



September 1, 2020

CAPISTRANO BAY DISTRICT
35000 BEACH RD
CAPISTRANO BEACH, CA 92624-1700

Re: Property located at 35000 Beach Road

Dear CAPISTRANO BAY DISTRICT ,

It has recently come to the attention of the California Coastal Commission (CCC) that several properties on Beach Road continue to construct ocean protection devices (seawalls, revetment, etc.) without the required permits from the CCC. The City recognizes that high tidal and wave action this summer, combined with escalating coastal erosion, has resulted in the critical necessity for property owners along Beach Road to implement solutions to protect their properties. The City is sending this letter to simply remind property owners that any placement or construction of an ocean protection device or the movement of natural resources (sand or cobble) in the coastal zone requires a Coastal Development Permit (CDP) from the CCC. Additionally, the installation of temporary measures to protect your property while processing a CDP for ocean protective devices requires an Emergency CDP.

On June 11, 2018, the CCC sent a Notice of Violation for an unpermitted berm built of sand and cobblestone earlier that Spring (Attachment A). That notice was issued to the Capistrano Bay District Board (District) and required that a long-term solution be developed. On December 23, 2019, the City, in coordination with CCC staff, sent out an additional letter notifying property owners that additional ocean protective devices established on private property without a permit was a violation of local and State regulations (Attachment B). Again, the District was encouraged to work with CCC staff to develop a long-term solution that would work for all parties.

Due to the District's close proximity to the mean high-tide line, any emergency and/or permanent ocean protection applications will be processed by the CCC directly. The City does not have jurisdiction for these required permits. The installation of ocean protective devices without the approval of a CDP is a violation of the Coastal Act (Coastal Act Section 30600). Property owners in violation of State who continue to ignore these provisions maybe subject to enforcement actions, as determined by the CCC.

We are encouraging your cooperation in obtaining a CDP from the CCC to install protective devices and work with the District and the CCC to develop a comprehensive solution for all property owners along Beach Road. The City seeks to shepherd a solution that works for all parties and will provide guidance and aid to support collaboration between the District, all property owners and the CCC.



If you have any questions, feel free to contact me (bwisneski@danapoint.org), or Senior Planner John Ciampa (jciampa@danapoint.org).

Sincerely,

Brenda Wisneski, AICP
Community Development Director

Attachment A – CCC Notice of Violation, June 11, 2018

Attachment B – Joint Letter from CCC and City to Property Owners in Violation, December 23, 2019

cc: California Coastal Commission,
Long Beach District Office