

CAPISTRANO BAY DISTRICT
AGENDA REPORT
September 28, 2021

Old Business

ITEM 9a

Emergency Sandcubes Permit (Miller – 35127)

Brief Background

In June of this year, the Millers received a Notice of Violation from the CCC for unpermitted shoreline armoring (boulders, sandbags, gabions, etc.). The Millers responded with some questions and in July a second letter was sent from the CCC continuing the request to move the boulders and work toward an acceptable alternative. An application for an emergency CDP was then submitted, requesting the temporary placement of those large plastic sandcubes.

The CCC's initial response to the sandcubes request was a denial, citing an environmental issue with the microplastics contaminating the marine environment. However, the Millers finally received an approval of the emergency CDP for sandcubes just last week.

The Millers have 60 days after signing and agreeing to the permit conditions to either remove the sandcubes or have another CDP application in process for some other more permanent/acceptable form of protection.

To the District's knowledge, there is only one other property owner (35391) who has received an individual notice of violation with the same request to remove the unpermitted boulders. That owner has replied back to the CCC with questions on 9/9 and is awaiting a first response from CCC staff.

In the notices to the Millers from the Coastal Commission, the concept of an offshore artificial reef with beach groins and a sand replenishment program are being recommended. The CCC is also recommending that the Millers simply elevate their home on caissons or somehow seal it up from damaging wave runup.

There are lots of thoughts as to why only these two property owners have received an individual notice of violation and the District would like to hear from you if you end up receiving a similar such notice.