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WR 2009-0060

BRC/MJA

June 3, 2016

State Water Resources Control Board
Division of Water Rights
Attn: John O'Hagan
PO. Box 2000
Sacramento, CA 95812-2000

STATE WATER RESOURCES
CONTROL BOARD
2016 JUN -6 AM 11:59
DIV OF WATER RIGHTS
SACRAMENTO

Re: Encourage water conservation innovation in Pacific Grove

Dear Mr. O'Hagan,

I'm writing to comment on the June 1, 2016 letter to you from Pacific Grove resident, Luke Coletti. I want to caution you and the SWRCB against stifling innovation that might lead to significant advances in water reuse.

Mr. Coletti, who was an avid opponent of the recent successful vote in favor of rezoning a Pacific Grove location to authorize hospitality uses on a parcel known as the American Tin Cannery site, implies in his June 1 letter that Monterey Peninsula Water Management District officials might disobey the CDO 2009-0060 by allowing unauthorized water use for the proposed hotel.

I believe the opposite. As a long-time environmentalist, one of my chief reasons for supporting the recent ballot measure is because the hotel's owners have retained architectural and engineering firms which have track records of substantial reductions in water use in constructing buildings that meet demanding LEED platinum certification standards.

If California is to solve its water problems, ***innovation is needed in building construction.*** The proposed hotel is proposed by a leading developer of luxury hotels who is committed to having the nation's finest engineers substantially reduce water use. See <http://www.domainehotels.com/project-bella.htm> I believe that the quality of the engineering firm that will work on the proposed hotel is so exceptionally high that substantial improvements in water conservation technology may result.

I urge the State Water Resources Control Board ***not to discourage water conservation innovation on the Monterey Peninsula by overly-restrictive regulations based on a fear the Monterey Peninsula Water District "might" violate CDO 2009-0060.***

Mr. Coletti enclosed articles in his letter purportedly supporting his concern that potential non-compliance requires heightened preventative regulation. I enclose additional articles highlighted

to show that (1) Julie Packard of the Monterey Bay Aquarium supports the "state-of-the-art sustainable design" of the hotel, (2) my own history as a former Sierra Club attorney and environmental activist, and (3) Mr. Coletti's history of taking down signs that favored the recent ballot measure.

I implore the SWRCB *not to discourage water conservation innovation on the Monterey Peninsula by overly-restrictive regulations based on a fear the Monterey Peninsula Water District "might" violate CDO 2009-0060*

Sincerely,



Jane Haines

LEED PLATINUM LUXURY HOTEL WILL BECOME NEW NEIGHBOR TO MONTEREY BAY AQUARIUM

Pacific Grove, Calif.–August 27, 2015: Domaine Hospitality Partners, LLC, and representatives from the Monterey Bay Aquarium, Foursome Development Co., and City of Pacific Grove, California, announced the launch of Project Bella at a press conference in Pacific Grove

Developed by Domaine Hospitality Partners, Project Bella will be located across the street from the Monterey Bay Aquarium and Stanford University's Hopkins Marine Station at the site of the American Tin Cannery, at the end of historic Cannery Row. Now in planning with world-renowned architect Mark Hornberger of Hornberger+Worstell, Project Bella aims to be the leading luxury hotel in the U.S.

Speaking from the future site of the sustainability-focused hotel, Founder and Executive Director Julie Packard of the Monterey Bay Aquarium spoke of how Project Bella intersects with the aquarium's mission: "We all look out over one of the world's great ocean stories. Economic boom built on extracting the ocean's resources can now be converted and transformed into a new story of something more sustainable for humans and animals for the long term."

"Success for this building was built on sardines, as we all know. Success for the Bella project is going to be built on guests from around the world appreciating and caring for this amazing Bay," said Packard.

Project Bella plans to offer 160 rooms and suites, all with ocean views. Rooms will be designed, built, and furnished to the highest levels of luxury and to a standard shared by only a very few of the world's best hotels. The hotel will include conference and meeting facilities targeted to private meetings at the executive level and for symposia and events in support of the Monterey Bay Aquarium, Hopkins Marine Station, and visitors to the Monterey Bay National Marine Sanctuary.

"It's going to be one of the most magnificent hotels ever built on the waterfront," said Ted Balestreri, managing partner of Foursome Development Company. Balestreri also spoke of the importance of keeping the Marine Sanctuary clean, safe, and accessible, so that people learn to love and respect it.

Project Bella's development plan calls for recognition of the Monterey Peninsula's environmental heritage through a state-of-the-art sustainable design that will achieve

LEED Platinum certification. According to the U.S. Green Building Council there are only four LEED Platinum hotels certified in the U.S.

“My partners and I have been dreaming about building one of the leading iconic hotels in the US and maybe the world. We believe we will drive significant additional visitors to the Monterey Peninsula, benefitting all businesses,” said Ron Meer, president and CEO of Domaine Hospitality Partners. “Additionally, we look forward to being a meaningful contributor to the marine research community by supporting great efforts underway in the Monterey National Marine Sanctuary and by being strong supporters of ocean sustainability, preservation, and protection.”

Mayor Bill Kampe of Pacific Grove described how the hotel site chosen in Pacific Grove is perfect for the project. “On one side you’ve got 4.5 million visitors per year to Cannery Row. And on the other side sits Pacific Grove with 4 miles of the most beautiful shoreline in the state of California. Project Bella will sit directly at that intersection,” said Kampe.

Domaine Hospitality Partner’s principals have extensive hotel, general construction, and development experience. On the Monterey Peninsula, their projects have included the Residences at Spanish Bay at the Inn at Spanish Bay in Pebble Beach and the Nicklaus Club in Monterey (formerly the Pasadera Country Club). Regionally, projects include the historic Hayes Mansion in Santa Clara, the Fairmont Hotel in San Jose, and the Hyatt Regency in Santa Clara. California projects include the Hyatt Regency and Hilton hotels in Huntington Beach, the Hyatt Grand Champions Resort in Indian Wells, and a number of renovations of historic hotels in San Francisco.

For more information, visit www.domainehotels.com.

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I CANNOT IMAGINE A BETTER PROJECT FOR THIS CITY

It's unusual for me to be on the same side of an issue as a developer. However in the case of Measure X, the upcoming ballot measure to rezone the American Tin Cannery site so a luxury hotel can be built there, I'm on the developer's side.

This is new for me. As the attorney for the Ventana Chapter of the Sierra Club in the 80s and 90s, I opposed developments, including a hotel development on the Sand City beach at Tioga Avenue (the hotel was never built). With less success I represented the Sierra Club against the City of Monterey in the infamous hospice litigation. I also represented the citizens group that prevented a large housing development being built on prime ag land near Chualar, a farmer who won a writ against a steel company requiring clean-up of toxic waste, a Santa Cruz neighborhood group that got Rite Aid to build a park, a Hollister group that saved a historic street, and many other cases where I worked against developers on behalf of my clients. I worked on most of those cases from my Pacific Grove law offices where I specialized in the California Environmental Quality Act (CEQA).

Additionally, I was a PG Planning Commissioner between 1987 and 1990 and helped draft the P.G. General Plan with its #1 land use policy to preserve Pacific Grove's traditional "hometown" qualities. Before practicing law, I taught in P.G. schools and was President of the PGFT teachers' union.

Although I'm retired now, I still want Pacific Grove to preserve its hometown qualities and protect its incredible environment. The reasons I think the Project Bella hotel will do that include the following:

1. The Project Bella hotel aspires to LEED platinum certification. LEED platinum means the hotel's design, construction and operation must meet extraordinarily high environmental standards, becoming only the fifth U.S. hotel to achieve LEED platinum. Bella's architect Mark Hornburger designed a number of landmark LEED certified buildings and is presently designing renovation of the Awahnee Hotel at Yosemite. Bella's engineers are Arup, one of the engineering companies building Apple's new headquarters. Bella's developer, Domaine Hospitality Partners LLC, is a major developer of iconic luxury hotels which would not risk its reputation by making false claims. Check out each on Google — Mark Hornburger, Arup Engineering, and Domaine Hospitality Partners LLC.
2. First-rate CEQA consultants have been retained by the City contingent on

Measure X passing. The consultants are expert at measuring the hotel's environmental impacts for water, traffic, historic resources and other factors. Once their analysis is circulated in a draft environmental impact report, the public can review and comment. Per CEQA, the consultants will work for the City, not for Domaine, although Domaine pays the cost. As someone who once made my living challenging EIRs, I know how costly to developers are time delays caused by inadequate CEQA review. Approval or denial of the hotel will follow the City Council's certification of an informationally adequate EIR.

3. The Bella site plan shows alternating open space and structures in a stair-step pattern that's only 40' above grade at its highest point, the opposite of what's implied by those recently-posted signs saying "No Big City Development." In fact, the current American Tin Cannery looks more "Big City Development" than does the Bella's open facade.

4. City revenue from transient occupancy taxes (TOT) on the Project Bella hotel is estimated to exceed the TOT from all other Pacific Grove motels and commercial B&Bs combined. Pacific Grove has great need for additional revenue. The City owes CalPers \$116 million for pension obligations, which for Pacific Grove's 15,500 residents comes to over \$7,000 per person.

Possibly, after I read the EIR, I will conclude the Project Bella hotel would harm the environment and/or diminish Pacific Grove's hometown qualities. In that case, I will oppose its approval. But based on what I know today, I cannot imagine a better project for this city, for the Monterey Bay or even for our nation. This planet needs the kind of environmental leadership exemplified by the LEED rating system for hotels: reuse of existing materials, recycling of water, providing hotel guests with alternative zero carbon emission transportation, organizing affected cities to improve transportation networks, and other Project Bella hotel plans described at the March 22 "meet and greet." If Measure X is defeated, I expect that Domaine will withdraw from Pacific Grove and the fifth LEED Platinum hotel in the U.S. will be located elsewhere. That's why I'm on the developer's side for Measure X.

- Jane Haines
Pacific Grove

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Treasure X sparks debate over Pacific Grove development



An artist's rendering of planned rooftop dining for Project Bella, a luxury hotel planned on the site of the American Tin Cannery. Courtesy of Hornberger + Worstell

by [Carly Mayberry](#), Monterey Herald

Posted: 04/09/16, 5:12 PM PDT | Updated: on 04/11/2016

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Pacific Grove >> Angry letters have been written, campaign signs have been stolen in the night and apologies have been made. What initially seemed to be a streamlined process to move along a luxury hotel project on the site of a struggling outlet mall in Pacific Grove has become a hot-button topic in America's Last Hometown. When Project Bella, a 225-room eco-friendly resort on the site of the American Tin Cannery near the Monterey Bay Aquarium, was introduced in August, it was greeted by the business community and city officials enthusiastically. And at the City Council meeting when a special election was approved for Measure X, an initiative that would rezone the site of the American Tin Cannery to allow the hotel to be built on that property, there were no major objections. But as that April 19 election creeps closer, the voices of dissent are growing louder.

Battle of the signs

Yes on X and No on X signs have cropped up all over town in the past few weeks. So have the back and forth bars between the two groups. Late last week, five videos taken from cameras located inside the Chamber of Commerce office showed "Yes on X" signs being stolen from in front of the chamber's Central Avenue office. The chamber and its president, Moe Ammar, voiced its support of the measure and Project Bella early on.

Local opponent of the hotel and Pacific Grove resident Luke Coletti says has told police he took down the "Yes on Measure X" signs in front of the chamber's office.

Coletti has said his concern is akin to other residents who question the water use and traffic congestion the project may cause. Others feel the process has moved too quickly and developers are being allowed to move ahead without proper impact studies.

My first impression was, 'This thing was a little disingenuous,' " said Leonard O'Neill, a 40-year resident of Pacific Grove. "Now citizens are asking, 'What's the impact?' ... As far as water and traffic, (the developers') answer seems to be, 'We're gonna work on that down the line.'"

matter of timing

According to Michael Crall, the project's developer, it's all a matter of timing.

The hotel will still have to go through all of the normal review and permitting processes, even if X passes," Crall said. "We want to make sure that the hotel can be built on the site before we incur the substantial expenses of a full design and review."

and they wanted to take advantage of a window of opportunity, which is one reason they may have been willing to pay for a special election.

According to project spokesman David Armanasco, if Measure X is approved it shortens the time for all because it can be stated in the Pacific Grove local coastal plan that the property has been zoned hotel. Then the project goes for its permits and falls under the adopted local coastal plan that Pacific Grove is seeking to have approved by the Coastal Commission.

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The Coastal Commission is set to review that local plan in August, when it will be meeting in Monterey.

and if Measure X doesn't pass?

We either just forget about it and let this building deteriorate over time or we go back again (with another ballot measure)," said Crall.

but that would mean getting on a later Coastal Commission agenda, which would postpone the project by at least a year, according to Crall.

critics want more information

Prior to the sign fiasco, the group Committee Against Measure X, sponsored by Unite Here, Local 483, sent out fliers to Pacific Grove voters proclaiming that "Measure X is wrong" and asking voters to reconsider the measure. That grabbed people's attention because a new hotel would apply jobs to many of the workers Unite Here represents. O'Neill, who is spearheading the campaign against Measure X, is listed as a trustee of Unite Here. He signed the original petition to allow for the special election, but changed his mind.

When it was presented as if citizens would be receiving more information about the hotel," said O'Neill.

Two informational meetings were held last month in Pacific Grove. Coletti, for one, didn't like the answers or lack of answers provided, he said, particularly on water usage.

The developer claims they 'have enough water' but refuses to describe how much water the hotel will actually use. When I asked this question at today's forum all I got was spin," Coletti wrote in an email to The Herald.

Crall, the project's developer, said the building will allow for water conservation and won't need any more water than what is already allocated to the American Tin Cannery's retail space. Mayor Bill Kampe said the hotel will use one-third of the water used by a traditional hotel.

Crall also noted that plans call for the building to have a LEED (Leadership in Energy and Environmental Design) Platinum designation. That's the highest measure of a building's environmental impacts, including its water and energy efficiency.

Other Pacific Grove residents like Mark Eckles say they are threatened by big money investors. Those investors don't care about the environment, Eckles said.

"They're extracting every dollar they can out of the site but you don't know who is going to end up owning the place," said Eckles.

Although it is not financially invested, officials at the Monterey Bay Aquarium have given Project Bella their blessing.

Julie Packard, executive director of the Monterey Bay Aquarium, told The Herald in August she supports the project because of its environmental goals.

The rare orchid

Kampe, like Crall, insists that the water and traffic issues will be thoroughly reviewed before any project is approved. Kampe says some people are just against development period, but Project Bella could bring valuable financial help to the city.

Traditionally, the tool has been to use water to prohibit any development in the past," said Kampe. "It's been 20 to 30 years of really inhibiting the water and therefore any prospective growth. The key opponents have been clear they simply don't want any development."

Without it we'll continue to have a site ... which is sitting empty and underutilized," said Kampe. "It's important for the future of our city that all of our economic assets contribute and this project would create new opportunities. And nothing about the proposal will take water away from residents."

But O'Neill and others remain skeptical.

One side is, 'This will bring in dough,' but do we want to allow a new hotel to rise in Pacific Grove?" O'Neill asked. "It's such a rare orchid — Pacific Grove. I'm glad people are conscious and concerned."

Early Mayberry can be reached at 831-726-4363.

Correction: Pacific Grove resident Luke Coletti told police he took down the "Yes on Measure X" signs in front of the Chamber of Commerce office. The action was not authorized. An earlier version of this story mischaracterized Coletti's actions concerning the signs and misspelled his name.

About the Author



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