

CAPISTRANO BAY DISTRICT  
AGENDA REPORT  
November 15, 2022

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New Business

## ITEM 10a

### Underground Utilities Discussion

Director Lurner requested that this topic be placed back on the agenda for discussion. To pick up with where we left off over two years ago (July 2020), the Board was discussing the details of a letter to property owners explaining the progress that has been made and where we go next.

At that time it was the consensus of the Directors that before there is further expense of money and time, a questionnaire to homeowners should be sent out to measure their interest to continue pursuing the effort of undergrounding utilities.

The Board never made it to the step of canvassing property owners as the issue of shoreline protection became a higher priority for the community. Paraphrasing previous Board President Steve Schwartz, *"The proposed informational mailer for homeowners still needs comments from Board members but also pointed out that due to community-wide issues with the high tides over the Fourth of July weekend, progress on the undergrounding of utilities has been placed on hold while the Board works with consultants regarding shoreline protection."*

The following are several obstacles that could be a deal breaker:

- **Straw poll of the community** – are property owners willing to support the huge expense?
- **Transformer placement** – are property owners willing to have a transformer in their yard?
- **Railroad consent** – will OCTA permit the placement of transformers on their property?
- **Coastal Development Permit** – would the CCC want our private gate open for public access?
- **SDGE consent** – will SDGE allow such undergrounding within the high hazard flood zone?
- **LAFCO latent powers** – will LAFCO grant us the power to underground our utilities?

Any one of the above noted issues could prevent the project from moving forward. Previous work done by Dave Gutierrez has produced some good information, probably enough to put together an introduction letter to our property owners with the basic facts, that includes a brief questionnaire to return to the District. This would NOT be an official vote but just an effort to gauge community support for both the cost per homeowner and issue of transformer placement on some properties.