

From: [Lance Schulte](#)
To: [Growth Management Committee](#); [Michele Hardy](#); [Council Internet Email](#); [City Clerk](#); [Kyle Lancaster](#); [Eric Lardy](#); ["Smith, Darren@Parks"](#); [Homer, Sean@Parks](#); ["Moran, Gina@Parks"](#); [Boyle, Carrie@Coastal](#); ["Prahler, Erin@Coastal"](#); [Ross, Toni@Coastal](#)
Cc: info@peopleforponto.com
Subject: Public Input for 2022-9-2 CTGMC & to be provided to the Carlsbad City Council and Parks, Planning and Beach Preservation Commissions as citizen communications
Date: Thursday, September 22, 2022 9:04:40 AM
Attachments: [2022-9-22 CTGMC meeting - verbal public input on New Standards - Lance Schulte.pdf](#)
[2022-9-22 CTGMC meeting - public input on Zone 9 GMP Open Space.pdf](#)

Dear Carlsbad Tomorrow Growth Management Committee, Carlsbad City Council, Parks, Planning and Beach Preservation Commissions, , CA Coastal Commission and CA State Parks:

Please review and consider this email & two attached information files as public input. The CTGMC, Carlsbad City Council and Parks, Planning & Beach Preservation Committees have a responsibility to correct the well documented Park & Open Space shortfalls (City's past land use planning & Growth Management Plan Standard mistakes) at Ponto, and Coastal land use plan for more loss of these land uses due to sea level rise.

Thank you,
Lance Schulte

Reference: Email comments to committee@carlsbadca.gov Comments received by 2:30 p.m. the day of the meeting will be shared with the committee prior to the meeting. When e-mailing comments, if the comment relates to a specific item on the agenda, please identify in the subject line the agenda item to which your comments relate. All comments received will be included as part of the official record.

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Page 2 of the Staff Report has a fundamental incomplete and misleading statement regarding New Standards and the work of the CTGMC, on all future Quality of Life Standards.

In the 'friends of H street ...' citation implies that City is prevented from applying 'new standards' to existing and future development. This is false. A City is NOT PREVENTED from applying new standards, and new standards for existing developed areas. Carlsbad and other cities do this all the time. It is just that the method of implementing New Standards to new or existing development varies – new development meets the new standard, and a program is created to help bring existing development up to the New Standard. In fact the City's 1986 Growth Management Plan (GMP) did exactly this - applying New Standards to all the existing development in the City. The GMP also created a GM Plan to bring older existing development up to those new standards. In 1986 New Library, Fire, City Hall, Street (LOS), and other New Standards were applied to existing development and made a requirement of new development to provide. The 1986 GMP was a Plan to bring the existing developed City up to the New GMP Standards. We had to create new fire stations, a new library, new parks and other facilities for the existing development in the City in a way that met the New GMP Standards. If you use page 2's false-logic/inference on New Standards then the 1986 GMP's New Standards should not have been done – they were not 'Required'. Recently the City applied New Standards to the City's already existing/developed streets – guiding City redesign/reconstruction to a New Standard of 'complete streets' and changing developed roadways to provide better bike, pedestrian, and transit facilities. The CTGMC has a Fundamental Choice - set New Standards to enhance and sustain our Quality of Life (including useable Open Space); or choose to give up and let our Quality of Life slowly erode (like our beaches and coastal Open Space land uses) as we are required to change our Land Use Plan to add more housing/population every 8-year's.

Like we did in 1986 with GMP, the CTGMC can create New Standards and apply them to existing development. The CTGMC can fix false exemptions and instead work to achieve our Quality of Life Standards. Fixing false exemptions is the right, just, smart, and sustainable thing to do. We can help you right the Open Space & Park wrongs at Ponto – we have very workable solutions. Please do the right thing, collaboratively work with your fellow citizens.

See the 7-page "CTGMC key issues and suggestions -6/25/2022" forwarded to you by staff on August 2nd.

Page 7 of the staff report is incomplete and fails to disclose some key facts. The report alludes to how the City and BLEP MP Developer colluded to exempt the BLEP MP from the GMP Open Space Standard to get the State Title to the Lagoon/bluffs so the State's Lagoon dredging could more easily advance. The City also allowed the BLEP developer to construct Phase 1 (Rosaleña) without providing a Coastal Commission required Bluff Top Trail. Ask Rosaleña about this.

In 1985 prior to BLEP being annexed all the Lagoon and Bluff areas were already General Planned and Zoned Open Space (constrained Open Space). The BLEP Master Plan simply noted these already 'pre-zoned constrained Open Spaces.

The 1986 BLEP Master Plan did include extensive GMP Open Space (i.e. unconstrained open space) – 30' wide landscaped setbacks, multiple private recreation facilities, and most critically a 12.8 acre Recreation Commercial land use area (with grassy fields, pool, tennis courts, etc.) - basically a quasi-park for expanded Ponto area. The BLEP Land Use Plan had significant GMP Open Space.

In 1994 the City made a mistake when it replaced the BLEP Land Use Plan and eliminated the 12.8 Recreation Commercial land use and other GMP Open Space and replace Open Space with Residential Land Use – the San Pacifico Community (SPC). The SPC Developer and City did an illegal 'shell game'. If BLEP's 12.8 Recreation Commercial land use and other GMP compliant Open Spaces were provided in the SPC Master Plan we would not see in the City's own mapping that shows 30-acres GMP Open Space is missing in Zone 9. The developer and City pulled a fast one to violate the GMP Open Space Standard and falsely count 'constrained Open Space' as required 'unconstrained GMP Open Space'. Our Quality of Life suffers and Citizens end-up paying the cost – ask Rosaleña Citizens.

Currently the last adopted LFMP for Zone 9 (Ponto) will need to be amended to account for the City's proposed 11.1 acre land use plan/zoning changes from Non-Residential Reserve to Residential/General Commercial, but only if the CA Coastal Commission approves this land use change in 2023. The Commission will decide if there is sufficient "Coastal Recreation (i.e. Pubic Park) and Low-cost Visitor

Accommodation” land uses at Ponto to justify the Developer’s (City’s) proposed 11.1 acre change.

The City made mistakes in Zone 9 that are clearly seen in City maps and is trying to cover them up. The GMP Open Space was NOT provided and in 1986 Zone 9 was not developed; and in fact Zone 9 land use was completely changed in 1994 without carrying over/providing the unconstrained GMP Open Space acreage that was in BLEP.

CTGMC please work with P4P to fix this mistake before it is too late.

From: [John](#)
To: [Growth Management Committee](#)
Subject: Improvements
Date: Wednesday, September 21, 2022 11:37:37 PM

The most beautiful part of Carlsbad is the drive down 101 overlooking the ocean. This view could be vastly improved by replacing the hideous white fence that blocks that view with a couple of horizontal strands of stainless steel cable that would not block the view or better still eliminate it entirely. I am old enough to remember how it used to be and it saddens me every time I take that drive. Other cities along our coast have retained their views. Why not investigate what they have done and make this improvement to restore Carlsbad to it's former glory.

Respectfully,

John M Walker

Sent from [Mail](#) for Windows

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: chrisr@batiquitoslagoon.org
To: [Growth Management Committee](#)
Subject: Growth Management Citizens Committee Meeting - Public Comment on Open Space and Parks
Date: Wednesday, September 21, 2022 11:33:17 PM

The Batiquitos Lagoon Foundation (BLF) is a 501(c)(3) non-profit public benefit corporation formed on January 7, 1983 with a mission to preserve, protect and enhance the Batiquitos Lagoon Ecological Reserve (BLER) and associated watershed. The Foundation has always believed that maximizing public access and awareness of the Batiquitos Lagoon will ensure its protection and viability as a natural resource. In 1996, the Foundation received a grant from the California Coastal Conservancy to develop a Trail Alignment and Visitor Center Feasibility Plan. The Plan was completed in June 1997. Since then it has served as BLF's conceptual blueprint for a public access pedestrian trail between El Camino Real and the ocean ("La Costa to the Coast") and has been incorporated into the City of Carlsbad Trails Master Plan.

Implementing this vision has been a long and arduous process. There are a great number of property owners, land features, easements, access points, development types and other relevant influences around the lagoon. The vision is far from complete, but much progress has been made. Today, BLF has title to 25 acres of open space bordering the Batiquitos Lagoon Ecological Reserve (BLER) and holds easements on an additional 103 acres.

The purpose of this public comment is to urge the City of Carlsbad act on a unique opportunity: to acquire the 14.3 acre site in southwest Carlsbad referred to as Planning Area G & H for use as a coastal park. The site is currently for sale. It is adjacent to the Batiquitos Lagoon Ecological Reserve. It includes Federally protected habitat. It sits at the western terminus of the La Costa to the Coast trail and could potentially accommodate a proposed Coastal Science and Cultural Center. This is a very special site that needs to be preserved for future generations of public use. Please give it serious consideration.

Sincerely,

Chris Ross

President and Board Member
Batiquitos Lagoon Foundation
www.batiquitoslagoon.org

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From: [People for Ponto Petition](http://peopleforponto.com)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, September 21, 2022 10:41:49 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

– Carlsbad’s Growth Management Program and 2015 General Plan did not consider this critical 2017 & 2020 Sea Level Rise data and new actions and a new Plan are needed to address the 32+ acre loss AND increased population/visitor demand for “High-priority Coastal Land Uses”.

– Carlsbad’s Growth Management Program and General Plan also did not incorporate requirements for unlimited population growth that will need even more City and Coastal Recreation land – “High-priority Coastal Land Uses”.

– There is a current Growth Management Program 6.6-acre City park deficit in Coastal Southwest Carlsbad, and a 30-acre Unconstrained/Useable Coastal open-space deficit in Zone 9 (Ponto area – west of I-5 and south of Poinsettia) that only gets worse as we lose 32+ acres of Coastal Open Space lands from Sea Level Rise.

Accordingly, I am making my position known and requesting that

I want the Growth Management Committee, City Council and CA Coastal Commission to:

- 1) Address the true neighborhood Park needs for Ponto (minimal 6-7 acre Park to serve minimal neighborhood needs based on Ponto buildout and City's current minimal Park Standard). Ponto Park should be an appropriately wide, viable, flat and fully useable multi-use grassed field – allow kids space to play informal sports. No thin strip of non-park land.
- 2) Address loss of 32+ acres of Coastal Open Space Land from sea level rise by providing for Non-neighborhood City and State buildout-population and visitor demands for both Coastal Recreation land use and the loss of the Campground. Provide sufficient Coastal Recreation and Low-cost Visitor Accommodation land use to address the CA Coastal Act and City/State 'unlimited buildout population/visitor demand', and planned loss of current supply due to planned sea level rise.
- 3) Disclose and address 2017 CA Coastal Commission direction to City on Ponto Vision Plan and Planning Area F Existing LCP in the PCH Project.
- 4) Fully address Sea Level Rise impacts consistent with CA Coastal Act & Commission relative to the State's recent requirement for unlimited City and State population growth. Document, plot the Seal Level Rise inundation and coastal erosion/bluff hazard areas in Carlsbad's General Plan including the Land Use Map, PCH Relocation Project maps, and in the PCH Project replace all 32+ acres of high-priority Coastal land use that will be lost to sea level rise and coastal erosion, and increase the supply of these high-priority Coastal land uses to address State required unlimited increases in City/State population and visitor demands.
- 5) Fully disclose and consider the 2022-June General Comparative tax-payer Costs/Benefits Analysis of Ponto Park-PCH completion-proposed PCH Relocation, to assure tax-payers (City and/or State) are getting the best and most sustainable value for their tax-payer dollars. The City should use tax-payer money wisely.
- 6) Incorporate the 5,000+ written/emailed petitions to the Council & CA Coastal Commission, and the Letters from Carlsbad visitor industry, Surfrider Foundation, and Batiquitos Lagoon Foundation.
- 7) Within the Local Facilities Management Plan Zone 9 portion fully provide the 30-acers of documented missing Unconstrained Growth Management Open Space that developers were supposed to provide. Also fully disclose and incorporate the Ponto Open Space recommendations from North County Advocates per City's lawsuit settlement. Fully preserve or mitigate sensitive habitat areas within and adjacent to the

PCH Project area.

8) Fully provide required storm water quality purification and detention basins in the PCH Project before project waters and waters passing through the project area are discharged into the ocean and Batiquitos Lagoon.

9) I am concerned about the PCH Modification Project more than doubling traffic congestion along Coast Highway for an extremely costly walkway, when the same walkway and other needed Coastal land uses can be provided for a fraction of the cost along existing Coast Highway. It is not appropriate to try to pass off a walkway as "linear park".

10) Lastly as requested since 2017, directly engage and specifically involve the San Pacifico Community Association and Ponto Community in that portion of the City's PCH Project of planning and design of land use in that community.

11) We request the above 11 citizen issues be fully addressed by the Growth Management Committee, City Council, and CA Coastal Commission regarding Park-Useable Open Space and Coastal Land Use issues and City Capital Improvement Projects at Ponto and Coastal South Carlsbad.

Name

Raymond Hughes Hughes

Email

rayjay3@sbcglobal.net

City

Carlsbad

State

CA

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From: [People for Ponto Petition](http://peopleforponto.com)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, September 21, 2022 11:01:25 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

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Name

MM Kent

Email

mmkent@gmail.com

City

Carlsbad

State

Ca

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From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Wednesday, September 21, 2022 1:52:08 PM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

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Name

Dennis Hoover

Email

hooverphoto@duck.com

City

Carlsbad

State

California

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From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:06:57 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Name

Lauren Robertson

Email

lauren.petry@gmail.com

City

Carlsbad

State

CA

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From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:09:32 AM

Protect Ponto Petition:

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- 4) Fully address Sea Level Rise impacts consistent with CA Coastal Act & Commission relative to the State's recent requirement for unlimited City and State population growth. Document, plot the Seal Level Rise inundation and coastal erosion/bluff hazard areas in Carlsbad's General Plan including the Land Use Map, PCH Relocation Project maps, and in the PCH Project replace all 32+ acres of high-priority Coastal land use that will be lost to sea level rise and coastal erosion, and increase the supply of these high-priority Coastal land uses to address State required unlimited increases in City/State population and visitor demands.
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- 6) Incorporate the 5,000+ written/emailed petitions to the Council & CA Coastal Commission, and the Letters from Carlsbad visitor industry, Surfrider Foundation, and Batiquitos Lagoon Foundation.
- 7) Within the Local Facilities Management Plan Zone 9 portion fully provide the 30-acers of documented missing Unconstrained Growth Management Open Space that developers were supposed to provide. Also fully disclose and incorporate the Ponto Open Space recommendations from North County Advocates per City's lawsuit settlement. Fully preserve or mitigate sensitive habitat areas within and adjacent to the

PCH Project area.

8) Fully provide required storm water quality purification and detention basins in the PCH Project before project waters and waters passing through the project area are discharged into the ocean and Batiquitos Lagoon.

9) I am concerned about the PCH Modification Project more than doubling traffic congestion along Coast Highway for an extremely costly walkway, when the same walkway and other needed Coastal land uses can be provided for a fraction of the cost along existing Coast Highway. It is not appropriate to try to pass off a walkway as "linear park".

10) Lastly as requested since 2017, directly engage and specifically involve the San Pacifico Community Association and Ponto Community in that portion of the City's PCH Project of planning and design of land use in that community.

11) We request the above 11 citizen issues be fully addressed by the Growth Management Committee, City Council, and CA Coastal Commission regarding Park-Useable Open Space and Coastal Land Use issues and City Capital Improvement Projects at Ponto and Coastal South Carlsbad.

Additional Comments

Ponto Park is a must for our San Pacifico neighborhood! Please address all 11 issues to PROTECT PONTO

Name

Shirley Hudson

Email

skeatinghudson@yahoo.com

City

Carlsbad

State

California

Sent from [People for Ponto](#)

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:12:37 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

– Carlsbad’s Growth Management Program and 2015 General Plan did not consider this critical 2017 & 2020 Sea Level Rise data and new actions and a new Plan are needed to address the 32+ acre loss AND increased population/visitor demand for “High-priority Coastal Land Uses”.

– Carlsbad’s Growth Management Program and General Plan also did not incorporate requirements for unlimited population growth that will need even more City and Coastal Recreation land – “High-priority Coastal Land Uses”.

– There is a current Growth Management Program 6.6-acre City park deficit in Coastal Southwest Carlsbad, and a 30-acre Unconstrained/Useable Coastal open-space deficit in Zone 9 (Ponto area – west of I-5 and south of Poinsettia) that only gets worse as we lose 32+ acres of Coastal Open Space lands from Sea Level Rise.

Accordingly, I am making my position known and requesting that

I want the Growth Management Committee, City Council and CA Coastal Commission to:

- 1) Address the true neighborhood Park needs for Ponto (minimal 6-7 acre Park to serve minimal neighborhood needs based on Ponto buildout and City's current minimal Park Standard). Ponto Park should be an appropriately wide, viable, flat and fully useable multi-use grassed field – allow kids space to play informal sports. No thin strip of non-park land.

- 2) Address loss of 32+ acres of Coastal Open Space Land from sea level rise by providing for Non-neighborhood City and State buildout-population and visitor demands for both Coastal Recreation land use and the loss of the Campground. Provide sufficient Coastal Recreation and Low-cost Visitor Accommodation land use to address the CA Coastal Act and City/State 'unlimited buildout population/visitor demand', and planned loss of current supply due to planned sea level rise.

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Additional Comments

I have looked at this side of Carlsbad since 2000 and love it for the open natural space. The City needs space like this as it is priceless.

Name

Cherie Mclarty

Email

cherie.mclarty@yahoo.com

City

Carlsbad

State

Ca

Sent from [People for Ponto](#)

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:24:40 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Name

Shawn Harrity-Phillips

Email

sharrityphillips@gmail.com

City

Carlsbad

State

CA

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 6:34:36 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Name

Mary Dressel

Email

dressel.mary@gmail.com

City

Carlsbad

State

Ca

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:04:45 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Additional Comments

We need more pickle ball courts

Name

Tim Gagner

Email

timgagner15@gmail.com

City

Carlsbad

State

Ca

Sent from [People for Ponto](#)

CAUTION: *Do not open attachments or click on links unless you recognize the sender and know the content is safe.*

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:11:36 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Additional Comments

San Pacifico is a safe and friendly family neighborhood please keep it that way safe for our children to ride their bikes without visitors coming in and out that we do not know safe for us to go for a dog walk alone please think of the many families that live here and the effect this will have on their lives

Name

paulina miller

Email

pmillerca@cox.net

City

Carlsbad

State

California

Sent from [People for Ponto](#)

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:38:38 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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- 4) Fully address Sea Level Rise impacts consistent with CA Coastal Act & Commission relative to the State's recent requirement for unlimited City and State population growth. Document, plot the Seal Level Rise inundation and coastal erosion/bluff hazard areas in Carlsbad's General Plan including the Land Use Map, PCH Relocation Project maps, and in the PCH Project replace all 32+ acres of high-priority Coastal land use that will be lost to sea level rise and coastal erosion, and increase the supply of these high-priority Coastal land uses to address State required unlimited increases in City/State population and visitor demands.
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- 6) Incorporate the 5,000+ written/emailed petitions to the Council & CA Coastal Commission, and the Letters from Carlsbad visitor industry, Surfrider Foundation, and Batiquitos Lagoon Foundation.
- 7) Within the Local Facilities Management Plan Zone 9 portion fully provide the 30-acers of documented missing Unconstrained Growth Management Open Space that developers were supposed to provide. Also fully disclose and incorporate the Ponto Open Space recommendations from North County Advocates per City's lawsuit settlement. Fully preserve or mitigate sensitive habitat areas within and adjacent to the

PCH Project area.

8) Fully provide required storm water quality purification and detention basins in the PCH Project before project waters and waters passing through the project area are discharged into the ocean and Batiquitos Lagoon.

9) I am concerned about the PCH Modification Project more than doubling traffic congestion along Coast Highway for an extremely costly walkway, when the same walkway and other needed Coastal land uses can be provided for a fraction of the cost along existing Coast Highway. It is not appropriate to try to pass off a walkway as “linear park”.

10) Lastly as requested since 2017, directly engage and specifically involve the San Pacifico Community Association and Ponto Community in that portion of the City’s PCH Project of planning and design of land use in that community.

11) We request the above 11 citizen issues be fully addressed by the Growth Management Committee, City Council, and CA Coastal Commission regarding Park-Useable Open Space and Coastal Land Use issues and City Capital Improvement Projects at Ponto and Coastal South Carlsbad.

Additional Comments

Ponto is last open coastal land. Please let’s not ruin it with giant apartments. We have a lack of open space and a local park in SW Carlsbad. We have been asking for a local park close to 7 years. We use parks in Encinitas but have been paying fees to Carlsbad City for many years.

Name

Farhad Sharifi

Email

fhsharifi@gmail.com

City

Carlsbad

State

California

Sent from [People for Ponto](#)

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:50:15 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

– Carlsbad’s Growth Management Program and 2015 General Plan did not consider this critical 2017 & 2020 Sea Level Rise data and new actions and a new Plan are needed to address the 32+ acre loss AND increased population/visitor demand for “High-priority Coastal Land Uses”.

– Carlsbad’s Growth Management Program and General Plan also did not incorporate requirements for unlimited population growth that will need even more City and Coastal Recreation land – “High-priority Coastal Land Uses”.

– There is a current Growth Management Program 6.6-acre City park deficit in Coastal Southwest Carlsbad, and a 30-acre Unconstrained/Useable Coastal open-space deficit in Zone 9 (Ponto area – west of I-5 and south of Poinsettia) that only gets worse as we lose 32+ acres of Coastal Open Space lands from Sea Level Rise.

Accordingly, I am making my position known and requesting that

I want the Growth Management Committee, City Council and CA Coastal Commission to:

- 1) Address the true neighborhood Park needs for Ponto (minimal 6-7 acre Park to serve minimal neighborhood needs based on Ponto buildout and City's current minimal Park Standard). Ponto Park should be an appropriately wide, viable, flat and fully useable multi-use grassed field – allow kids space to play informal sports. No thin strip of non-park land.
- 2) Address loss of 32+ acres of Coastal Open Space Land from sea level rise by providing for Non-neighborhood City and State buildout-population and visitor demands for both Coastal Recreation land use and the loss of the Campground. Provide sufficient Coastal Recreation and Low-cost Visitor Accommodation land use to address the CA Coastal Act and City/State 'unlimited buildout population/visitor demand', and planned loss of current supply due to planned sea level rise.
- 3) Disclose and address 2017 CA Coastal Commission direction to City on Ponto Vision Plan and Planning Area F Existing LCP in the PCH Project.
- 4) Fully address Sea Level Rise impacts consistent with CA Coastal Act & Commission relative to the State's recent requirement for unlimited City and State population growth. Document, plot the Seal Level Rise inundation and coastal erosion/bluff hazard areas in Carlsbad's General Plan including the Land Use Map, PCH Relocation Project maps, and in the PCH Project replace all 32+ acres of high-priority Coastal land use that will be lost to sea level rise and coastal erosion, and increase the supply of these high-priority Coastal land uses to address State required unlimited increases in City/State population and visitor demands.
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- 6) Incorporate the 5,000+ written/emailed petitions to the Council & CA Coastal Commission, and the Letters from Carlsbad visitor industry, Surfrider Foundation, and Batiquitos Lagoon Foundation.
- 7) Within the Local Facilities Management Plan Zone 9 portion fully provide the 30-acers of documented missing Unconstrained Growth Management Open Space that developers were supposed to provide. Also fully disclose and incorporate the Ponto Open Space recommendations from North County Advocates per City's lawsuit settlement. Fully preserve or mitigate sensitive habitat areas within and adjacent to the

PCH Project area.

8) Fully provide required storm water quality purification and detention basins in the PCH Project before project waters and waters passing through the project area are discharged into the ocean and Batiquitos Lagoon.

9) I am concerned about the PCH Modification Project more than doubling traffic congestion along Coast Highway for an extremely costly walkway, when the same walkway and other needed Coastal land uses can be provided for a fraction of the cost along existing Coast Highway. It is not appropriate to try to pass off a walkway as "linear park".

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11) We request the above 11 citizen issues be fully addressed by the Growth Management Committee, City Council, and CA Coastal Commission regarding Park-Useable Open Space and Coastal Land Use issues and City Capital Improvement Projects at Ponto and Coastal South Carlsbad.

Name

Julia Jansson

Email

julia@soilretention.com

City

Carlsbad

State

CA

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 7:50:42 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

– Carlsbad’s Growth Management Program and 2015 General Plan did not consider this critical 2017 & 2020 Sea Level Rise data and new actions and a new Plan are needed to address the 32+ acre loss AND increased population/visitor demand for “High-priority Coastal Land Uses”.

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11) We request the above 11 citizen issues be fully addressed by the Growth Management Committee, City Council, and CA Coastal Commission regarding Park-Useable Open Space and Coastal Land Use issues and City Capital Improvement Projects at Ponto and Coastal South Carlsbad.

Name

Nick Jansson

Email

julia@soilretention.com

City

Carlsbad

State

CA

CAUTION: *Do not open attachments or click on links unless you recognize the sender and know the content is safe.*

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:18:16 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

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11) We request the above 11 citizen issues be fully addressed by the Growth Management Committee, City Council, and CA Coastal Commission regarding Park-Useable Open Space and Coastal Land Use issues and City Capital Improvement Projects at Ponto and Coastal South Carlsbad.

Additional Comments

Please honor my support based upon this petition

Name

Diane Rivera

Email

dianariver@aol.com

City

Carlsbad

State

California

Sent from [People for Ponto](#)

CAUTION: *Do not open attachments or click on links unless you recognize the sender and know the content is safe.*

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:13:19 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

– Carlsbad’s Growth Management Program and 2015 General Plan did not consider this critical 2017 & 2020 Sea Level Rise data and new actions and a new Plan are needed to address the 32+ acre loss AND increased population/visitor demand for “High-priority Coastal Land Uses”.

– Carlsbad’s Growth Management Program and General Plan also did not incorporate requirements for unlimited population growth that will need even more City and Coastal Recreation land – “High-priority Coastal Land Uses”.

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I want the Growth Management Committee, City Council and CA Coastal Commission to:

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Additional Comments

I agree that Ponto needs a park instead of housing, however i do not believe in the current and future drought situation that putting grass down in any of it is wise.

Name

Lori hiers

Email

lahiers@me.com

City

Carlsbad

State

CA

Sent from [People for Ponto](#)

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:12:46 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

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Name

Dimitrios Tzachanis

Email

dtzachanis@hotmail.com

City

Carlsbad

State

California

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:45:29 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

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8) Fully provide required storm water quality purification and detention basins in the PCH Project before project waters and waters passing through the project area are discharged into the ocean and Batiquitos Lagoon.

9) I am concerned about the PCH Modification Project more than doubling traffic congestion along Coast Highway for an extremely costly walkway, when the same walkway and other needed Coastal land uses can be provided for a fraction of the cost along existing Coast Highway. It is not appropriate to try to pass off a walkway as "linear park".

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11) We request the above 11 citizen issues be fully addressed by the Growth Management Committee, City Council, and CA Coastal Commission regarding Park-Useable Open Space and Coastal Land Use issues and City Capital Improvement Projects at Ponto and Coastal South Carlsbad.

Name

Todd K

Email

toddkeehan@yahoo.com

City

Carlsbad

State

CA

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 8:45:56 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

Since 2017 the City received over 5,000 petitions, written and verbal testimony regarding the need for Ponto Park and the Park and Useable Open Space unfairness at Ponto and Coastal South Carlsbad. The City staff should provide the Growth Management Committee all that citizen input since 2017.

– The City’s 2017 & 2020 Sea Level Rise Report shows Ponto will lose over 32-acres of “High-priority Coastal Land Use” due to coastal erosion and flooding. (14+ acres of Coastal Recreation and 18+ acres of Campground will be lost) in Carlsbad’s General Plan.

– Carlsbad’s Growth Management Program and 2015 General Plan did not consider this critical 2017 & 2020 Sea Level Rise data and new actions and a new Plan are needed to address the 32+ acre loss AND increased population/visitor demand for “High-priority Coastal Land Uses”.

– Carlsbad’s Growth Management Program and General Plan also did not incorporate requirements for unlimited population growth that will need even more City and Coastal Recreation land – “High-priority Coastal Land Uses”.

– There is a current Growth Management Program 6.6-acre City park deficit in Coastal Southwest Carlsbad, and a 30-acre Unconstrained/Useable Coastal open-space deficit in Zone 9 (Ponto area – west of I-5 and south of Poinsettia) that only gets worse as we lose 32+ acres of Coastal Open Space lands from Sea Level Rise.

Accordingly, I am making my position known and requesting that

I want the Growth Management Committee, City Council and CA Coastal Commission to:

- 1) Address the true neighborhood Park needs for Ponto (minimal 6-7 acre Park to serve minimal neighborhood needs based on Ponto buildout and City's current minimal Park Standard). Ponto Park should be an appropriately wide, viable, flat and fully useable multi-use grassed field – allow kids space to play informal sports. No thin strip of non-park land.
- 2) Address loss of 32+ acres of Coastal Open Space Land from sea level rise by providing for Non-neighborhood City and State buildout-population and visitor demands for both Coastal Recreation land use and the loss of the Campground. Provide sufficient Coastal Recreation and Low-cost Visitor Accommodation land use to address the CA Coastal Act and City/State 'unlimited buildout population/visitor demand', and planned loss of current supply due to planned sea level rise.
- 3) Disclose and address 2017 CA Coastal Commission direction to City on Ponto Vision Plan and Planning Area F Existing LCP in the PCH Project.
- 4) Fully address Sea Level Rise impacts consistent with CA Coastal Act & Commission relative to the State's recent requirement for unlimited City and State population growth. Document, plot the Seal Level Rise inundation and coastal erosion/bluff hazard areas in Carlsbad's General Plan including the Land Use Map, PCH Relocation Project maps, and in the PCH Project replace all 32+ acres of high-priority Coastal land use that will be lost to sea level rise and coastal erosion, and increase the supply of these high-priority Coastal land uses to address State required unlimited increases in City/State population and visitor demands.
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Name

Lauren K

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l.keehan@yahoo.com

City

Carlsbad

State

CA

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 9:04:14 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Additional Comments

Ponto Park!!!!

Name

Ashlee Stapleton

Email

ashleestapleton@gmail.com

City

Carlsbad

State

CA

Sent from [People for Ponto](#)

CAUTION: *Do not open attachments or click on links unless you recognize the sender and know the content is safe.*

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 9:25:11 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Name

Ryan Armstrong

Email

ryan.strong1999@yahoo.com

City

Carlsbad

State

CA

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 9:29:27 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Name

Andrew Sybrandy

Email

asybrandy@pacificgyre.com

City

Carlsbad

State

CA

CAUTION: *Do not open attachments or click on links unless you recognize the sender and know the content is safe.*

From: [People for Ponto Petition](#)
To: petition@peopleforponto.com
Subject: Protect Ponto Petition Letter
Date: Thursday, September 22, 2022 9:35:21 AM

Protect Ponto Petition:

Dear Carlsbad Growth Management Committee, City Council, and California Coastal Commission:

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Name

Jennifer Baer

Email

jenniferrose@roadrunner.com

City

Carlsbad

State

California

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [LoLo D](#)
To: [Growth Management Committee](#)
Subject: Comments for Committee Business
Date: Thursday, September 22, 2022 2:16:12 PM

Dear Carlsbad Growth Management Citizens Committee,

I am writing to provide my input regarding the land located along Carlsbad Boulevard (PCH) between Avenida Encinas and Ponto Drive. I understand developers are seeking to build on much of this currently vacant land, creating hotel rooms, timeshares, retail space, restaurants, and other commercial uses. The last report I saw involved thousands of hotel rooms and timeshares, several restaurants, and hundreds of thousands square feet in retail space. While this may look stupendous on paper, such development would be a disaster for the immediate region and for Carlsbad overall.

Such development would harm Carlsbad by:

1. Substantially reducing or eliminating any of the area to be used as a park.

As noted in other documents, Carlsbad falls woefully below its own standard of needed park space per resident. Creating a park on this land will help preserve the beautiful coastline and will provide needed habitat for the many species that live there.

2. Creating far more car trips, traffic congestion, and pollution than the area can handle

Traffic during rush hour and high tourist season is already an issue. With no adequate mass transit in this area, how are users of all these hotel rooms, timeshares, restaurants, and shops supposed to get there? By car, of course! They are not going to use a bike - where would they park it securely? Why be all sweaty going to dinner? How would they carry home any purchases? There is no way Carlsbad Boulevard can absorb all the traffic a large scale development would create. In addition, there is already talk of reducing the traffic lanes to one in each direction. During the summer, cars will be backed up to Oceanside heading southbound and well into Leucadia going northbound. What a great way to "enjoy" the coast.

3. Substantially increasing the danger to cyclists and pedestrians along this stretch of Carlsbad Boulevard.

As traffic loads increase, the danger to other road users increases. Drivers going slow are more likely to text and drive. In addition, drivers perceive the road changes to have been "demanded" by cyclists and other users, and therefore, often take out their frustrations on those users by passing too closely and failing to yield when required.

I am strongly in favor of developing this currently vacant land into a park. A park will not generate the high volume of car trips that would be caused by other development. A park will serve all residents of Carlsbad and will make the coast accessible to all, not just those born rich or already earning well into the 6 figures.

Respectfully submitted,

Lorraine Daly
Carlsbad, CA 92011

--

"Failure is often just as illuminating as success"

From: [DeAnn Weimer](#)
To: [Growth Management Committee](#)
Cc: [Eric Lardy](#)
Subject: Re: The 5-Minute Fix: How DeSantis's migrant stunt is playing out
Date: Thursday, September 22, 2022 1:57:29 PM

Sept. 22, 2022

Carlsbad Tomorrow Growth Management Committee

1635 Faraday Avenue

Carlsbad, CA 92008

Re: Open Space and Parks

Dear Carlsbad Tomorrow Growth Management Committee Members,

Today you take up the issue of performance standards for parks and open space in Carlsbad – an issue that perhaps more than any other will most impact the quality of life in our community for decades. It is also an opportunity to learn from past mistakes, and provide the guardrails and accountability needed to avoid encumbering our future by repeating historical missteps.

First, we would like to thank you for the time you are spending privately and publicly understanding the challenges, while protecting and advancing the decades of work by Carlsbad citizens passionate about the quality of life for all of us – whether we are bipedal, four footed, winged, legless, aquatic or rooted.

Secondly, we would encourage you to be **laser focused** as you articulate both the vision and the best practices that will underpin that vision.

-- As with any business, responsibilities must be clearly understood. It is the task of a committee such as this to set the goals and objectives that will both define what success looks like for a community with Carlsbad's attributes, and the principles that must be in place to achieve that success. Separately, it will be the responsibility of operations, of the professional staff led by elected officials, to do the blocking and tackling around funding and expenses that will best achieve the goals you set. Your role is analogous to that of a board of directors, guiding, setting the tone. The c-suite executives, or their equivalents, have a different responsibility, i.e., meeting expectations. And just as with any business, it is important that the lines between these responsibilities are not blurred.

--Accordingly, Citizens For North County (CNC), a 501C4, supports the view expressed in Hosp Grove comments that this committee sets standards, and the people will vote for funding. In numerous elections, Carlsbad residents have shown they are overwhelmingly willing to pay for open space.

--Similarly, we support the passionate pleas to prioritize a park for Ponto. It is essential that this already densely populated southwest coastal area have a walkable park. Further, it is necessary that this park and trail system be part of the ring of trails that should connect all our neighborhoods with one another.

Most importantly, no piece of property in this city has been more contested than the area around the Agua Hedionda Lagoon and the Flower Fields. On multiple occasions over decades, Carlsbad residents have stepped into the voting booth to protect and preserve this open space, fighting off millions of dollars spent by special interests and non-residents. To do this, thousands of citizens have spent thousands of volunteer hours and money to preserve this space, knowing it is the geographical lynchpin to achieving walkable mobility goals, open space habitat protection, and parkland for residents from north to south, east to west. Its role as the corner stone of our future must be reiterated in your vision.

This brings us to ways to inform and improve accountability standards incorporated into the vision statement:

--Unfortunately for Carlsbad, when voters allocate money for open space, the funds are rat holed, instead of being used expediently for the intended land preservation acquisitions. The result is voter goals are not achieved within a generation, and the buying power of the funds is diminished. To discourage poor capital allocation decisions, Citizens For North County proposes including a standard that allocates half of all voter-approved funding for open space and parkland within five years of the election date.

--Carlsbad also needs improved tracking of infringement on existing open space and parkland allocations. As you are aware, Ponto's open space and parkland shortfall is due to a failure of the city to consistently require developers to meet Carlsbad requirements. Mistakes are made. Sometimes the mistakes are glaring, such as Ponto. More often the mistakes are smaller. They fall into two buckets: A. Miscalculations at the time of the initial development proposal for undeveloped land; and B. Miscalculations made after initial proposals have been abandoned (such as Ponto), or after properties come up for redevelopment. At a more granular level, particularly in residential situations, unapproved changes have occurred but not been caught for years. Or one city department, such as building, mistakenly approves changes impacting open space because they are not aware of incursions. CNC supports creation of a biennial audit of these errors, and a requirement that the lost square footage be replaced at a 3:1 ratio by the city within three years as part of its land acquisition program. Understandably, when the city makes a mistake, too often it cannot reverse it without risking legal liability with the

developer/owner. Unfortunately, the community loses protected areas, but is not notified of the losses whether incremental or large. Addressing these losses – within the Local Facility Management Zone – should be a basic accountability standard.

--Documenting commitments involving SDG&E cooperation also requires an accountability standard. Many of our parks, trails and open space areas include or touch property SDG&E holds via easement or ownership. Access to these areas for trail extensions, wildlife corridors, etc., is critical to the functionality of the mobility or open space objectives. When this access fails to materialize whether along a lagoon or elsewhere, these failures should be reported on a biennial basis to Carlsbad residents.

Thank you for your time and attention to these concerns.

Regards,

De'Ann Weimer on behalf of
Citizens For North County

On Thursday, September 22, 2022 at 01:43:03 PM PDT, The Washington Post <email@washingtonpost.com> wrote:



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Email

When Ron DeSantis, Florida's Republican governor, chartered a flight sending migrants from San Antonio to Martha's Vineyard last week, it raised a lot of questions.

Who paid for it? (Florida.) Were the migrants lied to? (It depends whom

you ask, but many of the migrants say they were misled.) Can he do that? (That isn't clear yet, but the move has prompted a criminal investigation and several lawsuits.)

The first, most pressing question right now is whether he lied:

Some of the migrants say they were given misleading information to persuade them to take the flight, such as promises of jobs and housing that one lawsuit filed by the migrants called “boldfaced lies.” (By contrast, some of the migrants controversially bused by Texas to D.C. [said](#) they were grateful for the ride.)

DeSantis hasn't directly rebutted accusations he lied. He defends himself by saying the program was “all voluntary” and ultimately got the migrants to a better place. “They're given a good ride,” he said. “It's a humane thing to do.”

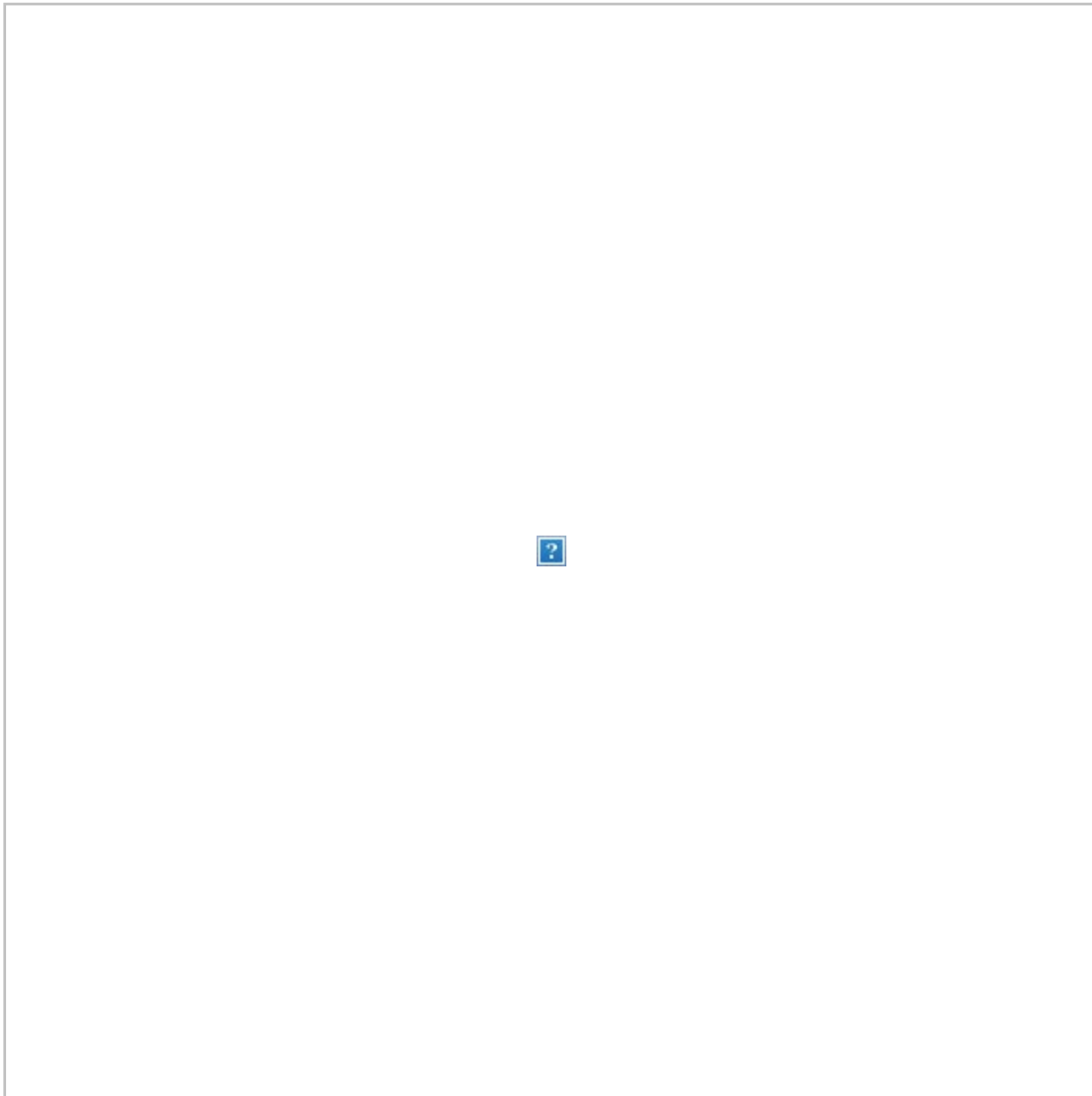


DeSantis in Bradenton, Fla., this week. (Thomas Simonetti for The Washington Post)

Another question is what laws, if any, he might have broken? Some experts said what DeSantis did bear a lot of resemblance to human trafficking. Others say that could be a hard case to make, because the migrants signed consent forms. The sheriff from San Antonio, where Florida officials traveled to find the migrants, opened a criminal investigation and said he thinks the travelers were lured under false pretenses. “If you think about what smugglers do, it’s not that different,” said Nelson Wolff, a local official in Texas. Also a question: Did DeSantis inappropriately use Florida taxpayer money for this?

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The politics of this are nothing but divisive: DeSantis promised more flights to liberal cities are to come. He [probably won't win over](#) any swing voters for his November reelection by doing this. But if you're trying

to out-Trump Donald Trump in, say, a Republican presidential primary, well, this could help.

Nationally, this could help his party on the margins to take back control of Congress. Immigration has the potential to be a troublesome issue for Democrats in the midterm elections. How to fix the U.S. immigration system has tripped up politicians on both sides for decades. Other than Trump's wall proposal, major overhauls just haven't been a priority on either side. And that could put Democrats campaigning in conservative areas this November on the defensive, since their party is the one in charge right now.

A quick Mar-a-Lago investigation update

For now, the government's investigation of whether Trump broke laws by taking government documents with him out of the White House has been allowed to continue. It's an investigation that has potentially serious legal consequences for Trump and/or his lawyers, since the government justified its raid of Mar-a-Lago by arguing there was probable cause crimes were committed.

Lately, Trump has been losing two legal battles on this front:

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1. Federal judges just said the investigation should go on: These judges, which included Trump appointees, temporarily reversed another judge's controversial decision to pause the investigation so that a special master could evaluate whether Trump can claim ownership over any of the documents. [The new decision thoroughly rebuked Judge Aileen Cannon's reasoning](#), writes The Post's Aaron Blake.

2. The ownership argument: Even if Trump took the appropriate

paperwork steps to declassify hundreds of government documents he took with him from the White House — and it’s looking as if he didn’t, given his latest defense is he could declassify them simply “[by thinking about it](#)” — that wouldn’t make these documents *his*, the special master recently argued. Potential nuclear secrets are still government secrets, whether a former president thinks so or not. The special master appears to be [putting pressure](#) on Trump to put evidence behind his defenses.

Reader question: What is the deal with the Justice Department’s rule on pausing investigations that could be political right before an election?

Trump lawyers in New York this week. (Brittainy Newman/AP)



Trump lawyers in New York this week. (Brittainy Newman/AP)

So there is no rule that the federal government has to stop politically

related investigations before an election. But the Justice Department believes it's good practice to avoid the appearance of influencing voters, so much so that it's been a norm for decades.

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Following it means that any big, public action in any kind of remotely political investigation would be a no-go in the 60-day period before an election. We're in that period now, fewer than 60 days out from the midterms.

This guideline probably applies to investigations of Trump and his allies' involvement in Jan. 6, Trump taking classified documents to Mar-a-Lago and anything that may still be ongoing regarding Hunter Biden. It doesn't mean those investigations will be put on pause, just that you probably won't see anyone charged in them or other big developments. All that said, the government can decide to ignore that custom if it thinks something is important enough.

And this is only a guideline for federal investigations. New York's attorney general, who announced a lawsuit against Trump yesterday, is under so such restriction.

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