



CITY OF CARMEL-BY-THE-SEA FOREST AND BEACH COMMISSION

Sarah Berling, Kelly Brezoczky, Tamara Michie, JC
Myers, Brian Sours

All meetings are held in the City Council Chambers
East Side of Monte Verde Street
Between Ocean and 7th Avenues

REGULAR MEETING Thursday, September 14, 2023

MEETING 3:30 PM

Meeting Time 3:30 PM

THIS MEETING WILL BE HELD IN PERSON AND VIA TELECONFERENCE. The public is welcome to attend the meeting in person or remotely via Zoom; however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may watch the Youtube Live Stream at:

<https://www.youtube.com/@CityofCarmelbytheSea/streams> , or use the link below to view or listen to the meeting via Zoom teleconference:

<https://ci-carmel-ca-us.zoom.us/j/82745697879> Meeting ID: 827 4569 7879 Passcode: 671754

HOW TO OFFER PUBLIC COMMENT: Public comment may be given in person at the meeting, or using the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to yoblender@ci.carmel.ca.us. Comments must be received 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be made part of the record.

Tour Time 3:00 PM

ROLL CALL

TOUR OF INSPECTION

Prior to calling the meeting to order, the Board/Commission will conduct an on-site tour of inspection of the properties listed on the agenda and the public is welcome to join. After the tour is complete, the Board/Commission will begin the meeting in the City Council Chambers no earlier than the time noted on the agenda.

- A. Northwest Corner of Lincoln Street and Twelfth Avenue (Gould, 23-209)

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC APPEARANCES

Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Appearances. Each person's comments shall be limited to 3 minutes, or as otherwise established by the Commission. Matters not appearing on Commission's agenda will not receive action at this meeting but may be referred to staff for a future meeting. Persons are not required to give their names, but it is helpful for speakers to state their names so that they may be identified in the minutes of the meeting.

ANNOUNCEMENTS

CONSENT AGENDA

Items on the consent agenda are routine in nature and do not require discussion or independent action. Members of the Commission or the public may ask that any items be considered individually for purposes of Commission discussion and/ or for public comment. Unless that is done, one motion may be used to adopt all recommended actions.

1. August 10, 2023 Meeting Minutes

PUBLIC HEARINGS

2. Consider the removal of one Monterey pine tree at the Northwest Corner of Lincoln Street and Twelfth Avenue (Tree Permit Application 23-209)

ORDERS OF BUSINESS

Orders of Business are agenda items that require City Council, Board or Commission discussion, debate, direction to staff, and/or action.

3. Consideration for Establishing Guidelines for Carmel Beach Cleanups and a Marine Protected Area Sign
4. Further Commission discussion regarding the Beach Infrastructure Tour of Inspection conducted on July 20, 2023 and needed shoreline infrastructure repairs
5. City Forester's Report for August 2023
6. Public Works Director's Report for August 2023.

FUTURE AGENDA ITEMS

ADJOURNMENT

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, located on the NE corner of Ocean Avenue and Lincoln Street, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage <http://www.ci.carmel.ca.us> in accordance with applicable legal requirements.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the Forest & Beach Commission regarding any item on this agenda, received after the posting of the agenda will be available at the Public Works Department located on the east side of Junipero Street between Fourth and Fifth Avenues during normal business hours.

SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).

**FOREST AND BEACH COMMISSION
REGULAR MEETING MINUTES
Thursday, August 10, 2023**

Tour Time 2:30 PM

ROLL CALL

Shortly after 2:30 p.m., the Commission will leave the Council Chambers for an on-site Tour of Inspection of all properties listed on this agenda. Prior to the beginning of the Tour of inspection, the Commission may eliminate one or more on-site visits. The public is welcome to follow the Commission on its tour of the determined sites. The Commission will return to the Council Chambers at 3:30 p.m. or as soon thereafter as possible.

TOUR OF INSPECTION

- Ocean Avenue 4 NE of Guadalupe Street (Mardani, 23-215)
- Santa Rita Street 4 SE of Ocean Avenue (Gaya, 23-024)
- Southwest Corner of Santa Fe Street and Mountain View Avenue (Westphal, 23-217)
- Camino Real 2 NW of Thirteenth Avenue (Jones, 23-198)

MEETING 3:30 PM

CALL TO ORDER AND ROLL CALL

PRESENT: Berling, Brezoczky, Michie, Myers, Sours
ABSENT: None
STAFF PRESENT: Robert Harary, P.E., Director of Public Works
 Justin Ono, City Forester
 Tom Ford, Administrative Analyst
 Marnie Waffle, Principal Planner
 Mary Bilse, Environmental Programs Manager
 Yvette Oblander, Commission Secretary/Administrative Coordinator

PLEDGE OF ALLEGIANCE

Chair Myers led the public in the Pledge of Allegiance

EXTRAORDINARY BUSINESS

Item A: Introduction of the new Environmental Programs Manager and new City Forester

Director Harary introduced Mary Bilse, the new Environmental Programs Manager, and Justin Ono, the new City Forester, to the Commission, both of whom will be working on programs related to the forest, beach, parks, and other related projects.

PUBLIC APPEARANCES

Melanie Billig
 Maria Sutherland, representing the Friends of Carmel Forest

ANNOUNCEMENTS

Director Harary announced:

- Introduced and welcomed the five new Steering Committee members, who were selected by the Commission in June but not yet announced, and who are now part of the Urban Forest Master Plan Project: Bill Taormina, Donna Jett, Linda Smith, Maria Sutherland, and Peter Quintanilla.
- Anyone, including Commissioners, the public, or staff, can request topics for the Forest and Beach Commission meeting agendas. Please notify Yvette, Justin, or Bob if you are interested in having an item considered on an upcoming agenda. Staff may confirm the topics with the Chair, who makes the final decision on what items will move forward.
- We are asking all Commissioners and Steering Committee members to please not contact our consultants or contractors directly. Contractors have specific tasks and fees assigned, and the contractors are managed by staff. If you have any questions or concerns regarding our consultants or contractors, please contact Public Works.
- City Clerk Nova Romero organized a virtual, 70-minute, “Brown Act” training class a while back, and sent an email on July 17th to all Commissioners and Steering Committee members. Director Harary encouraged the Commissioners and Committee members to watch the training video.
- Under the Public Hearing items in today’s Agenda, you might have noticed a new section of the reports called “Environmental Evaluation.” The California Environmental Quality Act (CEQA) is a state law and requires decisions of legislative bodies to consider environmental impacts. Moving forward, Mary Bilse, the Environmental Programs Manager, will take the lead to ensure that we more fully comply with CEQA requirements.

CONSENT AGENDA

- Item 1:** Approve the June 8, 2023, Meeting Minutes
AND
Item 2: Approve July 20, 2023, Special Meeting Minutes

Commissioner Michie moved to approve both meeting minutes and seconded by Commissioner Brezoczky and carried by the following roll call vote:

AYES: Berling, Brezoczky, Michie, Myers, Sours
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC HEARINGS

- Item 3:** Approve or deny the pruning of limbs of a significant oak tree on a neighboring property to construct a second-story addition at the property located at Ocean Avenue 4 Northeast of Guadalupe Street (TR 23-215, DS 23-221)

Mr. Ford presented the Staff Report and recommended denying the pruning of a Significant oak tree at Ocean Avenue 4 Northeast of Guadalupe Street. Should pruning be approved, all costs will be at the Applicant’s expense. Tree Permit 23-215 would only be valid upon an approved Design Study 23-221 and issuance of a Building Permit. Mr. Ford answered questions of the Commission.

City Forester Justin Ono presented photos of the subject tree and answered questions of the Commission.

Ms. Adazeh Mardani, the Applicant and homeowner, explained why she would like to prune the tree limbs, and answered questions of the Commission.

PUBLIC COMMENT

Tim Cass, a neighbor and owner of the tree, opposes pruning of the tree.

Francisco Belaunzaran

Principal Planner Marnie Waffle confirmed that the Applicant did submit a planning application initially to construct a second story to her home. As they were going through the review process, the Applicant changed the plans to stay with a one-story home and avoid impacts to the tree. This design went to the Planning Commission for a concept review and was accepted with conditions.

While the Applicant was addressing those conditions, she decided to go back to the two-story design. The Planning Department is starting the review process over again, and this will have to go back to the Planning Commission. If the Forest and Beach Commission finds that the tree limbs cannot be removed, she will need to modify her planning application accordingly. Ms. Waffle addressed questions of the Commission.

Chair Myers motioned to deny the pruning of this significant oak tree as per the recommendation of the Forester, seconded by Commissioner Sours and carried by the following vote:

AYES:	Myers, Sours
NOES:	Berling, Brezoczky, Michie
ABSENT:	None
ABSTAIN:	None

The motion failed. Commissioner Brezoczky motioned to defer this item to a date uncertain, until there is more information from Planning regarding the addition or remodeling of the home, seconded by Chair Myers and carried by the following vote:

AYES:	Berling, Brezoczky, Michie, Myers, Sours
NOES:	None
ABSENT:	None
ABSTAIN:	None

Item 4: Approve or deny the removal of one coast live oak tree for construction purposes at Santa Rita Street, 4 Southeast of Ocean Avenue (TR 23-024, DS 22-330)

Forester Ono presented the Staff Report and recommended approving the removal of one coast live oak that is fairly healthy, but has a significant lean and is growing close to the house, at the Applicant's expense. The Permit will only be valid with an approved Design Study 22-330 and issued Building Permit

Mr. Bruce Gaya, the Applicant and homeowner, explained why he requested removal and answered questions of the Commission.

PUBLIC COMMENT

None

Commissioner Berling motioned to approve the removal of the coast live oak, seconded by Commissioner Michie. Commissioner Brezoczky made a friendly amendment to approve the removal of one Coast live oak at the Applicant's expense, but that the permit will only be issued and valid with an approved Design Study and issued Building Permit. Seconded by Chair Myers and followed by the following vote:

AYES: Berling, Brezoczky, Michie, Myers, Sours
 NOES: None
 ABSENT: None
 ABSTAIN: None

Item 5: Approve or deny the removal of two coast live oak trees for reconstruction purposes at the Southwest Corner of Santa Fe Street and Mountain View Avenue (TR 23-217)

Commissioner Michie recused herself from this item because she lives within 500 feet of this property.

Forester Ono presented the Staff Report and recommended denying the removal of two coast live oak trees. He suggested that the Applicant should consider other design options for the garage replacement that keeps both or one of the existing trees intact. Should the removals be approved, require the replanting of two upper canopy trees (one for each removed tree) at the Applicant's expense. This permit would only be valid with an approved Design Study and issued Building Permit. Forester Ono answered questions of the Commission.

Mr. Bruce Westphal, the Applicant and homeowner, spoke to the Commissioners and voiced his concerns that adjacent trees have already fallen and demolished his garage, and additional trees may be falling.

Architect Eric Beckstrom spoke on behalf of Mr. Westphal also noted that this was a public safety issue and that both trees should be removed to accommodate reconstruction of the garage.

PUBLIC COMMENT

None

Chair Myers motioned to approve the removal of the two Coast live oak trees with the requirement of replanting two upper canopy trees at the Applicant's expense, seconded by Commissioner Berling and followed by the following vote:

AYES: Berling, Brezoczky, Myers, Sours
 NOES: None
 ABSENT: Michie
 ABSTAIN: None

Commissioner Michie returned to the dais for the following items.

Item 6: Approve or deny the removal of one Monterey pine tree at Camino Real, 2 Northwest of Thirteenth Avenue (TR 23-198)

Mr. Ford presented the Staff Report and recommended approving the removal of the one Monterey Pine tree at Camino Real, 2 Northwest of Thirteenth Avenue that has been causing damage to the house. Mr. Ford answered questions of the Commission.

Director Harary added, the Commission has the option to request the Applicant to have an architect or engineer provide a more detailed assessment; however, the damage speaks for

itself. Also, there have been similar cases where trees have damaged homes, and the Commission authorized their removals in the past. Mr. Harary emphasized the opportunity to replant up to five new upper canopy trees, which is needed on the lot.

The Applicant was not present.

PUBLIC COMMENT

Donna Privel – suggested denying the permit because the healthy tree preceded construction of the house.

Forester Ono further discussed the item and answered questions of the Commission.

Chair Myers motioned to approve the removal of the Monterey pine and require planting one upper canopy tree at the Applicant's expense, seconded by commissioner Berling and followed by the following vote:

AYES:	Berling, Brezoczky, Michie, Myers, Sours
NOES:	None
ABSENT:	None
ABSTAIN:	None

ORDERS OF BUSINESS

Item 7: Receive a presentation from Integral Corp./Haro Kasunich & Associates/EMC Planning Group regarding the results of the Shoreline and Beach Change Analysis, Task 2, which is part of the Coastal Engineering Study

Environmental Programs Manager Mary Bilse introduced the Consultants who are working on the Coastal Engineering Study. The presentation will be from Dr. David Revell, Matt Jamieson, and Ashley Elison who will present via Zoom. The PowerPoint slides will be placed on the City's website following the meeting. The presentation will be followed up with a technical report in the near future.

Dr. Revell gave an update on the progress of the Coastal Engineering Assessment project. He spoke in detail about Task 2 which is the Seasonal and Long-term Beach and Shoreline Change Analysis. He provided an overview of their technical findings and results. Dr. Revell, Ms. Elision, and Mr. Jamieson also answered questions of the Commission.

Several Commissioners expressed concerns that the Beach and Shoreline Change Analysis did not give rise to the serious condition of the beach infrastructure (sea walls, revetments, staircases, and outfalls) and potential risks the City may be facing at the beach. In particular, there was opposition to the sentence in the Staff Report that stated, *"Overall, the long-term shoreline position and beach widths have been relatively stable. This indicates a relatively stable amount of sand in the sandy beach compartment."* There was a request to have the Consultants include an Executive Summary in their upcoming technical report, and that the Commission be given the opportunity to review and comment on the draft report before it is released.

Director Harary noted that the Staff Report was intended to be a high-level, general overview of the status of the Coastal Engineering Study and to introduce the Beach and Shoreline Change Analysis topic. The comments from the Commissioners are valid, and staff will work with the Consultants to include an appropriate Executive Summary in the technical report, and return to the Forest and Beach Commission with the report for their final review.

Item 8: Status update on the Urban Forest Master Plan (UFMP), respond to Stakeholder Survey questions from Davey Resource Group (DRG), and finalize the UFMP Community Survey

Tom Ford presented the Staff Report, first providing an overview of the first Public Workshop held at Vista Lobos in July, and the status of DRG's development of the UFMP, with supporting documents in Attachments 1 and 4.

Next, Mr. Ford noted that not all 10 Commissioners and Steering Committee members completed their Stakeholder Questionnaire. He suggested to have DRG lead the discussion to review these questions one last time, and try to build consensus with the Steering Committee as a whole. Staff also suggest to have DRG review the final draft UFMP Community Survey for any final comments before it is released to the general public. These documents were included as Attachments 2 and 3. Mr. Ford, Mr. Ono, Tina McKeand, and Alison Steere from DRG answered questions of the Commission.

As DRG began to introduce these items, Commissioners Brezoczky and Berling suggested to not rush on completing the Community Survey. The consensus of the Commission was to put this item off until the next meeting, or to have a Special Meeting between now and next month if possible.

Director Harary briefly noted that Steering Committee member Linda Smith provided supplemental information for the UFMP included as Attachment 5. Linda Smith summarized the various articles and reports in her Attachment.

PUBLIC COMMENT

Melanie Billig
Allan Wheat

Item 9: Ocean Avenue Median Islands Landscaping Design Alternatives

Director Harary introduced the Staff Report and stated that there will be Powerpoint presentations regarding three (3) landscaping design options for the five Ocean Avenue median islands, between Junipero and Monte Verde Streets. We are seeking the Commission's direction on a preferred design alternative so we can ultimately move forward again on this project.

Forester Ono presented landscape Design #1, which was the design approved by the Commission in February 2022 and implemented in the median island between Lincoln and Monte Verde Streets. Mr. Ono also presented Design #2 which was the original design by distinguished landscape architect Thomas Church when the medians were initially constructed in 1938.

Dale Byrne, Carmel Cares, introduced Alan Wheat, Professor of Horticulture at MPC, who presented Design #3. Design #3 would be somewhat similar to Design #1 with further embellishments, including additional work on the existing trees, creating a "pollinator pathway," and installing a greater variety of local plants and shrubs.

Professor Wheat and Forester Ono answered questions from the Commission

PUBLIC COMMENT

Peter Quintanilla – Supported Design #3
Francisco Belaunzaran – Requested to not remove any trees
Cindy Lloyd (Ms. Lloyd was unable to speak due technical difficulties on her end. We noted that she submitted an email which supported Design #3)

Two other written comments were received, both supporting Design #3

After discussion, there was Commission consensus and direction to staff to proceed with Design #3.

Item 10: Commission discussion of the findings and priorities regarding the Beach Infrastructure Tour of Inspection conducted on July 20, 2023

Director Harary presented the Staff Report stating that this is an opportunity for Commissioners to discuss the findings and priorities regarding the Carmel Beach Infrastructure Tour of Inspection conducted on July 20, 2023. He stated that this is a discussion topic, and staff does not have a presentation but can help answer questions.

Commissioner Sours provided a handout and presented an overview of the Commission's Beach Tour of Inspection. The tour began at Pescadero Creek at the north end of Carmel Beach and ended at the Frank Lloyd Wright home at the south end of Carmel Beach. He discussed the need for maintenance and repair of several coastal protection structures including vertical seawalls, sloping revetments, stairways, and storm drains.

Commissioner Sours generally agreed with the recommended maintenance and repairs illustrated in the Carmel Beach Coastal Protection Assessment Report, dated April 27, 2023, although he expressed that many of the repairs are urgent and need to be addressed this year. One seawall needs to be replaced (S10 at the Dunes outfall) because potential collapse of this structure poses a risk to beach users. Four rip-rap revetments need repair because they do not provide adequate protection along their length. The northern one third of R1, the south quarter of R3, and the northern third of R4 are also high priority for replacement. The northern one third of R1 by Santa Lucia Avenue is potentially unstable, posing a safety risk to beach users. Furthermore, nine of the beach stairways need repair with four that are high priorities.

PUBLIC COMMENT

Dale Byrne

Item 11: Public Works Director's Report for July 2023, including the Forestry Division Report

AND

Item 12: Public Works Director's Report for June 2023, including the Forestry Division Report

Director Harary presented the combined Public Works Director's Reports for June and July 2023, including the Forestry Division Reports.

City Council actions related to Forestry, Parks, and Beach issues

- Only one bid was received from Bowen Engineering & Environmental for the Mission Trail Nature Preserve Well and Tank/Pump House Removal Project. The \$139,700 bid was awarded at the July Council meeting.
- Council awarded a Professional Services Agreement to Denise Duffy & Associates to provide North Dunes Habitat Restoration and on-call environmental monitoring services for two years for a fee of \$111,560.
- Council adopted new fees for City-wide services. We will have a new fee for Tree Evaluations for \$195. The Tree Pruning Permit fee will remain at \$255. The Tree Removal Permit fee will increase to \$665. Tree-related appeals to the Forest & Beach Commission and to City Council will increase to \$1,800.

Forestry Division Reports

- On-call landscape maintenance contractor, Town & Country, was issued 30 Task Orders, totaling \$125,000 and covering a wide range of landscaping services throughout the City for FY 2023/24. Approximately \$50,000 remains in reserves.
- The City's new stump grinder was put into action. Forestry crews removed five stumps in July, and several trees were planted in the downtown area upon removal of the stumps.
- Forestry crews participated in Aerial Rescue Training.
- Cleared weeds around Flander's Mansion and mowed Martin Meadow to reduce fuel loads.
- Provided information for numerous tree-related claims resulting from winter storms.
- Forester agreed with PG&E for them to remove six dead or hazardous trees located adjacent to power lines. Removals should be completed within three months.

Climate Action and Climate Adaptation Plan implementation

- Reviewed revised application for a non-competitive Coastal Commission Local Coastal Planning grant for the maximum amount of \$500k. for future phases of the Coastal Engineering Study. Grant application to be submitted to Council for approval.

Update on Volunteer Organizations

- Public Works established a routine for cleaning up the beach three times per week. Our landscape maintenance contractor cleans up on Monday mornings, Carmel Cares volunteers picks up on Wednesday mornings, and Public Works crews picks up on Friday mornings. This approach seems to be effective.
- Carmel Cares began construction of the Scenic Pathway Guardrail Repair Project. Project anticipated to be completed by late August.
- They refinished marquees and installed new "Keep Carmel Beach Clean" signs along the beach.
- Cleared the hillside next to the Lincoln Street trestle bridge.
- Their "Median Minders" program continues to expand with more volunteers caring for "adopted" median islands than ever before.

Miscellaneous Forestry, Parks, and Beach-related Public Works items

- Contractor repaired the Scenic Restroom mahogany doors and frames, so they no longer jam as the doors expand and contract due to temperature changes.
- Rented a bobcat to spread sand over exposed rocks at the base of the Eighth Avenue beach stairs and over the embankment west of the Del Mar parking lot.
- Contractors painted the exteriors and interiors of park restrooms in lower Forest Hill Park, upper Forest Hill Park, and at Devendorf Park.
- Leadership Carmel's Forest Hill Park nature play legacy project is scheduled to be installed in late August.

PUBLIC COMMENT

Maria Sutherland

FUTURE AGENDA ITEMS

None

ADJOURNMENT

Respectfully submitted,

Yvette Oblander, Administrative Coordinator, Commission Secretary

Approved by:

JC Myers, Chair



CITY OF CARMEL-BY-THE-SEA FOREST AND BEACH COMMISSION Staff Report

September 14, 2023
PUBLIC HEARINGS

TO: Forest and Beach Commissioners

SUBMITTED BY: Louise Shurvinton

SUBJECT: Consider the removal of one Monterey pine tree at the Northwest Corner of Lincoln Street and Twelfth Avenue (Tree Permit Application 23-209)

RECOMMENDATION:

Deny the removal of one Monterey pine tree. Should the removal be approved, require the replanting of one upper canopy tree at the Applicant's expense.

BACKGROUND/SUMMARY:

Tope's Tree Service submitted a Tree Permit Application (**Attachment 1**) on behalf of property owner Louise Gould to remove one 40" DBH Monterey pine tree on private property due to concerns that the tree is damaging the adjacent house. See **Attachment 2** for the Site Map.

The Applicant submitted an Arborist Report with photographs (**Attachment 3**) prepared by ISA-certified arborist Frank Ono, who found the tree to be healthy, with no significant signs of disease or insect infestation. He noted that the root collar of the pine tree is less than two inches from the outer wall of the home. Mr. Frank Ono did not report any major observable cracks in the outer walls, but did note a visible disruption to the roof trim and cracks in a nearby stone walkway. However, it is unclear if the disruption to the eave trim was caused by the tree. He recommended the Applicant hire a structural engineer to determine if the tree is damaging the foundation of the home.

The City Forester* also assessed the Monterey pine, and also found the tree to be fairly healthy and in relatively good condition. He recommends that the Applicant obtains a structural evaluation report, and that the pine be approved for removal only if there are no reasonable long-term architectural or engineering remedies for the situation. In prior situations where an otherwise healthy tree appears to be causing structural damage to an adjacent building, the Commission has authorized removal of the tree without further detailed architectural or engineering evaluations if there are obvious signs of structural damage or the property owner has provided compelling documentation of damage to the building resulting from the adjacent tree.

Carmel Municipal Code Section 17.48.070 authorizes the Forest and Beach Commission to approve the removal of trees that are causing "substantial damage to a building that cannot readily be repaired or

alleviated on a long-term basis, through minor reasonable building modifications.”

Per Carmel Municipal Code Section 17.48.080:

Tree Density Chart for property of 4,250 square feet		
	# of Upper Canopy	# of Lower Canopy
Recommended:	4	3
Currently:	1	4
If removal(s) is/are approved:	0	4

There appears to be adequate space to replant only one upper canopy tree.

The Applicant was notified of their opportunity to speak at the Public Hearing.

*It is the opinion of the Director of Public Works that there is no conflict of interest between the report prepared by Frank Ono and the assessment by City Forester Justin Ono for this permit application.

ENVIRONMENTAL EVALUATION:

This action does not constitute a project within the meaning of the California Environmental Quality Act under Public Resources Code Section 21065. It has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and, therefore, does not require environmental review.

FISCAL IMPACT:

The Applicant has paid the \$340 tree removal permit fee, as well as the \$1,485 Forest and Beach Commission appeal fee. Should the tree be approved for removal, all costs will be at the Applicant's expense. Should the Applicant be required to plant an additional upper canopy tree(s) on the private property, the Applicant will pay the cost of the replacement tree(s).

ATTACHMENTS:

Attachment 1 - Tree Removal Permit Application 23-209

Attachment 2 - Site Plan

Attachment 3 - Frank Ono Arborist Report



City of Carmel-by-the-Sea
City Hall
PO Box CC
Carmel, CA 93921 Phone:
(831) 620-2010

Date Received: _____
FEE: \$ _____
RECEIPT #: _____
Permit #: 23-209

APPLICATION FOR PERMIT TO REMOVE OR PRUNE TREE NO CONSTRUCTION

Location of property: NW Corner of Lincoln & 12th

BLOCK: _____ LOT: _____ APN: 010-183-013-000

Name of Property Owner: Louise Gould Name of Applicant/Contractor: Tope's Tree Service, Inc.

Mailing Address: 10 ALHAMBRA CT. Mailing Address: _____

PORTOLA VALLEY, CA 94028

Email: louise@wwcomm.com Email: info@topestreeservice.com

Phone #: 650-743-6625 or 650-851-5150 Phone #: 831-373-7765

WHO WILL REMOVE/PRUNE TREE(S): Tope's Tree Service, Inc.

PLEASE NOTE IF TREE(S) ARE ON CITY OR PRIVATE PROPERTY

Number, size and species of tree(s) to be removed: Remove 1 Monterey pine tree - SE corner of the house

Number, size and species of limb(s) to be removed: _____

Number, size and species of root(s) to be removed: _____

Reason for removal or pruning: See Arborist Report Prepared by F.O. Consulting

You will be notified in writing the date and time that your request is scheduled for a hearing. If you or your representative is unable to attend the hearing your application will be tabled. You may reschedule by contacting the Secretary to the Forest and Beach Commission at (831) 620-2070. You may waive your right to speak at the hearing and authorize the Forest Beach Commission to act on your absence by signing on the following line: _____ Date: _____

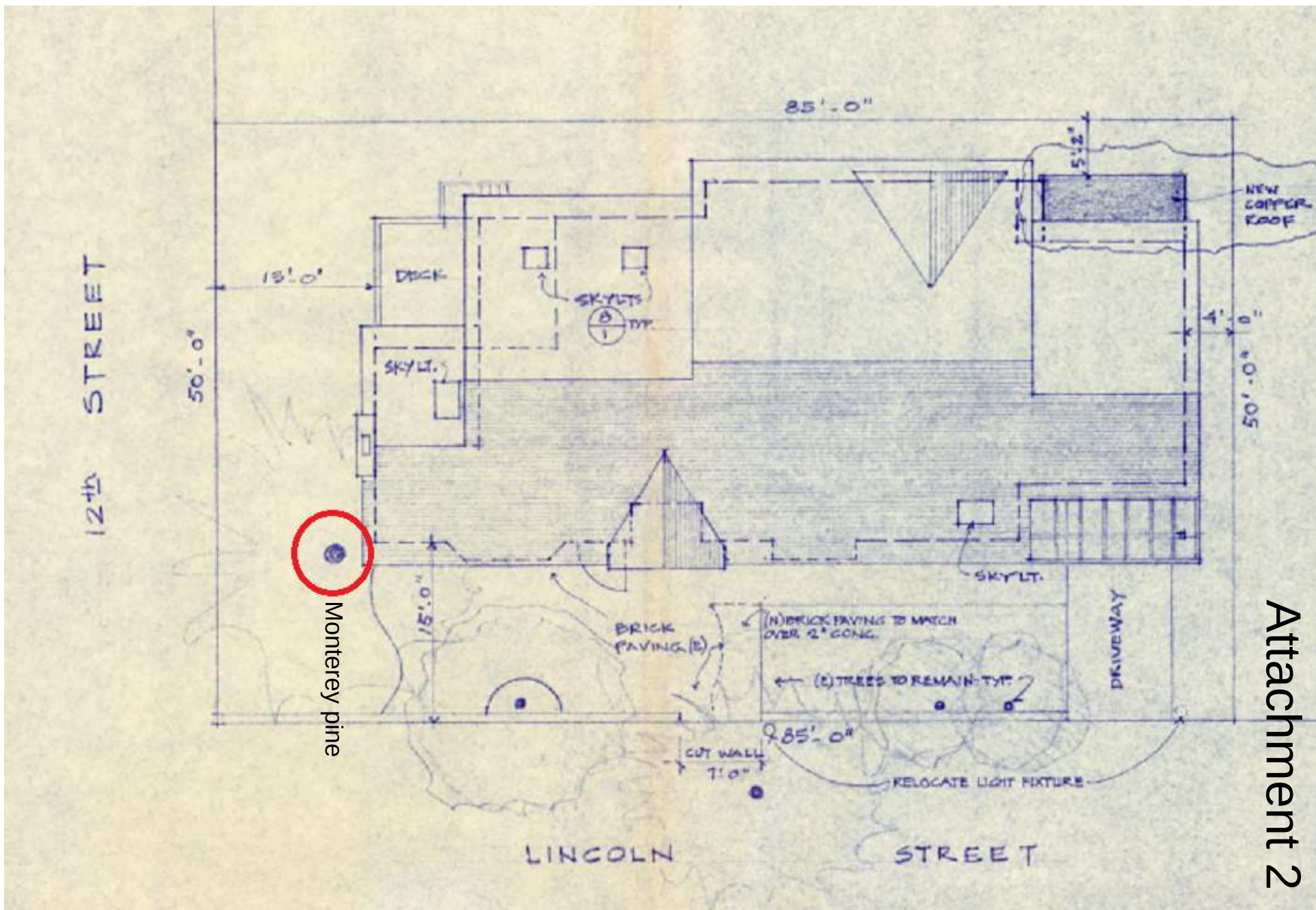
A SITE PLAN MUST ACCOMPANY THIS APPLICATION AND **SHOW** THE FOLLOWING:

1. Location, size and species of ALL trees on the lot.
 2. Location and species of tree(s) /limb(s) to be removed or pruned
 3. Footprint of the structure
 4. Location of areas for tree replanting- The City has adopted Design Review Guidelines which include a minimum tree density per lot. Please review the attached Policy and indicate on the site plan where you intend to plant trees necessary to comply with which guideline.
- Any decision of the Forest and Beach Commission is based on information submitted with this application.
 - **PLEASE BE ACCURATE.**
 - **NO WORK IS PERMITTED** until your permit has been issued to you. The permit must be posted on the job site when work is being performed.

Owner's Signature: Louise M. Gould Date: 6/14/23

Agent for Owners: _____ Date: _____

INCOMPLETE APPLICATIONS WILL BE RETURNED



F. O. Consulting
International Society of Arboriculture
Certified Arborist # 536
Society of American Foresters Professional Member 48004
1213 Miles Avenue
Pacific Grove, CA 93950
Telephone (831) 373-7086

February 16, 2023

Topes Tree Service
650 E Franklin St.
Monterey, CA 93940

RE: NW Corner of Lincoln and 12th - Pine
APN: 010-183-013-000

Mr. Tope;

A visual tree assessment (VTA) was requested for a Monterey pine tree located near the above-referenced property for its health, stability, and potential for damage to the structure. The tree is a 40-inch diameter Monterey pine located on the southeast corner of the house, standing approximately 85 feet tall with a crown spread of over 40 feet. You indicated that the property owner wishes to have the tree removed due to root plate uplift resulting in a lifted and cracked brick walk and that the tree is lifting the corner of the house.

The tree sits approximately 3 inches away from the southern wall with the root collar being less than 2 inches away from the brick south wall. When observing the roofline and the trim around the roof area, there is some observable disruption and the stone walkway is cracked, but no observable major visible cracks within the brick wall.

The tree appears to be healthy overall but there may be a potential for decay within the tree. It does not have any obvious signs of fungal conks or a significant presence of disease or insect infestation. The tree crown has been pruned and it does not have a dense crown that would make it susceptible to windthrow failure at present. It appears to be secure and by the looks of the bark, the tree also appears to be a granary for the local woodpecker population.

Please understand that, within the City of Carmel by the Sea, it is very difficult to remove a healthy tree and that the city may not give a permit for its removal based solely on its health. The tree would require further testing to see whether or not there is decay in the trunk and its root collar, however, the tree appears to have a shell wall thickness that can support the tree so resistograph testing would likely be inconclusive.

The entire root plate could very well be lifting the house, but this finding requires further study by a structural engineer (as I am not one) to decide that the tree's roots are detrimental to the foundation of the building. If so, then the process would be to approach the Forestry and Beach Commission, who then will need to decide if the tree roots should be cut to alleviate the pressure on the foundation, or if they can allow it to be removed.

Disclosure Statement

Use of report: This is to be considered and used as background information for the current tree removal application process implemented by the City of Carmel by the Sea. The report is prepared to assist the City, along with other required documents, in determining if and under what circumstances a permit may be issued.

Inspection limitations: The inspection of the tree consisted solely of a visual inspection from the ground. While more thorough techniques are available for inspection and evaluation, they were neither requested nor considered necessary or appropriate at this time. This report is based on a visual inspection of the tree's condition and for obvious defects. It is not intended to constitute a complete health and hazard evaluation. Further investigation would be required to more definitively evaluate the health and hazards posed by the subject trees, some of which may not be disclosed by visual inspections. Investigations include but are not limited to core samples, root crown excavation, and visual inspection of the entire trees by climbing. Please be advised that healthy trees and/or limbs may fail under certain conditions and that the above recommendations are based on industry standards of tree care.

Urban Foresters/Arborists are tree specialists who use their education, knowledge training, and experience to examine trees, recommend measures to enhance their health and beauty, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist or seek additional advice. Trees and other plant life are living, changing organisms affected by innumerable factors beyond our control. Trees fail in ways and because of conditions, we do not fully understand.

Urban Foresters/Arborists cannot detect or anticipate every condition or event that could lead to the structural failure of a tree. Conditions are often hidden within the trees and below ground. Urban Foresters/Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, for any specific period, or when a tree or its parts may fail. Further, remedial treatments, as with any treatment or therapy, cannot be guaranteed. Treatment, pruning, bracing, and removal of trees may involve considerations beyond the scope of the arborist's skills and usual services such as the boundaries of properties, property ownership, site lines, neighbor disputes and agreements, and other issues. Therefore, urban foresters/arborists cannot consider such issues unless complete and accurate information is disclosed in a timely fashion. Then, the urban forester/arborist can be expected, reasonably, to rely upon the completeness and accuracy of the information provided. Trees can be managed but not controlled. To live near trees, regardless of their condition, is to accept some degree of risk. The only way to eliminate all risks associated with trees is to eliminate all trees.

Hazard/hazard potential: For this evaluation and/or report, a tree or tree part presents a threat to humans, livestock, vehicles, structures, landscape features, or other entities of civilization from uprooting, falling, breaking, or growth development (e.g., roots). While all large landscape trees in proximity to such targets present some degree of hazard

regardless of their condition, such inherent hazard is not intended as within this definition and its usage in this evaluation and report. As trees and other plant life are living, changing organisms affected by innumerable factors beyond our control, Ono Consulting and its personnel offer no guarantees, stated or implied, as to tree, plant, or general landscape safety, health, condition, or improvement, beyond that specifically stated in writing in accepted contracts.

Thank you very much and please feel free to call if there are any questions or if I can be of further assistance.

Sincerely,



Frank Ono

Certified Arborist #536

This report is based on a visual inspection of the tree's condition and for obvious defects. It is not intended to constitute a complete health and hazard evaluation. Further investigation would be required to more definitively evaluate the health and hazards posed by the subject trees, some of which may not be disclosed by visual inspections. Investigations may include but are not limited to core samples, root crown excavation, and visual inspection of the entire tree or trees by climbing. Please be advised that healthy trees and/or limbs may fail under certain conditions and that the above recommendations are based on industry standards of tree care. This report is made with the understanding that no representations or warranties, either expressed or implied are made that any trees referred to in the report or located on or adjacent to the subject property are sound or safe.



Subject Tree



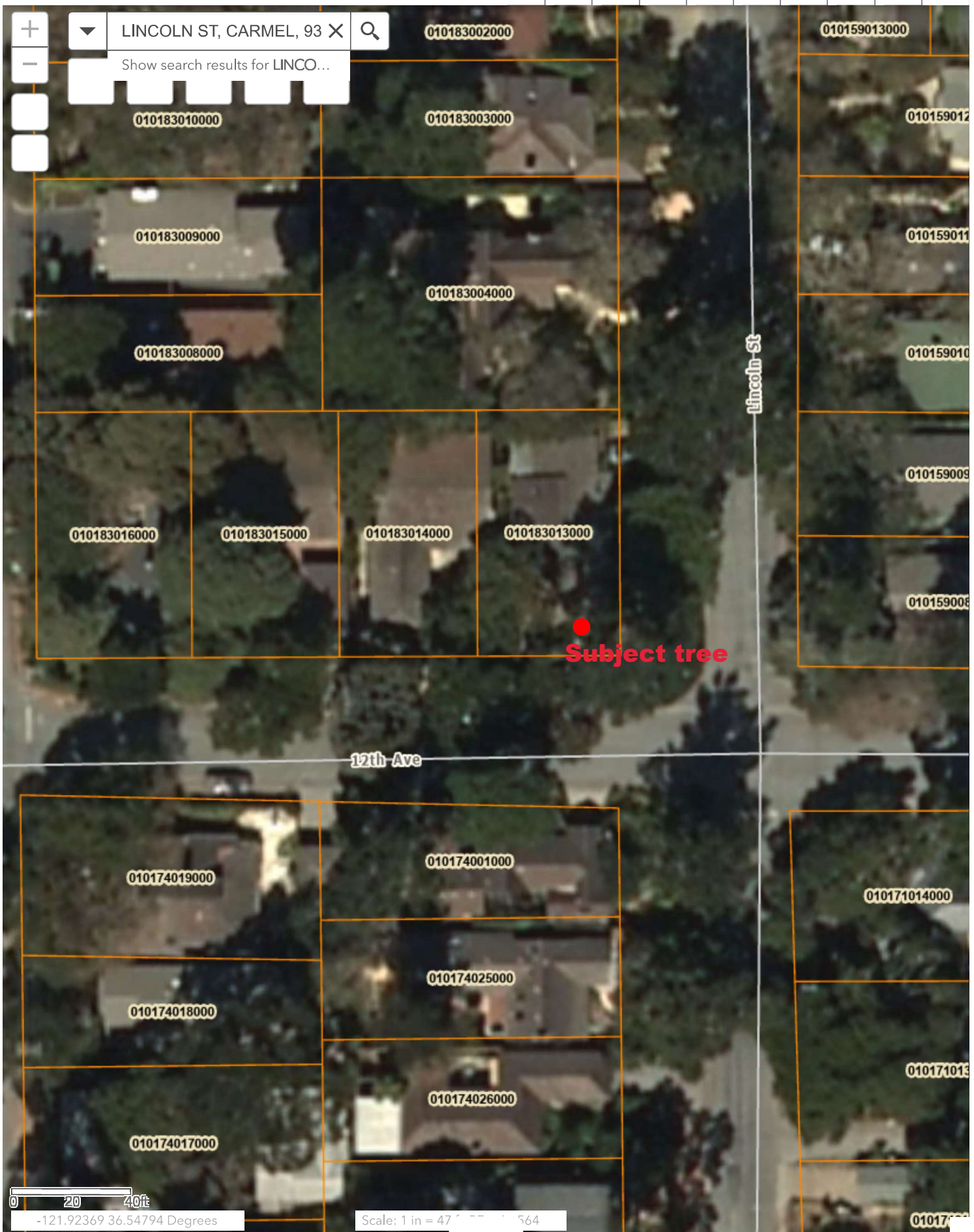
The proximity of the tree to the house



Eave of the house and trim



Separation of the trim from the house





CITY OF CARMEL-BY-THE-SEA FOREST AND BEACH COMMISSION Staff Report

September 14, 2023
ORDERS OF BUSINESS

TO:	Forest and Beach Commissioners
SUBMITTED BY:	Jessica Juico, Environmental Compliance Admin Tech and Mary Bilse, Environmental Programs Manager
SUBJECT:	Consideration for Establishing Guidelines for Carmel Beach Cleanups and a Marine Protected Area Sign

RECOMMENDATION:

Approve guidelines for a proposed Carmel Beach Cleanup Policy in order to remove all human-sourced waste and to protect natural resources and wildlife. Approve one Marine Protected Area (MPA) sign located in the Del Mar parking lot at the end of Ocean Avenue.

BACKGROUND/SUMMARY:

The purpose of establishing beach cleanup guidelines and installing a new Marine Protected Area (MPA) sign is to increase public awareness on the important role that Carmel Beach and its natural resources serve, and to promote consistency in how beach cleanups are conducted while ensuring its environmental integrity is protected.

Carmel Beach Cleanup Guidelines

The Monterey Bay National Marine Sanctuary (MBNMS) covers over 6,000 square miles, stretching from Marin to Cambria, and includes the average high tide on the shore and as far as 53 miles offshore. This federally-protected area contains rich species and ecosystem diversity which offers many cultural, economic, ecological, and recreational benefits.

Carmel Beach lies entirely within the MBNMS as well as the Carmel Bay State Marine Conservation Area (SMCA) and the Carmel Bay Area of Special Biological Significance (ASBS). These designations further protect these natural areas with federal and state regulations enforced by the National Oceanic and Atmospheric Administration (NOAA), California Department of Fish and Wildlife (CDFW), and the State Water Resources Control Board (SWRCB). Therefore, care and maintenance of Carmel Beach is critical to its long-term health and viability, and directly affects the many benefits it provides.

The California Coastal Act (CCA) finds and declares that the beach, as part of the coastal zone: “is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem” (CCA 30001 a); and that “to promote the public safety, health and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction (CCA 30001, c). To do so, the legislature finds and declares that the basic goals of the State for the coastal zone, which Carmel Beach lies within, are to “protect, maintain, and where

feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources” (CCA 30001.5, a); and “assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state” (CCA 30001.5, b).

The City’s Coastal Access and Recreation Element of its General Plan has a Policy (4-23) that restricts the removal of driftwood logs that can provide seating, stating “Do not install formal picnic tables or benches. Rather, provide driftwood logs for seating. Picnicking on the beach should be conducted in a traditional manner with blankets, etc. (LUP).” The General Plan does not address smaller-sized driftwood. The City’s Zoning Code (17.20.200.I.) includes a rule on the Disturbance of Natural Resources. This Code prohibits digging and removing beach sand (with the exception of recreational activities such as sand castle building or similar sand structures utilizing natural resources found on the beach, as well as activities related to the City’s sand movement program described in the Shoreline Management Plan).

The purpose of establishing a new policy is to clarify what can be removed from the beach and what natural resources and wildlife need to remain on Carmel Beach. The policy as drafted prohibits the removal of kelp, seaweed, driftwood of all sizes, and more. Furthermore, the new policy will support the City’s Climate Action and Adaptation Plans by addressing Adaptation Goal Number 2: “a natural environment resilient to climate hazards.” The Vulnerability Assessment that was conducted to support these plans identifies Carmel Beach as a Priority Natural Asset that is already experiencing observable impacts from stronger storms and is threatened by sea level rise. Enforcing protections on natural resources found within these identified natural assets, such as Carmel Beach, is therefore of utmost importance.

The subject of leaving beach wrack (the scientific term for washed up kelp, seaweed, seagrasses, driftwood, and other organic coastal materials) on the beach has come up in recent discussions with residents in the City similar to many other California coastal communities. Concerns often revolve around the “aesthetic” of the beach wrack and its need to be removed; the kelp flies and concern regarding “health hazards;” and overall annoyance with the flies’ presence.

Public education and outreach on the aforementioned health hazard concerns is also prudent. Kelp flies, beach hoppers, isopods, and most other macrofauna found within wrack do not pose health risks to humans, while other anthropogenic items that can be found on a beach, like dog waste, litter, and cigarette butts do. This policy outlines items that should or should not be removed during a Carmel Beach cleanup with consideration of health hazards and conserving beach health. Upon City Council approval of this Policy, outreach will likely include posting on the City website, sharing in Friday Letters, and publishing in the Carmel Pine Cone.

Studies have shown that beach grooming activities like wrack removal can have a negative impact on beach and shoreline ecology by eliminating important ecological services. Beach wrack serves as a major source of food and shelter for various macrofauna like kelp flies and beach hoppers, which in turn supports several shorebird species like the endangered Western snowy plover. It also supplies its environment with essential nutrients for other plants and promotes the dune formation needed to help protect coasts from strong storm events. These ecological services are proof of how essential beach wrack is for the biodiversity, health, and services of Carmel Beach.

Staff has proposed a Beach Cleanup Policy (Attachment #1) with supporting guidelines on what should be removed and what must be left alone on Carmel Beach, as exhibited in Attachment #2. These guidelines were also reviewed by the Community Planning and Building Department. Comments from Forest and Beach Commissioners and from the public are encouraged and may be incorporated into the final draft Policy for City Council consideration.

Unless or until the City-adopted Policy becomes part of the Carmel Municipal Code, enforcement will be in the form of warnings. However, City contractors, volunteer support groups, and City staff must abide by all City policies.

Marine Protected Area (MPA) Signage

The California Marine Sanctuary Foundation (CMSF) and the Marine Protected Area (MPA) Collaborative Network is proposing to place a new MPA sign on a post located adjacent to the Del Mar parking lot and Carmel Beach at the foot of Ocean Avenue. The sign will be made of aluminum and its size will be 18” by 24” (432 sf). A mockup of the MPA sign is depicted in Attachment #3.

CMSF and MPA Collaborative Network have been working with stakeholders over the past 5 years to identify where signs have gone missing or where new signs are needed to address marine protected area compliance concerns (i.e. areas of high visitation or where poaching has been known to occur). Through enforcement training, compliance forums, collaborative meetings, and a newly developed crowdsourced sign inventory using Survey 123, CMSF and MPA Collaborative Network have been gathering input from community members and allied agency staff. This work is funded by the Ocean Protection Council and completed in partnership with the California Department of Fish and Wildlife.

The City’s Del Mar Master Plan identifies the Forest and Beach Commission as the decision-making body on signage in the Del Mar area. The Del Mar Master Plan identifies H. Signage Policy 4-39 “Use trash containers as a location for educational and regulatory signs.”

Staff has reviewed the proposed sign and recommends approval of the MPA sign located at the end of Ocean Avenue, consistent with Del Mar Master Plan Policy 4-39. Upon approval of the proposed sign by the Forest and Beach Commission, the sign is anticipated to be installed within the next year.

Environmental Evaluation

This action does not constitute a project within the meaning of the California Environmental Quality Act under Public Resources Code Section 21065. It has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and, therefore, does not require environmental review.

FISCAL IMPACT:

No direct fiscal impact for the guidelines or MPA sign.

ATTACHMENTS:

Attachment #1 - Carmel Beach Cleanup Policy Draft

Attachment #2 - Carmel Beach Cleanup Guidelines

Attachment #3 - MPA Signage Example

**CITY OF CARMEL-BY-THE-SEA
POLICY AND PROCEDURE**

Subject: Guidelines for Carmel Beach Cleanup Operations	Policy/Procedure No: 2023-__
--	-------------------------------------

Effective Date: October __, 2023	Authority: Resolution No. 2023-XX
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Purpose:

To provide guidelines for Carmel Beach cleanups in order to remove all human-sourced waste and to protect natural resources and wildlife.

Policy/Procedure:

Carmel Beach lies within the Monterey Bay National Marine Sanctuary (MBNMS), a federally-protected area that contains rich species and ecosystem diversity that offers many cultural, economic, ecological, and recreational benefits. Carmel Beach is also within the Carmel Bay State Marine Conservation Area and the Carmel Bay Area of Special Biological Significance. These designations further protect these natural areas with regulations enforced by the National Oceanic and Atmospheric Administration, the California Department of Fish and Wildlife, the State Water Resources Control Board, and the City of Carmel.

Attached is a list of materials that should be removed from Carmel Beach, which further specifies items that should be recycled, disposed of in the trash, or treated as hazardous waste. In addition, this list specifies natural items that must be left alone. The attachment also provides the steps to follow if you come across a live or deceased wild animal. Finally, the table identifies examples of valuables for lost and found items to be provided to the Police Department.

Responsible Party:

Public Works Director

Department of Origin:

Public Works

Revision Dates:

Rescinded Date:

Carmel Beach Cleanup Guidelines

Below is a list of materials that should be removed from Carmel Beach, as well as items that must be left alone. The Monterey Bay National Marine Sanctuary (MBNMS) is a federally-protected area that contains rich species and ecosystem diversity that offers many cultural, economic, ecological, and recreational benefits. Carmel Beach lies within the MBNMS as well as the Carmel Bay State Marine Conservation Area and the Carmel Bay Area of Special Biological Significance. These designations further protect these natural areas with regulations enforced by the National Oceanic and Atmospheric Administration, California Department of Fish and Wildlife, and the State Water Resources Control Board, and the City of Carmel.

Carmel Beach List of Items to Remove/Leave on the Beach			
REMOVE		LEAVE	
Remove all human-sourced waste, including but not limited to:		Leave all naturally occurring material on the beach, including but not limited to:	
TRASH	Balloons	NATURAL MATERIALS	Algae
	Burned firewood and charcoal		Coral, reef
	Cigarette butts (or recycle)		Cultural, archaeological, & historical items
	Construction debris, wood and nails		Natural Driftwood of ALL sizes
	Dog waste/dog waste bags		Feathers
	Fishing items (lines, nets, hooks, etc.)		Ocean water
	Food (discard in organics bin if available)		Rocks*
	Food wrappers and packaging		Sand*
	Pet supplies		Seaweed/Kelp/Eelgrass*
	Plastic bags, straws, and foodware (Plastic # 3, 4, 6, 7)		Shells
	Rope		Wildlife including sand crabs, hermit crabs, and other invertebrates; mammals; birds, nests, and eggs; fish; amphibians; and reptiles**
	Styrofoam		
	Toys (buckets, shovels, balls, etc.)		
RECYCLING	Aluminum and metal containers	HAZARDOUS WASTE***	Batteries
	Clean paper and cardboard		Electronic Waste
	Glass bottles and jars		Pressure treated wood
	Plastic bottles, caps, containers (Plastic # 1, 2, 5)		Propane Tanks
	Syringes		
* Unless authorized permits are granted for scientific collecting. ** Do not remove any wildlife, including terrestrial and marine plants and macroalgae (kelp), and living or non-living animals such as fish, marine mammals, invertebrates, reptiles, sea turtles, or birds. *** Hazardous waste can be dropped off at ReGen Monterey in Marina, contact 831-264-6386			

Carmel Beach Cleanup Guidelines

Steps to Follow if You Come Across a Live or Deceased Bird, Seal, Sea Lion, Sea Otter, Dolphin, or Whale

Determine if the animal is truly stranded while maintaining a distance of at least 150 feet away from the animal

Call the respective organization according to the table. Provide them with the following information to the best of your knowledge:

- a. Species or description of the animal
- b. Location (GPS, regional descriptions, landmarks, etc.)
- c. Date and time the animal was last seen
- d. Approximate size of the animal
- e. Condition of the animal (alive, dead, wounded, entangled, etc.)
- f. Human interactions? (evidence of ship strike, entanglement, shooting, etc.)
- g. Your name and contact information

Ensure you and others around you (including dogs) stay at least 150 feet away from the animal, and that all bystanders remain as quiet as possible.

Animal	Organization	Phone Number
Bird – Alive or Deceased	Monterey County SPCA	831-264-5427
Cetacean (Whale, Dolphin) – Alive or Deceased	Marine Mammal Stranding Network	Office: 562-980-3230 Mobile: 562-506-4315
Pinniped (Seal, Sea Lion) – Alive	Marine Mammal Center	831-633-6295
Pinniped – Deceased	City of Carmel-by-the-Sea Public Works Department	831-620-2070
Sea Otter – Alive or Deceased	Monterey Bay Aquarium	831-648-4840

Lost and Found Items Should Be Delivered to the Carmel Police Department Phone Number: 831-624-6403 Location: SE Junipero and Fourth Avenue

Examples of items to be turned in to the 'Lost and Found':

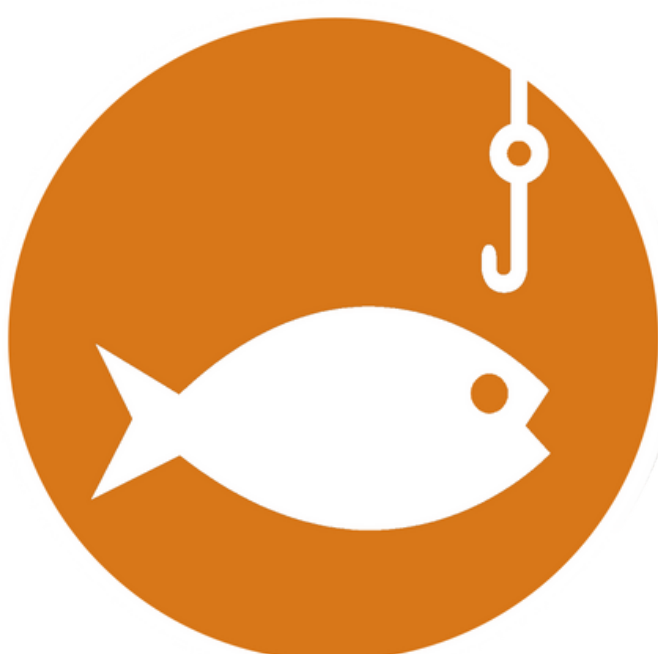
- Cell phones
- Jewelry
- Wallets
- Keys
- Other valuable lost items

MARINE PROTECTED AREA

Carmel Bay State Marine Conservation Area



No Collecting



Fishing
(See Regulations)



Non-Consumptive
Activities



Regulations

Carmel Bay State Marine Conservation Area (SMCA)

It is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource for commercial and/or recreational purposes, with the following specified exceptions:

- a. The recreational take of finfish* is allowed.
- b. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis* spp.) by hand is allowed under the following conditions: A kelp harvester with a valid license issued pursuant to Section 165 may take no more than 44 tons of kelp from the portion of Administrative Kelp Bed 219 within the Carmel Bay SMCA in any calendar month. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Definitions

Take [FGC 86, CCR T14 1.80]

"Take" means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

Coastal Pelagic Species [CCR T14 1.39]

"Coastal pelagic species", as defined for purposes of MPA regulations, include the following: northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific mackerel (*Scomber japonicus*), jack mackerel (*Trachurus symmetricus*), market squid (*Doryteuthis (Loligo) opalescens*).

MPA Information

For detailed information on regulations, boundaries, coordinates, and definitions, visit wildlife.ca.gov/MPAs



Reporting Violations

Call CalTIP: 1(888) 334-2258
Or text 847411 - begin message with 'Caltip' followed by details.

Mixed Content

Content included will vary by installation site, but will focus on topics relevant to the site and common uses.

- May include:
- Tribal Information
 - Interpretive Info
 - Natural History
 - Fishing Info





CITY OF CARMEL-BY-THE-SEA FOREST AND BEACH COMMISSION Staff Report

September 14, 2023
ORDERS OF BUSINESS

TO: Forest and Beach Commissioners

SUBMITTED BY: Robert M. Harary, P.E., Director of Public Works

SUBJECT: Further Commission discussion regarding the Beach Infrastructure Tour of Inspection conducted on July 20, 2023 and needed shoreline infrastructure repairs

RECOMMENDATION:

Discuss the findings and priorities regarding the Beach Infrastructure Tour of Inspection conducted on July 20, 2023.

BACKGROUND/SUMMARY:

At the March 9, 2023 Commission meeting, Consultants with Integral Corp. and Haro, Kashunich & Associates, presented the results of the Shoreline Condition Assessment Report, which provided an overview of the conditions of the 11 seawalls, 6 revetments, and 11 beach access stairs. This Report was the first task of the ongoing Coastal Engineering Study initiated from the Climate Action and Climate Adaptation Plans.

At the July 20, 2023 Special Forest and Beach Commission Meeting, the Commissioners and staff reviewed the condition of the beach access stairs, sea walls, and revetments as noted in the Shoreline Condition Assessment Report.

At the August 10, 2023 meeting, Commissioner Sours provided a handout and presented an overview of the Commission's Beach Tour of Inspection. He discussed the need for maintenance and repair of coastal protection structures including vertical seawalls, sloping revetments, stairways, and storm drains. Commissioner Sours generally agreed with the recommended maintenance and repairs illustrated in the Condition Assessment Report, although he expressed that many of the repairs are urgent and need to be addressed this year. Reference the August 10, 2023 Meeting Minutes.

At the City Council's Strategic Priorities Workshop on August 30, 2023, Commissioners Meyers, Sours, and Brezoczky made Public Comments regarding the condition of the beach infrastructure, and requested additional resources to expedite repairs. Council's Strategic Priority #17 is the Coastal Engineering Study and Climate Committee, which folds in the \$250k Capital Improvement Project to begin the Shoreline Infrastructure Repairs. Council did not direct staff to proceed with these projects other than as previously funded and prioritized.

Chair Meyers requested that this item be placed on the September 14, 2023 meeting for further discussion. Staff will endeavor to answer any questions but has no presentation nor milestone updates at this time.

Environmental Evaluation

This action does not constitute a project within the meaning of the California Environmental Quality Act under Public Resources Code Section 21065. It has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and, therefore, does not require environmental review.

FISCAL IMPACT:

There is no fiscal impact to summarize the Tour of Inspection of the beach infrastructure conditions. The City Council authorized an initial budget of \$250,000 in the current Fiscal Year 2023/24 Capital Improvement Program for design of the highest priority repairs and physical repairs of, tentatively two, beach access stairs. The full cost of all repairs is unknown at this time, but ballpark estimates of up to \$10 million have been noted.

ATTACHMENTS:



CITY OF CARMEL-BY-THE-SEA FOREST AND BEACH COMMISSION Staff Report

September 14, 2023
ORDERS OF BUSINESS

TO: Forest and Beach Commissioners

SUBMITTED BY: Justin Ono, City Forester

SUBJECT: City Forester's Report for August 2023

RECOMMENDATION:

Receive the City Forester's Report for August 2023.

BACKGROUND/SUMMARY:

Environmental Evaluation

This action does not constitute a project within the meaning of the California Environmental Quality Act under Public Resources Code Section 21065. It has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and, therefore, does not require environmental review.

FISCAL IMPACT:

ATTACHMENTS:

Attachment 1 - August Forester's Report for Sep 14 Mtg
Attachment 2 - DRG Status Update



CITY OF CARMEL-BY-THE-SEA

Monthly Report

City Forester's Report

TO: Forest and Beach Commissioners

FROM: Justin Ono, City Forester

SUBJECT: August 2023 Forester's Report

Forestry, Parks, and Beach Highlights:

- Snapshot of Davey Resource Group's status update. See **Attachment 2** for DRG's August Status Update provided the following status of the development of the UFMP:
 - Tree Inventory - complete
 - Urban Forest Economics Resource Analysis – V.1 complete/under review by CBTS
 - Tree Canopy and Land Cover Assessment – complete 8/22
 - Stakeholder Interviews – 99%
 - Draft 1 of UFMP – 45%
- Amendment No. 1 to the PSA with Davey Resource Group was executed and a Notice to Proceed was issued for additional services associated with the Urban Forest Master Plan.
- Public Works assisted Leadership Carmel's project installing nature-based play equipment at Forest Hill Park with Forestry coordinating with their tree contractor for the installation of 2 owl boxes and a hawk perch.
- On-call tree services contractors Community Tree Service, Tope's Tree Service, and West Coast Arborists were issued Task Orders for numerous tree removals, stump removals, and pruning of several trees. The Task Order process is becoming more streamlined by significantly increasing the quantities of tree work which makes cost estimating by the contractors, and tracking by the City, more efficient.
- Landscape maintenance contractor, Town & Country, continues providing a wide range of landscaping services throughout the City. Public comments have become increasingly positive.
- Met with the Community Planning and Building Department for Forestry to resume the review of development landscaping plan reviews and tree protection inspections.
- The City's new stump grinder was put into a routine part of maintenance operations. As stumps are removed, new trees were planted.
- Crews removed tree logs along the Junipero Street medians.
- Continued to provide information related to tree-related claims resulting from the winter storms.
- Forestry crews participated in the TreeTopia conference in Vallejo.

Permit Information

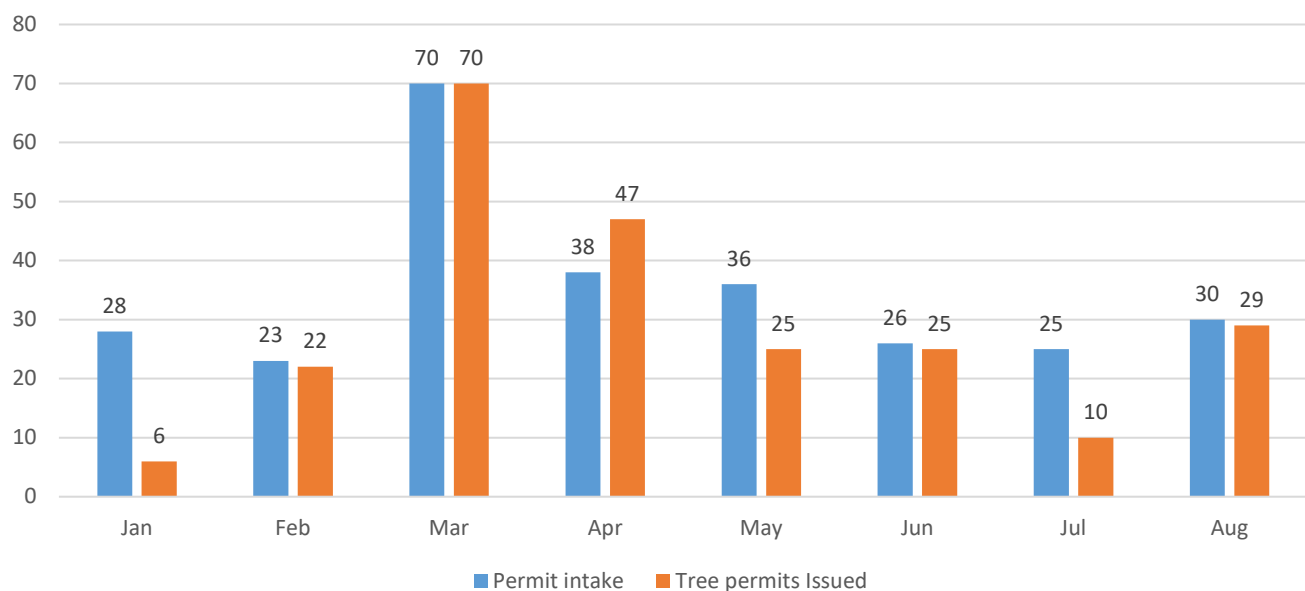
2023 Permitted removals, pruning, and required planting

	Tree permits received	Tree permits Issued	Total Prunings	Total Removals	Removal of Upper	Removal of Lower	Required to Plant Upper	Required to Plant Lower	No room for new tree	Meets Density Rec.	Total Number of Trees Required
January	28	6	0	12	3	7	5	1	0	2	6
February	23	22	1	24	15	9	15	10	0	0	25
March	70	70	21	71	47	24	32	14	1	7	46
April	38	47	16	53	49	4	32	3	2	2	35
May	36	25	9	26	20	6	18	4	4	7	22
June	26	25	14	26	17	9	16	6	0	4	22
July	25	10	7	7	5	2	3	2	0	2	5
August	30	29	5	24	12	20	8	12	2	6	20
September											0
October											0
November											0
December											0
2023 Totals	276	234	73	243	168	81	129	52	9	30	181

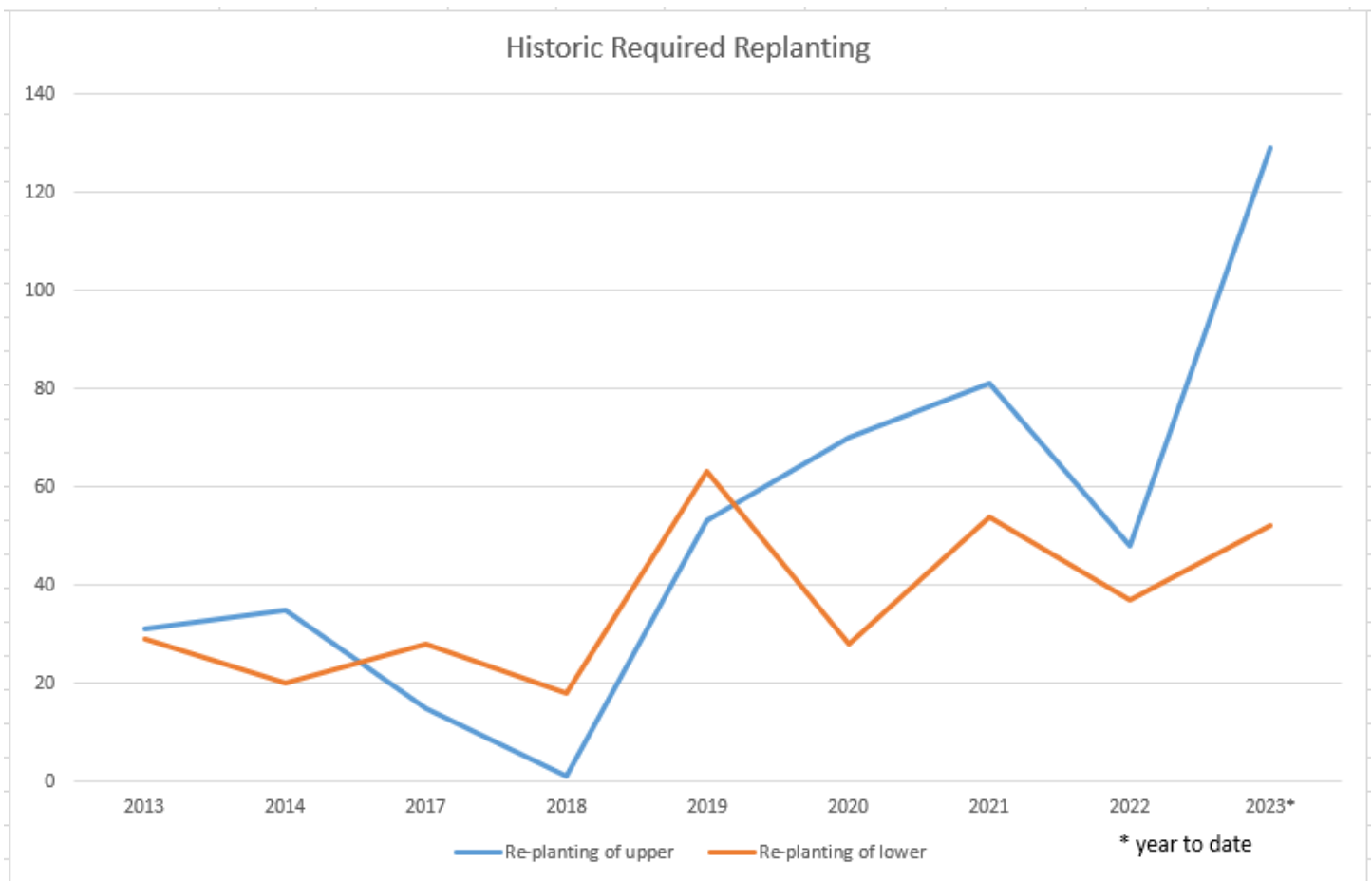
Historic permitted removals and required planting

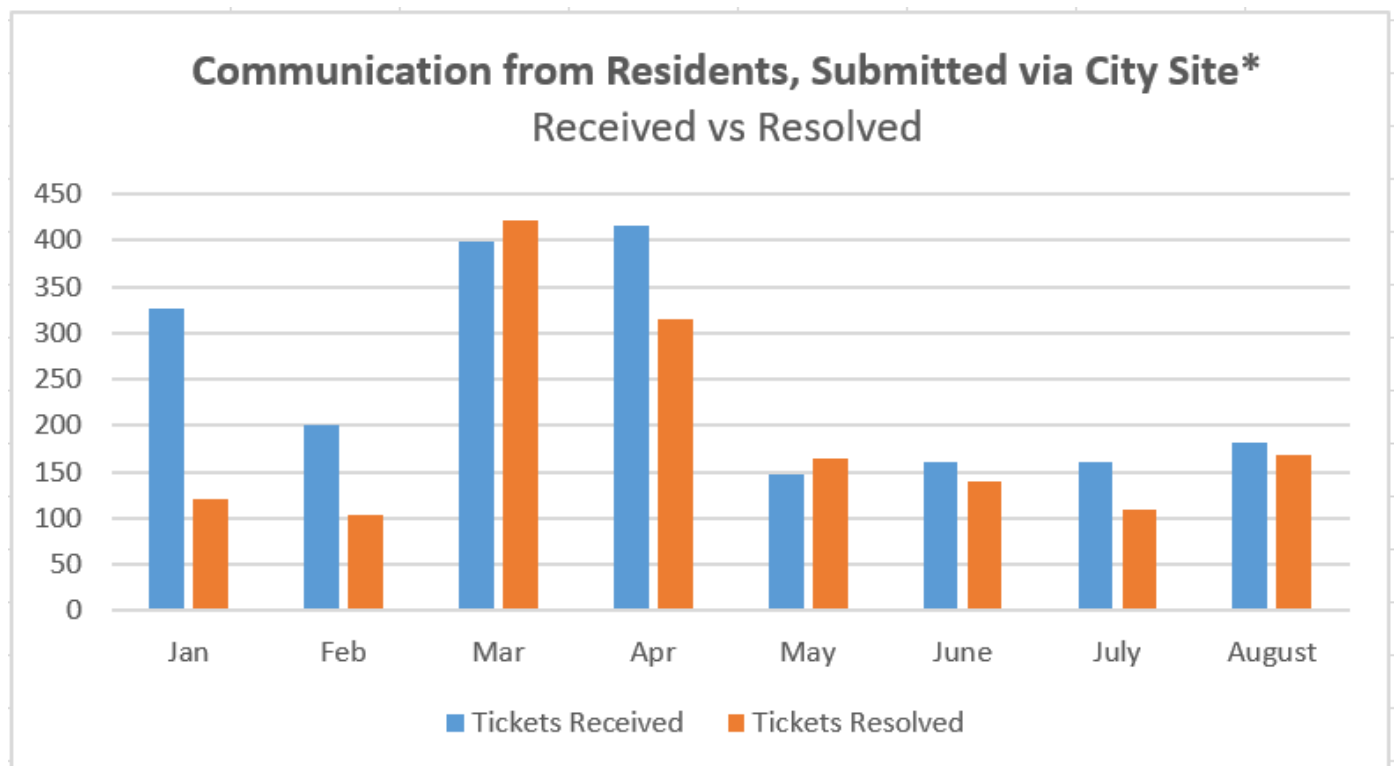
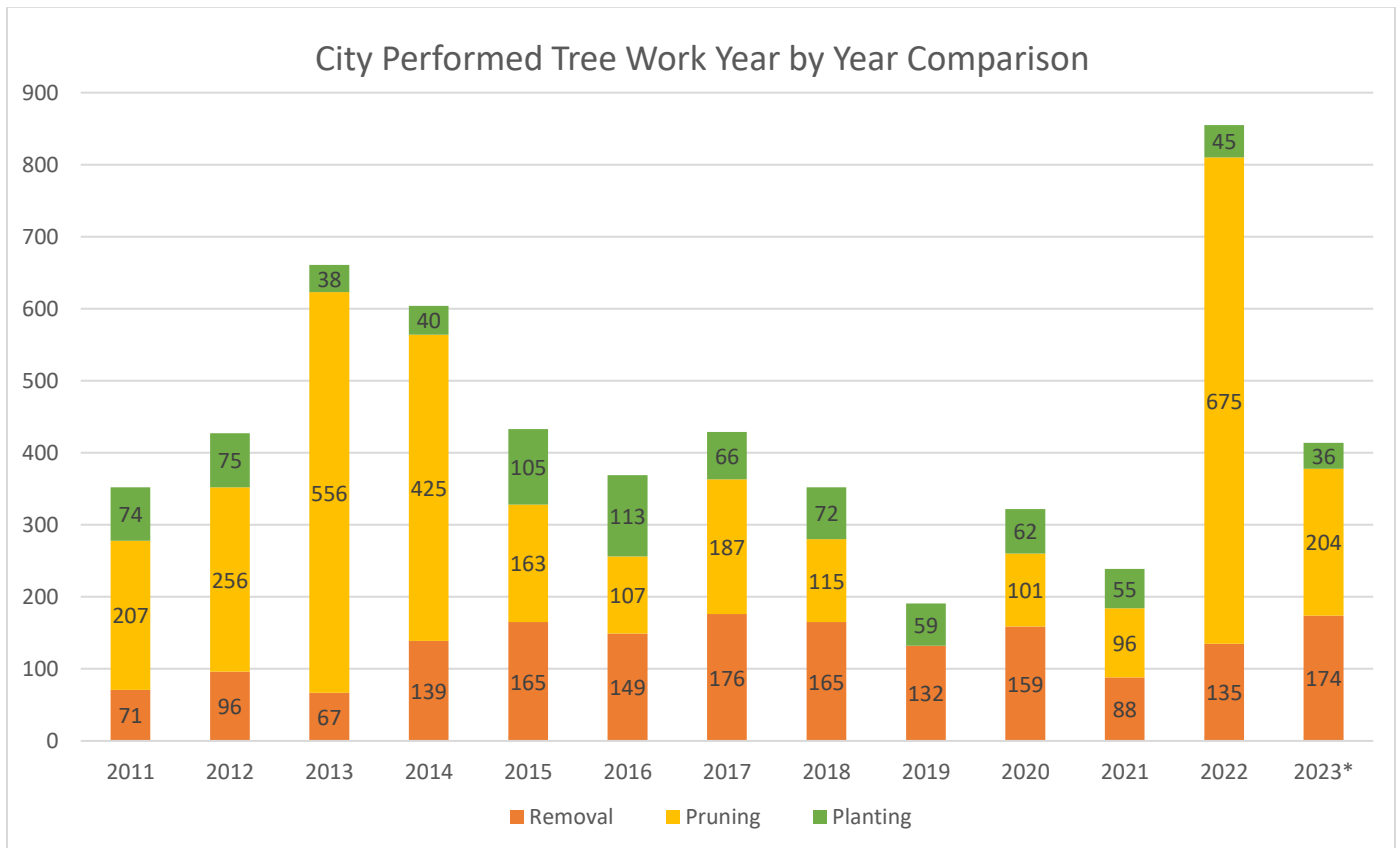
Year	Permitted removals	Removal of upper	Removal of lower	Replanting Required	Replanting of upper	Replanting of lower	Replanting %	Applications processed
2021	204	81	123	135	81	54	66.18%	213
2022	149	82	67	85	48	37	57.05%	155
2023*	243	168	81	181	129	52	74.49%	234
*Year To Date								

2023 Permits Intake vs. Issued



Historic permitted removals and required planting		
	Re-planting of upper	Re-planting of lower
2013	31	29
2014	35	20
2017	15	28
2018	1	18
2019	53	63
2020	70	28
2021	81	54
2022	48	37
2023*	129	52
	*year to date	





*Numbers only represent correspondences received via the City's website and do not include live calls, coicemails, drop-in visitors, and emails sent directly to employees from residents, nor return calls and emails from staff.

Carmel-by-the-Sea, CA

Status Report

Davey Resource Group

To: Tom Ford, Justin Ono, Brandon Swanson
From: Allison Steere
CC: Tina McKeand, Emily Spillett, Katelyn Obana, Anne Fenkner,
Rachael Sitz, Will Ayersman, Shelby Huth
Date: 09/06
Re: Project status

Tom, Justin, and Brandon,

The following is a summary of our recent actions and next steps:

Tasks completed and in progress:

- Inventory - complete
 - Data accepted by city on 6/20
- Tree Canopy and Land Cover Assessment - complete
 - Delivered on 8/22
- Urban Forest Resource Analysis (Eco) - complete
 - Delivered on 8/1
- Operations review ~90% complete
- Draft 1 UFMP ~45% complete
 - Background information and findings from stakeholder interviews summarized
 - Identifying challenges and opportunities
- Stakeholder interviews ~99%
 - Pending discussion w/ Mike Wood
- Forest & Beach Commission Meeting - complete
 - DRG attended on 8/10

Next steps:

- Community Survey
 - Pending feedback from Forest and Beach Commissioners
- Update tree list

Upcoming meetings:

- Working Group Meeting #8 - Sustainability Indicators Review - TBD
- Status calls - ongoing

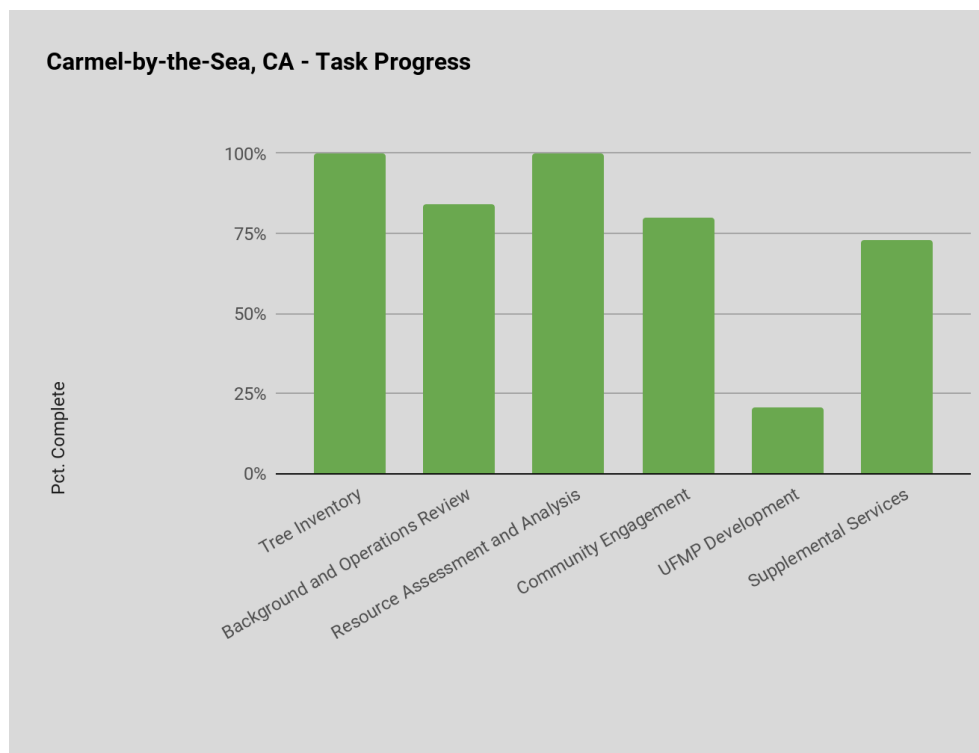
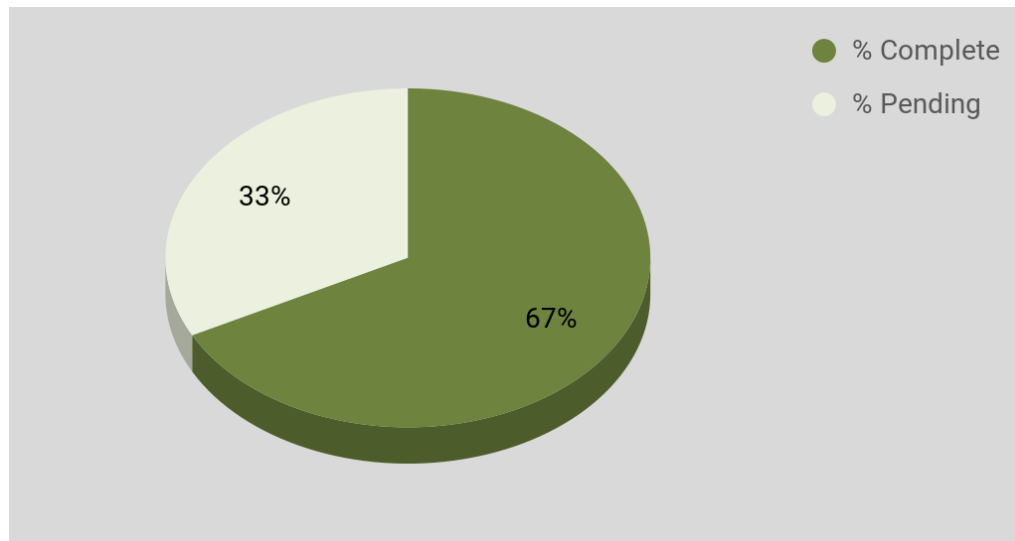
Challenges:

- N/A

Please feel free to contact me if you have any questions.

Carmel-by-the-Sea, CA Status Report

The following graphs summarize our status as of today:





CITY OF CARMEL-BY-THE-SEA FOREST AND BEACH COMMISSION Staff Report

September 14, 2023
ORDERS OF BUSINESS

TO: Forest and Beach Commissioners

SUBMITTED BY: Robert M. Harary, P.E., Director of Public Works

SUBJECT: Public Works Director's Report for August 2023.

RECOMMENDATION:

Receive the Public Works Director's Report for August 2023.

BACKGROUND/SUMMARY:

The Public Works Director's Report for August 2023 will include:

- A. City Council actions related to Forestry, Parks, and Beach issues
- B. Forestry, Parks, and Beach-related Capital Improvement Projects
- C. Climate Action and Climate Adaptation Plan implementation
- D. Update on Volunteer Organizations
- E. Miscellaneous Forestry, Parks, and Beach-related Public Works items

Environmental Evaluation

This action does not constitute a project within the meaning of the California Environmental Quality Act under Public Resources Code Section 21065. It has no potential to cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and, therefore, does not require environmental review.

FISCAL IMPACT:

None.

ATTACHMENTS:

Attachment #1 - Public Works Director's Report for August 2023



CITY OF CARMEL-BY-THE-SEA

Public Works Department

August 2023 Monthly Report

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert M. Harary, P.E., Director of Public Works
SUBMITTED ON:	September 5, 2023
APPROVED BY:	Chip Rerig, City Administrator

City Council Meeting of August 1, 2023

- Adopted Resolution 2023-077, awarding a construction contract to Bowen Engineering for the Mission Trail Nature Preserve (MTNP) Well Decommissioning, and Tank and Pump House Removal Project for an amount, with contingency, of \$139,700.

Forest and Beach Commission Meeting of August 10, 2023

- At Ocean Avenue, 4 northeast of Guadalupe, deferred a request to prune limbs of a significant oak tree owned by a neighbor, until there is more information regarding a proposed, second story addition.
- Approved the removal of one Coast live oak located close to a house and with a significant lean, but only upon approval of a planning Design Study and issuance of a Building Permit.
- At the southwest corner of Santa Fe and Mountain View Avenue, approved the removal of 2 Coast live oaks and required replanting of two upper canopy trees at the Applicant's expense. These trees were adjacent to other trees that fell during the storms and destroyed a garage that needs to be rebuilt.
- At Camino Real, 2 northwest of Thirteenth Avenue, approved the removal of a Monterey pine causing substantiated damage to a house, and required planting of one upper canopy tree at the Applicant's expense.
- For the Coastal Engineering Study, [Dr. Revell](#), a consultant with Integral Corp, [presented results of their](#) Seasonal and Long-Term Beach and Shoreline Change Analysis. Commissioners expressed concern that the Analysis did not give rise to the serious condition of the beach infrastructure and potential risks. The consultants will provide a draft of the technical report's Executive Summary for Commission review at an upcoming meeting.
- For the Urban Forest Master Plan (UFMP), Tom Ford providing an overview of the first Public Workshop held in July, and the status of consultant DRG's development of the UFMP. He suggested to have DRG review the final draft UFMP Community Survey for any comments before it is released to the general public. Commissioners requested holding a Special Meeting to focus on this item.
- Three design options were presented for the five raised median islands along Ocean Avenue. Option #1 was approved in February 2022 and implemented in the island between Lincoln and Monte Verde. Option #2 was the original design by landscape architect Thomas Church when the medians were constructed in 1938. Alan Wheat, Professor of Horticulture at MPC, presented Option #3 which would embellish Option #1 with more tree work, create a "pollinator pathway," and install a greater variety of local plants and shrubs. With public support, the Commission selected the Option #3 design concept.
- Commissioner Sours provided an overview of the Commission's Carmel Beach Tour of Inspection in July, and discussed the need for maintenance and urgent repairs of several coastal protection structures, including vertical seawalls, sloping revetments, stairways, and storm drains.
- Presented the Public Works Reports, including the Forestry Division Updates, for June and July 2023.

Traffic Safety Committee Meeting of August 23, 2023

- Committee reviewed MTNP documents allowing limited bicycle access on main trails only, existing bike signs, and prior complaints. While noting off-trail bikes and e-bikes do cause damage to the Preserve, but recognizing limited capacity to enforce the rules, the Committee decided to monitor the situation.
- Request for “Cross Traffic Does Not Stop” signs at the Monte Verde Street and Seventh Avenue intersection was denied.
- Request to remove a green loading zone on Lincoln Street, north of Eighth Avenue, was approved.
- Request to convert a compact parking stall in the Park Branch Library parking lot, adjacent to Junipero Street, to motorcycle only parking, was approved.
- Request for three new “Stop” signs, one for westbound First Avenue at the T-intersection with Pescadero Road, and two at the Second Avenue and Lincoln Street intersection, were supported and will be presented to the City Council for approval at an upcoming meeting.

City Council Special Meeting of July 20, 2023

- Council Workshop included review of 22 Strategic Priorities. Ten priorities pertaining to Public Works included: Police Building Renovation Project, reducing fire risk through fuel reduction, development of the Urban Forest Master Plan, updating the Stormwater Ordinances, volunteer oversight/facilitation/appreciation, increasing beautification efforts, developing facility maintenance plans and renovation projects, Rule 20A undergrounding utilities, exploring Scout House options, and the Coastal Engineering Study/Climate Committee.
- Based on Council guidance, as well as public comments and input from the Carmel Resident’s Association Survey, these strategic initiatives will proceed with generally minor modifications. One significant change will be to dissect the Rule 20A Undergrounding Project into a one-time, limited project using Rule 20A funds, from a long-range, City-wide undergrounding feasibility program.

Administration

- Jaime Aquino, a 25-year veteran with the City, was promoted to Maintenance Worker III.
- Project Manager Javier Hernandez represented Carmel at the Public Works Conference in San Diego.
- Received \$21,500 from the Transportation Agency of Monterey County (TAMC) for reimbursement of eligible Regional Transportation Improvement Program expenses, including traffic paint, EV chargers, and sidewalk repairs.
- Met with representative of the California Department of Housing and Community Development (HCD) regarding the Scout House renovation project. The City’s adopted resolutions assumed the project was exempt from the Surplus Lands Act, but per HCD, the Surplus Lands Act does not apply.
- Working with the Finance Department, checked over the Master Contracts database, removed expired contracts and agreements, and began updating the database with active ones.
- Developed a plan for extra trash bins, portable toilets, and sinks rented for holiday weekends and special events, so that they rotate along Scenic Road, rather than repeatedly placed in two locations.
- All Public Works staff attended Traffic Control Safety training.

Carmel Cares and Other Volunteers

- Substantially completed construction of the Scenic Pathway Guardrail Repair Project.
- Received design review approval for new cigarette butt containers provided by Keep America Beautiful, to replace the existing, smaller “Butt Stops Here” containers attached to trash containers.
- “Median Minders” volunteers continued to improve medians across the Village.
- “Downtown Detail” volunteers continued to beautify bulb-outs and sidewalks in the downtown area.
- “Pick Up Posse” and “Tag Team” volunteers removed trash, eradicated graffiti, and removed stickers.
- The Friends of Mission Trail Nature Preserve improved the Doolittle Trail making it safer to travel around a muddy bog.
- Cindy Lloyd pruned and beautified the flower beds and plants around the WWI Memorial Arch.

Environmental Programs

- Met with the Coastal Commission and consultants EMC and Integral Corp. to finalize the application for a non-competitive, \$500,000 Local Coastal Program grant. Grant will fund the Coastal Engineering Study, Phase II project as well as reimburse the City up to \$50,000 for project management. Grant submitted to City Council for approval at the September 12th meeting.
- Met with the City Attorney's office to review modifications requested by the Coastal Commission regarding the City's draft Stormwater Ordinance Updates. Some modifications were removed, and the ordinances are now ready for the first Public Hearing at the October Council meeting.
- Held kickoff meeting with Denise Duffy & Associates for the North Dunes Habitat Restoration Project. DDA prepared a report assessing the existing conditions of the site, noted overall good conditions, and recommended some repairs to fencing and removal of ice plant.
- Began contacting volunteers to schedule consistent, ongoing weed pulling and ice plant removals in the Dunes habitat area.
- So that all entities that clean up the beach do so consistently and within the standards of a Marine Sanctuary, developed a draft list of trash items that should be removed from the beach, natural materials that should remain on the beach, items to be recycled, lost items to be reported to the Police, and phone numbers for various mammals found injured or deceased on the beach.
- Public outreach noted in Friday Letters included: electrifying your home, electrifying your vehicle, and Blue Supermoon tidal impacts.
- Processed documentation associated with Energy Watch's recent installation of four, electric heat pump water heaters at no cost to the City.

Facility Maintenance

- For the FY 2023/24 ADA Upgrades Project, vendor painted contrasting yellow nosing on all outdoor steps surrounding the Harrison Memorial Library (HML). Also ordered ADA-angled bathroom mirrors.
- For the Sunset Center Bollards CIP project, received final quotes for up to 10 new bollards around the Sunset Center box office, and placed an order for delivery.
- For the Police Dispatch room, staff installed drywall, a contractor taped and painted the walls, electricians modified the electrical and IT wiring, and the flooring was completed, all prior to installing modular furniture in September.
- Installed a decorated, solar-powered safety light in the northwest corner of the Police parking lot.
- Contractor reconstructed concrete steps and adjacent sidewalk outside of the Park Branch Library which were damaged by tree roots.
- Vendor repaired two bathroom floors in the HML.
- Electrical contractor made corrections to their recently-upgraded switches and electrical panels in the Public Works Garage which were not properly installed.
- Contractor inspected the fire sprinkler systems and began to make minor, but required, repairs.
- Vendor cleaned the windows at numerous City buildings.
- At the Fire Station, made adjustments to the Plymovent vehicle exhaust system, and supported efforts to cool down IT server equipment in the utilities closet.
- Began to replace rusty drinking fountain heads at City-wide locations.

Project Management for the Capital Improvement Program

4 Leaf Projects:

- For the Police Building Project, Indigo Architects conducted a detailed building condition assessment and space programming interviews with key stakeholders.

Ausonio, Inc. Projects:

- Amendment No. 1 to the Professional Services Agreement (PSA) with Ausonio was executed for FY 2023/24 services with a not-to-exceed fee of \$125,000, and the Notice to Proceed was issued.
- For the bundled project for City Hall Roof Replacement, Sunset Center Exterior Painting - north wing, Cottage Windows Repairs, and Harrison Memorial Library Exterior/Interior Painting, the August 1st pre-bid meeting/tour was attended by 14 contractors, two addenda were issued, and two bids were

received at the August 22nd Bid Opening. The low bid of \$1.27M was nearly twice the cost estimate of \$675k.

- After evaluation of the Bids, a staff report was submitted for Council to reject the bids at their September 12 meeting and direct staff to evaluate alternative contracting methods before rebidding.
- Met with City's on-call architectural firm, Ten Over Studio, to request preparation of a new scope of work, fees, and schedules for design of three new projects: Sunset Center Portico, Sunset Center Retaining Wall Repairs, and the San Antonio Pathway Reconstruction Project, between Second and Fourth Avenues. A tour of these facilities followed in late August.

Wallace Group Projects:

- For the FY 22/23 Concrete Streets Repair Project, Amendment No. 1 was prepared with BKF Engineers for \$49,092, for additional services associated with intermittent street returns along Ocean Avenue, and a staff report was submitted for Council approval at the September 12th meeting.
- For the FY 23/24 City-wide Paving Project, Wallace Group submitted a proposed scope of work, fees, and schedule to perform the engineering and design work. Proposal under review.
- For the Coastal Infrastructure Repair Project, Wallace Group submitted a proposed scope of work, fees, and schedule to perform the project management oversight of a third party design consultant. Proposal under review.

Additional Projects:

- For the MTNP Well and Tank/Pump House Removal Project, following award of the \$139,700 bid by Bowen Engineering, the construction contract was executed and the Notice to Proceed was issued on September 1st. Construction to commence imminently.
- For the FY 2021/22 Paving Project, bid advertising commenced on August 7th and a pre-bid meeting was held on August 24th. The Bid Opening is scheduled for September 12th. This Project covers asphalt overlays on seven streets, micro-surfacing along three streets, and four sidewalk repairs.
- For the MTNP 3 Drainage Improvement Projects, the Water Quality Control Board approved the 401 Water Quality Permit. Dudek and staff continued an extended back and forth dialog and resubmittals with the California Department of Fish and Wildlife for the final of three required permits.
- The improvement and traffic control plans, submitted by Wave Broadband for their proposed fiber optics infrastructure project spanning across the City, were approved. A CEQA Notice of Exemption is being prepared, final mitigation measures were finalized for the Encroachment Permit with Special Conditions of Approval, and a presentation by Wave's representative to describe the project purpose, scope, and mitigation of impacts, was deferred to the October City Council meeting.
- For panel upgrades at several City buildings, a replacement electrical panel for the Sunset Center north lot, and additional EV charging stations at Vista Lobos, the PSA was executed, Notice to Proceed was issued, and a kickoff meeting was held with Advance Design Consultants.
- For the design of four high-priority Drainage Improvements Project, Amendment No. 1 was executed, Notice to Proceed was issued, and a kickoff meeting was held with Neill Engineers.

Street Maintenance

- Supported the Leadership Carmel Class of 2023 by installing nature play facilities at the Forest Hill Park including: a log tunnel, braille panel, log clusters, hardwood stump seats emulating a classroom setting under a redwood grove, hawk perch, and owl boxes.
- For the very busy, Car Week, Street crews provided parking signage, deployed vehicle barriers, and placed traffic control devices in concert with the Police Department. Also provided additional staffing, trash bins, portable toilets, sinks, and supplemented trash pickups.
- Purchased portable speed bumps and placed them across upper Ocean Avenue during Car Week as a pilot project.
- The new, RAVO 5 E electric street sweeper arrived, was customized for Carmel, and several staff operators were trained. Received \$223,177 from 3CE for the electric street sweeper, representing the cost differential over the cost of a conventional, diesel sweeper.
- Installed new trash bins near the Lincoln Street/Seventh Avenue, and Carmelo Street/Santa Lucia Avenue intersections.

- Installed thermoplastic parking tees along Dolores Street and stop bars at various intersections.
- Distributed 200 boxes of produce generously provided by Rancho Cielo.

Forestry, Parks, and Beach

- See Forester's Report for August 2023 under separate cover.