



February 12, 2021

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Reply to: Irvine Office
File No: 9740-127423

VIA EMAIL ONLY (drussell@capobay.org)

Donal Russell, Manager
Capistrano Bay District
35000 Beach Road
Capistrano Beach, CA 92624

Re: Capistrano Bay District ("District") Negotiations with California Coastal Commission

Dear Mr. Russell:

As you know, our firm represents the Tarr Family Trust ("Tarr Family") that owns the single-family home located at 35841 Beach Road. We understand that the District has been in discussions with the California Coastal Commission ("CCC") on behalf of some homeowners about a number of asserted Coastal Act matters, such as violations, notices of violations, permits, or entity formation (such as a GHAD). We also understand that the District has assessed, and possibly spent, \$75,000 on engineers and consultants to assist the District with these negotiations with the CCC.

The Tarr Family must insist that the District cease negotiations with the CCC, not assess any additional money for doing so, and refund to the homeowners the \$75,000. The District does not have authority to act on behalf of homeowners with respect to Coastal Act issues, and not only is such action beyond the scope of the District's authority, the District does not have the expertise nor the funding to carry out such negotiations.

There are other government agencies that can assist the homeowners, such as the City, or the homeowners affected by the CCC can certainly organize themselves. The District is not equipped to engage the CCC on these sensitive issues. Please advise if you have any questions.

Very truly yours,

Boyd L. Hill

cc: Michael L. Tidus, Esq.

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