

CAPISTRANO BAY DISTRICT
AGENDA REPORT
April 29, 2014

Security Reports

ITEM F.2

Follow up on Assembly Bill 1102 Regarding Ban on Fire Pits

AB 1102 has made its way through the State Assembly and is now waiting to be reviewed and considered by the Senate. The AQMD believes the bill may be heard as early as June, after all the Senate Bills are completed.

At the previous Board meeting the Manager was instructed to mail out a notice to the community indicating that outdoor recreational wood burning fires are now prohibited in the Capistrano Bay Community. The Manager has since received four phone calls and three emails strongly opposing the wood fire restriction (*see attached email copies on next 4 pages*).

ITEM F.3

New District Police Officer

The District has recently hired a second part-time police officer to fill in the days/nights when Officer Sokol is not available. Officer Jim Williams has been working with law enforcement since he graduated from the Golden West College Police Academy in 1980 and then to work for the Fullerton Police Department. Officer Williams will be working primarily afternoon and evening hours and weekends. With the hiring of the new officer, the District will be maintaining a more regular presence for speed limit enforcement.

Don Russell

From: 35119 Chris Miller <chrismiller@beachroadrealty.com>
Sent: Tuesday, April 01, 2014 10:20 AM
To: Don Russell
Subject: Re: Beach Fires

Don I am sure that the California State Parks spent many hours and legal monies reviewing the ruling before paying to remove some fire rings while repairing other fire rings. Perhaps someone that handles the Doheny State Park day use area could save the CBCSD many hours and legal dollars by sharing their plan and why they are keeping fire rings closer than 700 feet of homes. I am sorry but the word "OR" seems really straight forward that a fire pit is ok within 700 feet of a residence providing you meet items 2 & 3.

Thank you,
Chris Miller

From: Don Russell <drussell@capobay.org>
Date: Tuesday, April 1, 2014 9:35 AM
To: Chris Miller <chrismiller@beachroadrealty.com>
Subject: RE: Beach Fires

Taken literally, the language seems to contradict itself. I have a call in to AQMD to find out what the actual intent is – let's see what they have to say.

Don

From: Chris Miller [mailto:ChrisMiller@BeachRoadRealty.com]
Sent: Monday, March 31, 2014 5:36 PM
To: Don Russell
Subject: Re: Beach Fires

Don,

The link below is from the AQMD and I copied the key section where "OR" clearly states that they do not prohibit all fires within 700 feet of residences. That is why Doheny State Beach is thinning out their fire rings. They had them much closer than 50 feet and are all within 700 feet of the bluff front homes above them. Please review and let me know if you agree as the CBCSD should not try to mistakenly enforce a rule.

Thank you,
Chris Miller

http://www.aqmd.gov/news1/2013/Fire_Pit_Board_Decision.htm

In addition, effective March 1, 2014, fire pits can remain if:

- ? They are located at least 700 feet from the nearest residence; OR
- ? They are at least 100 feet apart (If a city has 15 or fewer fire pits, they must be separated by at least 50 feet) and
- ? Air quality for fine particulates (PM2.5) in coastal areas is not forecast to exceed 100 on the Air Quality Index. (This is expected to occur infrequently under special meteorological conditions.)

On Mar 31, 2014, at 4:06 PM, "Don Russell" <drussell@capobay.org> wrote:

At this time the Board's interpretation is strictly 700 feet from any residence. While a fire might be 700 feet or even 100 feet from your house, it could still be within 30 feet of another home on Beach Road.

Donal S. Russell, Manager
Capistrano Bay Community Services District
35000 Beach Road
Capistrano Beach, CA 92624
949-496-6576 (office)
949-487-9224 (fax)
714-206-4331 (cell)
drussell@capobay.org

From: Chris Miller [<mailto:chrismiller@beachroadrealty.com>]
Sent: Monday, March 31, 2014 3:26 PM
To: Don Russell
Subject: Re: Beach Fires

Ok thanks and also I could use a little clarification on Rule 444 and the Districts interpretation of it. I thought that if the fire rings were closer than 700 feet of a residence then they had to be so many feet apart. This is why I believe that Doheny State Beach is thinning out the number of rings as they are all within 700 feet of the bluff front homes. Since they are leaving about half of them I thought the rule allows for rings so long as they are I think 100 feet apart. Do you know the details as no rings are within a 100 feet of my place on the beach right now. Obviously if they were completely prohibited then the State Parks would take all of them out. A little confused if you can assist in clarifying the Districts thoughts on this matter I would appreciate it. Thanks -- Chris

From: Don Russell <drussell@capobay.org>
Date: Monday, March 31, 2014 3:03 PM
To: Chris Miller <chrismiller@beachroadrealty.com>
Subject: RE: Beach Fires

I'll respond this way: we are only regulating *outdoor recreational wood-burning fires*
Will correct the mailing label info right now -- sorry about that.
Don

From: Chris Miller [<mailto:chrismiller@beachroadrealty.com>]
Sent: Monday, March 31, 2014 1:52 PM
To: drussell@capobay.org
Subject: Beach Fires

Don I just received your notice about wood burning beach fires and have one question. In reading over the information on the SCAQMD website I believe charcoal burning fires are ok as they do not emit smoke like wood. Not that I want to promote them but is that an alternative that is ok with you?
Thanks --- Chris Miller
Also please delete my ex's name from the mailing label prior to the next mailing.

Don Russell

From: 35395 Brad Jenkins <bjenkins@o1.com>
Sent: Wednesday, April 02, 2014 9:26 AM
To: Don Russell
Subject: Beach Burning

Got the notice of no wood burning on Beach Road. Boy were glad our pad has the gas fire pit! Bummer for rental values, and general value, etc. I know that our friends who have come down on holiday's and rented will be totally bummed out, are people pretty pissed? I guess there is just nothing that can be done when we are being regulated more and more and more!

Hope all is well,
Brad

Don Russell

From: 35205 Elizabeth Davis <lizizz@me.com>
Sent: Tuesday, April 01, 2014 12:13 PM
To: Don Russell
Subject: Re: NEW VEHICLE

No trade in. It's an additional vehicle.

I have a question for you:

I received the letter regarding fires on the sand. Is this something the board supported? Or was it forced upon our community? Who will enforce it and what is the fine?

We have been homeowners since 1957 and I think we have established that this is our private property in front of our house. And the ability to have a fire out in front of our property should be grandfathered in.

I never saw on the agenda that this was an action item. I only saw that it was an update, informational item. Please let me know.

Thanks

Liz

Sent from my iPad

On Apr 1, 2014, at 11:04 AM, Don Russell <drussell@capobay.org> wrote:

Hi Liz,

I just registered your Lexus RX400H into the system – did you trade in one of your other vehicles – need to know so we can delete that vehicle.

Thanks.

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