

CAPISTRANO BAY DISTRICT
AGENDA REPORT
January 25, 2022

Old Business

ITEM 9a

Shoreline Protection/Homeowner Advisory Group

Bill Nassour, of the homeowner group, called the District Office on Monday, January 3rd, requesting a meeting of the homeowner group to discuss details of how to move forward with the homeowners' efforts re shoreline protection.

That meeting was held on Thursday, January 6, 2022 at 10:00 AM via Zoom with the following attendees:

Bill Nassour – Bill Fox – Jack Tarr – Karen Morris – Will Wiersig and Pat McNulty from the BOD and Don Russell, District Manager (Nate Holiday was also invited but was not available).

The priority item for discussion at this early stage was the matter of whether the group would remain as a committee of the homeowners separate from the Capistrano Bay District or become a committee of the Board of Directors. Committee members could be appointed by the District Board and serve at the direction of the District.

Summary of the January 6th Meeting

There was consensus among the group that the Community would be best served, at this time, if the District were to create a committee and appoint members to serve at the direction of the Board of Directors. This would lend more legitimacy to the committee's actions and efforts, especially if/when the time comes for soliciting financial contributions from homeowners.

It was pointed out that in addition to the concept of a long-term home/property rights protection project, Beach Road homeowners need immediate home/property rights options that address the current violation condition identified in letters to homeowners from both the City and the CCC.

Also discussed was the matter of how to create a start-up exploration/discovery fund to engage with a coastal law consultant to formulate and evaluate options for ALL Community stakeholders. The purpose would be to establish a recommended global plan of action addressing short, medium and long-term actions with estimated budgets and timelines for presentation to the Board and the Community. Given consensus that a strategy needs to be formulated to protect the homes/property rights, a plan of action needs to be completed if the committee expects to encourage contributions from homeowners or further contributions by the District.

Manager Russell indicated that if the Board were to agree to appoint such a committee, there are District reserves available that would enable the Board to cover the initial startup discovery expenses, estimated by the group to be in the \$100K range. This would be required for engaging with competent coastal legal counsel and consultants in developing a plan for the community.

*There was agreement with the group that these investigative/exploratory efforts and goals with the committee would inure to the benefit of **ALL** the property owners of the Beach Road community.*

*Manager Russell closed the meeting pointing out that there is cause for hope in the fact that the County has won a \$214,000 grant to fund a region-wide coastal resiliency study that would benefit all persons and parties that have a stake in protecting our local beach resources. Called the South Orange County Regional Coastal Resilience Strategic Plan, a preliminary planning meeting that included 40 representatives from various agencies here in OC was held on December 13th to launch the conversation. *(A summary of that meeting will follow at the end of this report).*

The business before the Board at this meeting will be whether or not to appoint the homeowner advisory group as a committee of the District that would operate at the direction and with oversight by the Board of Directors.

The consensus by the attending homeowners at the January 6th meeting, which included two District Board members, Pat McNulty and Will Wiersig, was to move forward with appointing the group as a committee of the District.

There was also agreement in naming the following individuals as members of the committee:
Will Wiersig (from the BOD) – Karen Morris - Bill Nassour – Bill Fox – Jack Tarr – Nate Holiday

If the Board is in agreement with the recommendation made above by the advisory group, the following is suggested language for the two required Board actions:

1st Motion (appointing the committee)

"I hereby move to appoint the homeowner advisory group as a committee of the District, under District oversight and direction, and to name the following as members of the committee: Will Wiersig, Karen Morris, Bill Nassour, Bill Fox, Jack Tarr and Nate Holiday, for the purpose of investigating and exploring solutions to home and roadway protection from beach erosion and eventual sea level rise."

2nd Motion (setting a budget limit)

"I hereby move to establish a committee budget limit for the remainder of FY22 to be \$100,000, to fund discovery and fact-finding efforts including, but not limited to, coastal law counsel, coastal engineers, and other relevant consultants."

The following pages are information on the *Regional Stakeholders Meeting* from December 13th.

- Lead stakeholder meetings
- Conduct economic analysis of proposed ideas
- Research governance models and funding mechanisms

Stakeholder Involvement

- Governance Advisory Team will be created
- Additional meetings will be held with property owners' associations, nongovernmental organizations, educational institutions, and tribal representatives

Final Report

- The plan is expected to be completed late 2023. Final report will include:
 - Data analysis
 - List of priority projects
 - Schedule for phased implementation
 - Economic analysis memo
 - Summary of governance structure
 - Funding opportunities
 - Operational Tactics

Project Timeline

