

CAPISTRANO BAY DISTRICT
AGENDA REPORT
October 26, 2021

Old Business
process.

ITEM 9c

Acquisition of Real Property/Vacant Lot #071

County Access Permit

The County has finally responded to our request for accepting an easement in favor of the District for beach access for maintenance purposes. Since the process is going to take several months and winter is near, they are offering us a 6 month temporary access permit to help us out through this winter while we continue the permanent easement process.

Among the requirements for the temporary access permit will be a vicinity map showing the area and where the proposed entry point will be. For this we will need to engage with a surveying engineer plus some legal counsel work in writing up the permit details, etc. and making sure the District doesn't make any procedural mistakes that could affect us in the future.

There is no budget item for this but the expense could be assigned to our *Beach Clean Up* budget item – we're forecasted to have a *La Nina* winter, meaning less than normal precipitation, so it is likely the beach won't need a lot of storm cleanup and we should have some unspent funds there.

Possible Action to Waive the 30-day Escrow Cancellation

Given the progress with the County access option, and with our 30-day escrow deadline coming on November 4th, this meeting is the time to make the call on either cancelling or moving forward.

To help with your decision, one of the main issues with relying totally on the County access option is that of how to get equipment around that large field of boulders at the north end of the County Beach Park area. This week was a good time to evaluate that access since we were in a full-moon lunar phase – this means higher tides but also very low tides. The following page shows photos of high tide and low tide from this week at the field of boulders in question. The pics indicate that even at a full moon low tide, access is still a problem, indicating that at most times when access is needed, there simply won't be any.

Having the County area as a secondary access option is probably a good plan since there is uncertainty as to the future of that facility. Maybe it will get better, especially if a sand nourishment program is ever implemented. For that reason it is recommended that the District continue pursuing the County access option but also move forward with the vacant lot acquisition by taking action in the form of a *MOTION to waive the cancellation provision*.

COUNTY BEACH ACCESS
DURING THE OCTOBER FULL MOON



TUESDAY HIGH TIDE 9:30 AM



TUESDAY LOW TIDE 3:10 PM



WEDNESDAY LOW TIDE 4:00 PM



THURSDAY LOW TIDE 4:30 PM