

July 13, 2015

Anastazia Aziz, Senior Planner
City of Pacific Grove
Community and Economic Development Department
300 Forest Ave.
Pacific Grove, CA 93950

RE: SCH #2015041051 – City of Pacific Grove Pump House Historic Demolition Permit Draft Environmental Impact Report

Ms. Aziz,

Thank you for the opportunity to comment on the Pump House Historic Demolition Permit Draft Environmental Impact Report (EIR). When reviewing the Draft EIR we found items that raise concerns over the adequacy of how some important environmental impacts on the City of Pacific Grove are being addressed. Several of these items were discussed at the public scoping meeting seeking public input, but are not addressed in the draft EIR.

Our request is that the final EIR contain more tangible mitigations that encourage maintenance of neighborhood infrastructure and character.

The following comments and suggestions are offered to improve the Draft EIR:

2.1 Regional and Local Setting

Pacific Grove is noted as bordered by Monterey Bay to the south and Del Monte Forest to the north.

Please revise draft EIR to address direction corrections. Monterey Bay to the north and Del Monte Forest to the south.

2.2 Project Background

“Based on the 1926 Sanborn map and a 1928 building Classification and Computation Record, it can be assumed that the building was built in 1926”.

No mention is made of the 1914 Sanborn map showing the pump house in the same location with the same building outline nor the *Railroad Commission of the State of California*, Jan. 1916 decision #3059 noting the existence of structure prior to 1926, with structure most likely built circa 1907.

Please revise draft EIR to address this lack of complete historic documentation and interpretation.

Section 2.3 Project Description *Pump House Structural integrity*

Appendix C- Engineering report omissions and speculative conclusions noted:

a. Concerns about the building’s inability to withstand a significant seismic event or high wind exposure. No calculations or analysis of site location and physical properties are provided to support this conclusion.

b. Statement of degradation due to excessive moisture. Report states moisture “could deteriorate “ structure, but no testing was done and there is no physical evidence of degradation offered to support statement

c. Report conclusion “attempts to repair or retrofit would be fiscally irrational”. This statement is speculative with no supporting evidence to justify conclusion.

d. The engineering report offered no suggestions or solutions to the question of repairs to structure_and bringing structure up to current seismic code.

Draft EIR, p 4.0-1, Section 4.1: “The CEQA Guidelines also specify that the alternatives discussion should not be remote or speculative...” (emphasis added)

CEQA Guidelines, Section 15126.6 (b): “The discussion of alternatives shall focus on alternatives capable of avoiding or substantially lessening any significant effects of the project even if they impede the attainment of the project objectives to some extent or would be more costly.” (emphasis added)

CEQA Guidelines, 15041 (a): “A lead agency for a project has the authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment...” (emphasis added)

Please revise draft EIR to address missing calculations, analysis and information that would offer mitigation instead of building demolition.

3.1.1 Existing Setting *Visual Character*

A. Pacific Grove is noted as bordered by Monterey Bay to the south and Del Monte Forest to the north.

Please revise draft EIR to address direction corrections. Monterey Bay to the north and Del Monte Forest to the south.

B. Non-Historic Residential Area is an incorrect demarcation utilized in the draft EIR for noting the housing area surrounding the project site. The General Plan of Pacific Grove 1994 notes that homes of historic value are found throughout the city and the historical residential area is generally bounded by Junipero Ave., 1st St., Ocean View Blvd., Pacific Ave., and Alder Street.

City of Pacific Grove Historic Context Statement 2011 notes that the “historic core” of the city as the original Retreat boundaries plus the first five additions. The pump house is located within the Fifth Addition. Ten structures listed on the City’s Historic Resources Inventory (HRI) are located within 300 feet of the project. (emphasis added)

Please revise statement to reflect the fact that historical buildings are located throughout the 4th and 5th addition to the city, which is inclusive of Pump House site.

3.1.3 Degrade Visual character or Quality

The structure, an example of early 20th century Spanish influenced architecture, housed valves and pumps integral in supplying water to Pacific Grove, much of Monterey, and the cannery area of Monterey. In its current configuration, it has been standing on this site since circa 1914 (see early Sanborn maps), providing a strong visual sense and scenic anchor to the surrounding neighborhood.

The property has maintained its integrity of location, design, setting, materials, feeling and association with the Pacific Grove Reservoir and the water system serving the Monterey Peninsula.

Repair of vehicular damage (2012) and routine maintenance has not been provided to the site for over 10 years, an unfortunate but not irreversible cause of much of its degraded visual character. Even in this condition, degraded visual impact does not negate its value as a historic structure nor is it a consideration for historic designation in Pacific Grove.

Please revise statement to reflect current condition is not a consideration for historical designation or historic visual quality.

3.3.1 Project Site

The reservoir with its pump house and valve house was designated a City Point of Historic Interest in 1987 by a City Council Resolution #5844. The resolution notes the following; for many years the reservoir was a valuable source of water to many areas of Monterey Peninsula, for the sardine industry on Cannery Row, and that the residents of Pacific Grove have relied on the reservoir as the immediate source of water.

Please revise statement to reflect project site designation by city council resolution as city point of historic interest, the role as a source of water for Pacific Grove and areas of the peninsulas well as the sardine industry on Cannery Row.

3.3.3 Impacts and Mitigation Measures *Methodology*

Kent Seavey prepared a historical and cultural resources study in 1992 for D. Duffy & Associates examining Cal-American Water Company’s Pacific Grove reservoir. The report

detailed description of the cultural resources known to exist, estimated the significance of the reservoir and its historic context, discussed additional cultural resources which may exist within the study area and made recommendations for preserving and protecting the cultural resources.

Please revise statement to reflect the fact that formal cultural resource studies has been done on the project site and include those findings in the draft EIR.

3.3.3 Impacts and Mitigation Measures *California Register Significance Evaluation*

The reservoir (pump house and valve house) was designated a City Point of Historic Interest in 1987 by a City Council Resolution #5844. The resolution notes the following; for many years the reservoir was a valuable source of water to many areas of Monterey Peninsula and for the sardine industry on Cannery Row.

Neither Monterey nor Pacific Grove had sufficient groundwater to support their growing populations and industries such as sardine fishing and tourism and depended on the water system to meet these needs.

The sardine industry grew to 16 canneries and 14 reduction plants on Cannery Row. Production steadily increased in the decades following WW1 and throughout the Great Depression. By 1938, sardines were an eight million dollar industry employing Monterey and Pacific Grove's largest single work force. Canneries and reduction plants, utilizing a combination of fresh and salt water, placed huge demands on the water system.

Please revise statement to reflect importance of structure's association with growth in Pacific Grove as well as Monterey. And annotate its significance to the sardine industry and tourism in Pacific Grove and Monterey. This additional material is important in consideration of the significance of this structure in the history of Monterey Peninsula.

4.2 Alternatives Under Consideration *Alternatives Considered but not Selected for Analysis: Full Rehabilitation and Restoration Alternative*

"...funds have not been made available...unlikely funds would be made available..." The Draft EIR on p. 4.0-2 speculates on the assets and ability of a large publicly held corporation to provide funds for proposed alternatives.

CEQA Guidelines (Section 15126.6 in subsection (b) states "...the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." (emphasis added)

CEQA Guidelines 15126.6 (f) Rule of Reason, subsection (3): "An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." By the same Rule of Reason, one cannot simply dismiss an alternative due to

the speculation that it is "...unlikely funds would be made available..." by the applicant.
(emphasis added)

Please revise statement to address supposition of potential lack of funding and potential origin of funding for retrofit. And as noted in Draft EIR, p. 4.0-1, "CEQA Guidelines also specify that the alternatives discussion should not be remote or speculative..."

4.5 Alternative 3 – Leave in Place Alternative

Reinforcing structure is not financially feasible due to lack of public funds and CPUC regulatory limitations. The Draft EIR does not address the financial capacity and obligation of the owner/applicant to have maintained an historic structure over a considerable period of time. No foundation for the speculation of "...not financially feasible..." is provided

Please revise statement to address supposition/speculation of not feasible financially due to lack of funding and CPUC regulations. CEQA Guidelines (Section 15126.6 in subsection (b) states "...the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." (emphasis added)

Amending the Alternatives to include five options to consider:

Alternative 1 - No Project Alternative

Alternative 2 - Relocation Alternative

Alternative 3 - Leave In Place Alternative

Alternative 4 - Adaptive Reuse Alternative/Residential Use

Alternative 5 - Non-Habitable Retrofit for Safety With Exterior Restoration*

***CEQA Guidelines, Section 15126.6 (b): "The discussion of alternatives shall focus on alternatives capable of avoiding or substantially lessening any significant effects of the project even if they impede the attainment of the project objectives to some extent or would be more costly."**

***CEQA Guidelines, Section 15041 (a): "A lead agency for a project has the authority to require feasible changes in any or all activities involved in the project in order to substantially avoid or lessen significant effects on the environment..."**

Appendix E : Historic Report/ Historical Resources

A. Description and History

Report states property was built in 1926.

Brief reference is made of the 1914 Sanborn map showing the pump house, but no notation that structure is in the same location with the same building outline. There is no mention of the *Railroad Commission of the State of California*, Jan. 1916 decision #3059 noting the existence of structure prior to 1926, with structure most likely built circa 1907.

Please revise draft EIR to address this lack of historic documentation and interpretation.

Neither Monterey nor Pacific Grove had sufficient groundwater to support their growing populations and industries such as sardine fishing and tourism and depended on the water system to meet these needs.

The sardine industry grew to 16 canneries and 14 reduction plants on Cannery Row. Production steadily increased in the decades following WW1 and throughout the Great Depression. By 1938, sardines were an eight million dollar industry employing Monterey and Pacific Grove's largest single work force. Canneries and reduction plants, utilizing a combination of fresh and salt water, placed huge demands on the water system.

Please revise statement to reflect importance of structure's association with growth in Pacific Grove as well as Monterey. And annotate its significance to the sardine industry and tourism in Pacific Grove and Monterey.

B. Historical Evaluation

The reservoir (pump house and valve house) was designated a City Point of Historic Interest in 1987 by a City Council Resolution #5844. The resolution notes the following; for many years the reservoir was a valuable source of water to many areas of Monterey Peninsula and for the sardine industry on Cannery Row.

Please revise statement to reflect project site designation by city council resolution as city point of historic interest, the role as a source of water for Pacific Grove and areas of the peninsulas well as the sardine industry on Cannery Row.

Thank you for the opportunity to comment on the Pump House Historic Demolition Permit Draft Environmental Impact Report.

Sincerely,

Historic Resources Committee of the City of Pacific Grove

Encl: 4

References:

City of Pacific Grove. 1987. Council Resolution #5844

City of Pacific Grove. 1994. General Plan

City of Pacific Grove. 2011. Historic Context Statement

Hobson, Ashley (City of Pacific Grove Planner). Telephone interview, July 9, 2015.

March, Ray A. *River in Ruin*. Lincoln and London: University of Nebraska Press, 2012

Railroad Commission of the State of California *Decision #3059*. Jan. 1916

Sanborn fire insurance map of Pacific Grove, CA. 1914

Seavey, Kent. *Historical and Cultural Resources Study of the Pacific Grove Reservoir*. Prepared as sub-contractor for Denise Duffy & Associates, in preparation of feasibility study dealing with proposed lining and covering of the Pacific Grove Reservoir for Cal-American Water Company. Courtesy of author. 1992.

DECISION No. 3059.

IN THE MATTER OF THE APPLICATION OF THE MONTEREY COUNTY WATER WORKS FOR LEAVE TO CONVEY PART OF ITS WATER SYSTEM TO PACIFIC IMPROVEMENT COMPANY.

Application No. 1657.

Decided January 25, 1916.

Monterey County Water Works applies for permission to transfer certain of its water rights, reservoirs and transmission mains to the Pacific Improvement Company. This water system was transferred to the water company by the improvement company several years ago and it now appearing to applicants that it would be advisable to re-deed certain portions back to the improvement company, the water company to retain all rights and property necessary to properly serve its consumers, application granted.

Richard Bayne and J. P. Langhorne, for the Monterey County Water Works.

Goodfellow, Eells, Moore & Orrick, for the Pacific Improvement Company.

Carmel Martin, city attorney, for the city of Monterey,

H. G. Jorgenson, city attorney, for the city of Pacific Grove.

REPORT OF THE COMMISSION.

GORDON, *Commissioner*.

In this application the Monterey County Water Works asks for authority to transfer to Pacific Improvement Company the property referred to in Exhibit "A" attached to the application. Pacific Improvement Company joins in the application. In general, the property to be transferred as described by applicant, consists of the following:

(a) The Carmel dam and dam site and surrounding lands, together with the right to maintain and operate said dam and headgate, or any other storage or diversion works, for taking water from the Carmel River. The water to be taken from the Carmel River in any one year by Pacific Improvement Company shall not exceed 35 per cent of the total flow of the river. The instrument of sale also reserves to The Monterey County Water Works a right of way across the property to be conveyed to Pacific Improvement Company, for the purpose of constructing a pipe line to Carmel River, if and when desired.

(b) The Pacific Grove reservoir and surrounding lands, except the pump house and site.

(c) The pipe line from the Carmel dam to the twelve-inch Y branch near corner "N" of the Clay Pitts Reservoir tract; also the pipe line from twelve-inch Y branch around the Clay Pitts Reservoir to the Pacific Grove valve-house, and thence to the valve-house in the Hotel Del Monte grounds, with necessary rights of way for said pipe lines.

(d) The sum of \$34,353.00 on deposit with the International Banking Corporation in San Francisco, and constituting a part of the depreciation reserve amounting to \$131,079.38 on December 31, 1914, and a proportionate share of subsequent accretions.

The property proposed to be retained by the Monterey County Water Works and that transferred, with the values as estimated by the Commission's engineers, is shown in the tabulation below:

Structures	Pacific Improvement Company	The Monterey County Water Works
Land	\$6,269	\$4,204
Carmel dam	20,500	-----
Pacific Grove reservoir.....	75,284	-----
Clay Pitts reservoir.....	-----	176,999
Tulareitos survey	2,950	-----
Carmel main	313,900	-----
22-inch main	-----	231,582
12-inch main	-----	16,876
16-inch main	96,102	-----
Buildings	3,725	4,638
Tanks	-----	227
Pumping equipment	-----	9,547
Ventura meters	1,073	1,865
General stock and equipment.....	-----	31,064
Monterey district	-----	136,272
Pacific Grove district.....	-----	130,163
Unincorporated district	-----	45,266
Water rights and rights of way.....	31,767	42,079
Current construction for year 1914.....	-----	11,837
Totals	\$551,570	\$842,119

By deed dated August 27, 1907, Pacific Improvement Company conveyed all of the foregoing, together with other property, to the Monterey County Water Works, including certain rights of way across certain of its ranches and the grounds of the Hotel Del Monte. The deed reserves to the grantor "sufficient water for domestic and stock uses of said Hotel Del Monte" and the grounds and drives used in connection therewith and for certain irrigation uses upon its said ranches, all as therein more fully set forth. It also provides in part as follows:

"And in consideration of said purchaser bringing said water to said hotel and grounds and for the uses above mentioned and maintaining the efficiency of said plant and pipe lines up to at least their present efficiency and so as to be able to supply said vendor, its successors and assigns, with said water for said hotel purposes, said vendor, its successors or assigns, shall pay to said purchasers, its successors or assigns, the sum of ten thousand (\$10,000) dollars a year, and no more."

The rates of the water works were attacked as unreasonable and unjust by the city of Monterey in Case No. 500. The utility thereupon

filed application for an increase in rates. The two matters were consolidated and heard together and rates established by this Commission in its Decision No. 1855. (Vol. 5, Opinions and Orders of the Railroad Commission of California, page 530.)

In due time the utility applied for a rehearing and Pacific Improvement Company joined in the proceeding as intervenor. The city of Monterey and the city of Pacific Grove were both represented by counsel at the hearing. Meanwhile the new rates so established have remained suspended and not in effect. Pursuant to the constitutional authority given the Commission to regulate the utility rendering the service, the rates so established included rates for service to the hotel and ranches.

Applicants wish to divide the system and the burden of serving the water. The proposed division will provide for each a substantially independent system, except that the water works will depend upon the company to divert the water and carry it a short distance to the main of the water works. Very careful consideration has been given to the plan proposed and to the terms of the proposed deed submitted as the means of carrying it out. Some slight modifications have been suggested and adopted by the parties.

The amount of water which the improvement company under the deed may divert for its own uses is found by Mr. Hawley, the hydraulic engineer of the Commission, to be about the same amount which the company has heretofore been applying to a beneficial use in its hotel, grounds and ranches. It proposes to at all times maintain the properties used in part for service of the water works in as serviceable and efficient condition as they now are, operate its pipe line to its full capacity and deliver into the 22-inch main of the water works or any main substituted therefor 65 per cent of the quantity of water reaching that point, which will furnish sufficient water for the water works for several years to come. When necessary, the water works may take direct increased amounts of water up to 65 per cent of the flow of the river. The parties agree to submit all disputes concerning division and delivery of water for the determination of this Commission. The improvement company also agrees to guarantee to the extent of \$10,000.00 a year the gross revenue of the water works from sales until sales equal or exceed 27,000,000 cubic feet per year for a period of three consecutive years.

The annuity fund is to be divided in the proportions heretofore determined by Mr. Hawley to be referable to the portions of the system taken by each of the parties, which is a satisfactory division.

In view of the provisions of the deed of August 27, 1907, by which the grantor reserved for its private use water for its hotel and ranches

and the facts and circumstances surrounding the use subsequent to that time, the proposed arrangement is just and equitable.

Pacific Improvement Company owns all the stock of The Monterey County Water Works. The portion of the system retained by the water works is sufficient to insure suitable service to the public.

In reference to the amount of capital stock heretofore issued by The Monterey County Water Works, the management has stated that it will reduce its stock to an amount commensurate with the value of the assets retained.

The arrangement authorized herein will make it unnecessary to provide rates for service to the hotel and ranches, and the schedule of rates heretofore provided for The Monterey County Water Works has accordingly been modified in that and certain other particulars by the Commission's decision on application for rehearing in the original case and application. Reference is hereby made to the decision therein, which is filed today.

I submit the following form of order:

ORDER.

The Monterey County Water Works having requested authority to convey to Pacific Improvement Company certain portions of its water works system and to enter into contract relating to the use of the water of Carmel River, in which application Pacific Improvement Company joins, and a public hearing having been held thereon and the matter having been submitted for determination and the Commission being now fully advised,

It is hereby ordered that The Monterey County Water Works be and it is hereby authorized and empowered to pay to Pacific Improvement Company, the sum of \$34,353.00, with accretions from its certain fund on deposit with the International Banking Corporation in San Francisco, accumulated and set aside for the replacement and repair of its said water works system, and to convey to Pacific Improvement Company the property described in Exhibit "A" attached hereto and made part hereof; and to execute and deliver to said company indenture in the form set forth in Exhibit "A" attached to the application, as modified in accordance with the suggestions of the Commission; the property to be conveyed and the terms and conditions upon which it is to be received and held being fully set forth in said indenture.

This order is made upon the following conditions and none other, to wit:

(1) The approval herein given of said indenture is for the purpose of this proceeding only and an approval only in so far as this Commission has jurisdiction under the terms of the Public Utilities Act, and is not intended as an approval thereof as to any other legal requirements to which said indenture may be subject.

(2) The authority hereby given shall continue only for a period of thirty days from date hereof.

(3) Applicant shall report to this Commission in writing within ten days after the execution and delivery of said indenture and the payment of said sum of money the fact of the execution and delivery thereof, and the payment of said sum.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission.

Dated at San Francisco, California, this 25th day of January, 1916.

EXHIBIT "A."

Referred to in and made a part of decision of the Railroad Commission of the State of California, No. 3059, in Application No. 1657; being properties described in and to be conveyed by proposed indenture between The Monterey County Water Works, a corporation, and Pacific Improvement Company, a corporation.

All those certain lands, water rights, pipe lines and other property, situate, lying and being in the county of Monterey, State of California, which are specifically described as follows, to wit:

(A) The Carmel dam-site and surrounding lands, described as lot sixteen (16) of section twenty-three (23); lot four (4) of section twenty-four (24); and the southwest quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$), and the west half ($\frac{1}{2}$) of the southwest quarter ($\frac{1}{4}$) of section twenty-four (24), all in township seventeen (17) south, range two (2) east, Mt. Diablo meridian, according to the public surveys of the Government of the United States, together with the Masonry dam, and appurtenances thereon constructed, and the right to maintain and operate said dam and headgate, or any other storage or diversion dams or works for taking water from the Carmel River, which may hereafter be constructed by the party of the second part, provided that the water so to be diverted from the said Carmel River for use of the party of the second part (exclusive of the water to be delivered to the party of the first part under the covenants of this deed), shall not exceed in any one year thirty-five (35) per cent of the total flow of said river, measured at the point of diversion. The party of the first part reserves from the above deed a right of way across said land for any pipe line or pipe lines, flumes or ditches, it may hereafter at any time or times, or from time to time, construct to convey water from the Carmel River, along such line or lines as it may select for that purpose at any time or from time to time, and which will not interfere with the dam or pipe lines of the party of the second part.

(B) That certain tract of land that includes the Pacific Grove reservoir, being a part of the Point Pinos rancho, and which is more particularly described as follows: Beginning at a stake marked "A" set in the Armenta line, this being the easterly boundary line of the Point Pinos rancho, opposite the corner, on Line street, of lots one (1) and two (2) of block ten (10) Intermedia tract, Monterey, and fifteen (15) feet northwesterly from said corner, thence running north thirty-one (31) degrees two and one-quarter ($2\frac{1}{4}$) minutes west, one hundred and sixty-one and $37/100$ (161.37) feet to stake; thence north sixty-four (64) degrees nineteen and one-quarter ($19\frac{1}{4}$) minutes west, four hundred forty-three and $4/100$ (443.04) feet to stake; thence in a westerly direction along the southerly line of Hillcrest avenue three hundred seventy-four and $44/100$ (374.44) feet to the northeast corner of block one hundred and ninety-four (194) of the Hillcrest tract, in the city of Pacific Grove, California; thence south eight (8) degrees twenty-one and three-quarters ($21\frac{3}{4}$) minutes west, five hundred one and $39/100$ (501.39) feet to a stake, which is the southeast corner of said block one hundred and ninety-four (194); thence south seventy (70) degrees thirty-eight (38) minutes east, four

hundred and forty-seven (447) feet to a stake, said stake being set in the Armenta line before mentioned; thence along said Armenta line north fifty-eight (58) degrees fifty-seven and three-quarters ($57\frac{3}{4}$) minutes east five hundred eighty-nine and $80/100$ (589.80) feet to a stake marked "A," the point of beginning.

Said tract of land hereby conveyed includes the Pacific Grove reservoir, outlet gate house and tunnel and other appurtenances appertaining thereto, together with the line of twelve (12) inch cast iron pipe running from the said reservoir to Hillcrest avenue, in the city of Pacific Grove, and connecting with the line of twelve (12) inch cast iron pipe located in said street and hereinafter conveyed to the party of the second part.

Also the following described lots, being also part of the tract of land upon which the Pacific Grove reservoir is located and being more particularly described as lots five (5) to seventeen (17) inclusive, in block ten (10) of the Intermedia tract in the city of Monterey, as laid down and delineated on the map of said Intermedia tract, recorded in the county recorder's office of the county of Monterey.

Also that piece of land lying between the westerly city limit line of the city of Monterey, and the west boundary line of block ten (10) of the Intermedia tract, and being originally that part of Line street, city of Monterey, lying between the dividing line of lots four (4) and five (5), block ten (10), Intermedia tract, and the southerly city limit line of the city of Monterey, said portion of the said Line street having been abandoned by the city of Monterey.

The said party of the first part reserves from this grant the tract of land described as follows: Beginning at the above mentioned stake marked "A" and running north thirty-one (31) degrees two and one-quarter ($2\frac{1}{4}$) minutes west eighty-eight and $7/10$ (88.7) feet along the line between the above described Reservoir tract and lot one (1), block one hundred eighty-five (185) of the Hillcrest tract, of the city of Pacific Grove, to the northwest corner of said lot one (1), block one hundred eighty-five (185) of Hillcrest tract, thence south fifty-seven (57) degrees fifty and three-quarters ($50\frac{3}{4}$) minutes west sixty-six (66) feet along the southerly line of Second street produced westward; thence south twenty-six (26) degrees twenty-nine and three-quarters ($29\frac{3}{4}$) minutes west fifty-one and thirty one-hundredths (51.30) feet; thence south thirty-four (34) degrees twenty and three-quarters ($20\frac{3}{4}$) minutes east sixty (60) feet, along the northward prolongation of the dividing line between lots four (4) and five (5), block ten (10) of the Intermedia tract, in the city of Monterey, to a point on the southerly boundary line of the above described Reservoir tract; thence northwesterly along said southerly boundary line to stake "A," the point of beginning.

The party of the first part also reserves a right of way across the said Reservoir tract for the eight (8) and twelve (12) inch suction lines and for the sixteen (16) inch waste line of the pumping plant now located on the said tract of land herein reserved and last above described.

The said party of the first part hereby covenants for itself, its successors and assigns, that the said party of the first part, its successors and assigns, will not use the said tract of land last above described, nor lots two (2), three (3) and four (4), of block ten (10), Intermedia tract, nor the tract of land that was formerly that part of Line street, in the city of Monterey, lying to the north of the said lots two (2), three (3) and four (4), of block ten (10), for any other purpose than for the maintenance and operation of pumping plants and storehouses, and will not build thereon, or allow to be built or conducted thereon, any stable, dwelling house, water closet, privy or any other structure or structures, the drainage from which would endanger the purity of the water stored in the said reservoir.

(C) Also the following described pipe lines together with the trestles, shut-off gates, blow off gates and connections, air valves and connections, and fittings that are now in any part of the said pipe lines (but not including the pipes and valves in the cross connections that now exist between said pipe lines and the pipe lines owned and reserved by the said party of the first part); namely:

That pipe line running from the Carmel dam in a general westerly and northerly direction through the Carmel Valley, Carmel City and the Pescadero rancho to the

twelve (12) inch "Y" branch located near corner "N" of the Clay Pitts Reservoir reservation, as described in the deed of conveyance executed by the Pacific Improvement Company to The Monterey County Water Works, dated August 27, 1907, and recorded in Vol. 98 of Deeds, page 154 Monterey County recorder's office; which pipe line consists of approximately thirty-four thousand nine hundred and twenty-six (34,926) feet of eighteen (18) inch diameter riveted pipe, two thousand nine hundred and fifty and six-tenths (2,950.6) feet of twenty-two (22) inch diameter riveted pipe, nine thousand five hundred and four-tenths (9,500.4) feet of fifteen (15) inch diameter riveted pipe, twenty-six thousand one hundred fifty-six and two-tenths (26,156.2) feet of fifteen (15) inch O. D. converse joint pipe and thirty-two thousand eight hundred seventy-two (32,872) feet of twelve (12) inch diameter cast iron pipe. Also the pipe line, consisting of approximately two thousand thirty-one and eight-tenths (2,031.8) feet of twelve (12) inch diameter cast iron pipe, running from the above mentioned twelve (12) inch "Y" branch in a general northerly direction around the Clay Pitts Reservoir to the twelve (12) inch "Y" branch located in the line of twelve (12) inch pipe connecting with the twenty (20) inch "Y" branch at the end of the twenty (20) inch outlet pipe to the Clay Pitts Reservoir, the said twelve inch "Y" branch being about four hundred and ten (410) feet northerly from the said twenty (20) inch "Y" branch. Also the pipe line running from the twenty (20) inch "Y" branch at the end of the above mentioned twenty (20) inch outlet pipe of the Clay Pitts Reservoir, through the Pescadero rancho in a northeasterly direction to the northwest boundary line of the Pescadero rancho, which is also the southeasterly boundary line of the Point Pinos rancho, and from thence in a northeasterly direction through the Point Pinos rancho to the southern corporate limits of the city of Pacific Grove, and thence in an easterly direction to the city of Pacific Grove along Hillcrest avenue to the Pacific Grove Valve House tract, which is located at the intersection of Ninth street and Eardley avenue, in the city of Pacific Grove, thence across said tract and into the valve house and connecting to the twenty (20) inch "Y" branch in the line of twenty (20) inch pipe in the said valve house, the line consisting of approximately ten thousand five hundred (10,500) feet of twelve (12) inch cast iron pipe, and one hundred and ninety-nine (199) feet of twelve (12) inch riveted steel pipe.

Also the line of twenty (20) inch diameter cast iron pipe running from the outlet gate house of the Pacific Grove reservoir across the tract of land upon which is located the said reservoir; thence along Gate street in the city of Pacific Grove, to the Pacific Grove Valve House tract, thence across said Valve House tract and into and through the said valve house to the connection with the line of sixteen (16) inch cast iron pipe on Eardley avenue, in the city of Pacific Grove. The said line of pipe consisting of approximately seven hundred and eighty (780) feet of twenty (20) inch cast iron pipe.

Also that line of sixteen (16) inch cast iron pipe running from the end of the above mentioned twenty (20) inch pipe in the Pacific Grove Valve House, along Eardley avenue to Light House avenue, and along Light House avenue to a point on the easterly boundary line of the city of Pacific Grove, which is also the westerly boundary line of Monterey; thence easterly along Light House avenue and Hawthorne avenue to the westerly boundary line of the United States Military Reservation, and thence crossing the United States Military Reservation in a general easterly direction and across Light House avenue to a point on the easterly boundary of the United States Military Reservation which also is the westerly boundary line of the right of way of the Southern Pacific Railroad Company; thence in a southeasterly direction along and upon the right of way of the Southern Pacific Railroad Company to a point on the easterly boundary line of the city of Monterey, which is also the westerly boundary line of the Hotel Del Monte grounds, and from this point through the grounds of the Hotel Del Monte to the Valve House located in the Del Monte grounds. The said line consisting of approximately twelve thousand three hundred and ninety-five (12,395) feet of sixteen (16) inch cast iron pipe and two thousand seven hundred and forty-two (2,742) feet of sixteen (16) inch riveted steel pipe.

Together with all necessary rights of way for maintaining, renewing and operating said pipe lines and connections and for installing and maintaining any new pipe line or pipe lines which the party of the second part may construct along said rights of way, at any time or from time to time, reserving, however, to the party of the first part the right to install, maintain, renew and operate any pipe lines which it may hereafter construct upon and along any said rights of way, provided that such reserved right and the right herein granted to the party of the second part shall not be so exercised as to interfere with or endanger the pipe lines of either party hereto.

Together with all and singular the tenements, hereditaments and appurtenances to all said properties belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

DECISION No. 3060.

COUNTY OF COLUSA

vs.

NORTHERN CALIFORNIA POWER COMPANY.

Case No. 877.

Decided January 25, 1916.

REPORT OF THE COMMISSION.

ORDER OF DISMISSAL.

Complainant in the above entitled matter having made written request for dismissal,

It is hereby ordered by the Railroad Commission of the State of California that the above entitled complaint be and the same hereby is dismissed without prejudice.

Dated at San Francisco, California, this 25th day of January, 1916.

DECISION No. 3061.

IN THE MATTER OF THE APPLICATION OF SANTA PAULA HOME TELEPHONE COMPANY FOR AUTHORIZATION TO PURCHASE CERTAIN PROPERTY OF THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY LOCATED IN AND IN THE VICINITY OF THE CITY OF SANTA PAULA; TO ISSUE ITS NOTE IN PAYMENT THEREOF AND TO APPLY ITS PRESENT SCHEDULE OF RATES TO ALL SUBSCRIBERS WHEN THE TWO SYSTEMS SHALL HAVE BEEN COMBINED; AND OF THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY FOR AUTHORIZATION TO SELL CERTAIN OF ITS PROPERTY LOCATED IN AND IN THE VICINITY OF THE CITY OF SANTA PAULA TO SANTA PAULA HOME TELEPHONE COMPANY.

Application No. 1655.

Decided January 25, 1916.

Applicants operate telephone exchanges in the city of Santa Paula and vicinity and finding that competitive systems in this locality are not profitable apply for permission to transfer the system of the Pacific company to the Santa Paula company for a consideration of \$25,400.00.

RESOLUTION NO. 5844

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PACIFIC GROVE DESIGNATING THE PACIFIC GROVE
RESERVOIR AS A POINT OF HISTORICAL INTEREST

WHEREAS, in the 1880's the Pacific Improvement Company purchased a ranch in the upper Carmel Valley for the primary purpose of supplying water to the Company's Del Monte Hotel; and

WHEREAS, also included in that supply system was a reservoir, now known as the Pacific Grove Reservoir, to which water was pumped from the supply route beginning at the dam site; and

WHEREAS, the Pacific Improvement Company was anxious to complete this system, so much so that at the height of construction activity 1,700 Chinese laborers, assisted by 640 horses, were engaged in the work of digging and forming the reservoir; and

WHEREAS, for many years the reservoir was a valuable source of water to many areas of the Monterey Peninsula, and for a time the reservoir was an important source of water for the sardine industry on Cannery Row; and

WHEREAS, in recent years the residents of Pacific Grove have relied almost exclusively on the reservoir as the immediate source of water; and

WHEREAS, it is the desire of this Council to recognize the significance of the reservoir, and to cause to be remembered the contributions of the often forgotten Chinese labor force to the Peninsula we know today; and

WHEREAS, it is fitting that the Council take the action reflected in this resolution at this time, in that the State of California has declared October 19-24, 1987, as "Water Awareness Week" throughout the state;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AS FOLLOWS:

SECTION 1. This Council hereby declares and establishes the Pacific Grove Reservoir as a Point of Historical Interest in the City, and hereby requests the State of California to similarly designate the Reservoir or to make such other historical designation as the State sees fit.

SECTION 2. The City Clerk hereby is directed to provide a certified copy of this resolution to Councilmember Eaton for presentation and reading at an appropriate time during Water Awareness Week.

Resolution No. 5844

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PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 16th day of September, 1987, by the following vote:

AYES: Cavallaro, Eaton, Fisher, Gasperson, Russell, Nunn, Whitman

NOES: None

ABSENT: None

APPROVED:


MORRIS G. FISHER, Mayor

ATTEST:


FRED SMITH, City Clerk

APPROVED:


GEORGE C. THACHER, City Attorney