historic landmark and operational aid to navigation, use restrictions will provide a remedy that is protective of human health and the environment.

Based on the particular conditions associated with this property transfer, DTSC will not require a separate land use covenant. In accordance with DTSC regulations,

④ Printed on Recycled Paper

JUL 6 2006

Mr. Robert L. Smith  
July 3, 2006  
Page 2

alternatives to a land use covenant may be utilized under certain circumstances. Current and future restrictions placed on the property to retain its function as an operating Federal Aid to Navigation and its listing in the National Register of Historic Places will prevent future residential use. Separately, the deed includes restrictions on future use, restriction monitoring and reporting, and requires a Department approved soil management plan for any soil disturbances.

DTSC appreciates the effort the U.S. Coast Guard has taken to coordinate this property transfer, and recommends future lighthouse transfers be handled similarly. As stated above, DTSC requests the following changes to the quit claim deed:

- 1) Remove DTSC's signature block from the quit claim deed;
- 2) Modify section "10. L Reporting" to section "10. L Reporting. The Owner shall provide written notice to the Department of any violations identified during annual inspections and corrective actions taken, within 30 days of the date of the inspection."
- 3) Add a section "Notices to the Department" and state the following: "Notices to the Department shall be made to: Department of Toxic Substances Control, Office of Military Facilities, Attn: Charlie Ridenour, 8800 Cal Center Drive, Sacramento, CA 95826."

Please provide me with a copy of the final signed quit claim deed for our records. If you have any questions or comments, please contact me at (916) 255-3571.

Sincerely,



Charles Ridenour, P.E.  
Chief, Federal Facilities Unit  
Office of Military Facilities

cc: The Honorable Sam Farr  
100 W. Alisal Street  
Salinas, California 93901

Mr. Robert L. Smith

July 3, 2006

Page 3

cc: Mr. Jim Colangelo  
City Manager  
City of Pacific Grove  
300 Forest Avenue  
Pacific Grove, California 93950

Mr. Tom Doszkocs  
Government Services Administration  
401 West A Street, Suite 2075  
San Diego, California 92101

Mr. Richard Beyer  
Attorney-Advisor  
Environmental Law Branch  
Maintenance and Logistic Command,  
Pacific Coast Guard Island  
Alameda, California 94501

Mr. Rick Brausch  
Department of Toxic Substances Control  
1001 I Street  
Post Office Box 806  
Sacramento, California 95812

**END OF DOCUMENT**

From:

Sent: Friday, May 15, 2020 5:23 PM

To: info@pgshoreline.org

Subject: Relocation of Coral St. pump station equipment and parking around Esplanade Park

Much more info needed regarding "structure" for electrical components proposed for Esplanade Park by Monterey One Water. Residents around Esplanade Park would be impacted and why not put it west to higher dryer ground at the pullout on the west side of Coral Beach, no residential impact there. No parking along Ocean View will result in increased parking around Esplanade Park, since it's surrounded by residential we should explore parking restrictions to minimize neighborhood impact. See you at the May 20 review.