

CAPISTRANO BAY DISTRICT
AGENDA REPORT
APRIL MEETING
April 29, 2025

Shoreline Committee

ITEM 7a

Miller CDP Application Status

We're getting close to resubmitting this second round of corrections to Planning but have run into a delay with the new temporary shoring being required by the City's Engineer, Moffat & Nichol. The consulting team had to discuss the most effective pathway for designing an acceptable temp shoring that the Coastal Commission would be inclined to approve. This second round has resulted in additional plan check and legal review fees in the amount of \$11K. Attached is the City's invoice.

ITEM 7b

Formation of South Orange County Beach Coalition

Our Fifth District Supervisor Katrina Foley is organizing a new group of stakeholders along the similar lines as the prior supervisor's program, the South Orange County Coastal Resiliency Strategic Plan, for which the District has been invited to join as a voting member. Directors took immediate action earlier in the month to formally join with this new coalition as a voting member, appointing Manager Russell as District representative. Counsel has reviewed the by-laws and the MOU language and sees nothing in the language that exposes the District to direct action from the Coastal Commission nor any link that the CCC could use to leverage the District to give up our private road and gate status.

For our community and the Shoreline Committee, this is coming at a good time if you consider the expanded regional conversation that is getting traction from Santa Barbara to San Diego. Given that this new coalition has just started, we have an opportunity to get involved from the beginning and influence the program in a direction that advances our efforts in showing how the San Juan Creek watershed system is responsible for our sand-starved beaches, and NOT sea level rise.

Expenses related to promoting our position with this new Coalition are discussed on the next page.

ITEM 7c

Budget Discussion/South OC Beach Coalition

There are no direct fees for this first year of participation in the Coalition program as the County is covering the first year expenses to get this underway. After the first year then members will be sharing in administration costs. It is unknown at this early stage what the expenses will be and members can always opt out if the program is proving to be ineffective.

The immediate expenses for the District will be associated with early coordinating meetings with Supervisor Foley and her Coastal Resources Manager, Makana Nova, as we work to shape the direction of the Coalition. A first such meeting is tentatively set for Monday, May 12th where we hope to discuss in depth, the issue of sand starved beaches, the lack of sediment coming out of the San Juan Creek and the need for a study to explain how the sand moves in the watershed.

While we don't have a budget for this unexpected new program, it is helpful to understand that with the new Parcel Tax proceeds coming in to the District, we are almost fully reimbursed on the District's Reserves that were expended over the last two years of funding Shoreline Committee business. This will allow our Reserves to recover and build back, in time to take advantage of this new program.

ITEM 7d

New Reply Letter from the Coastal Commission Dated 4-23-25

This was discussed in more detail in our closed session, but here's a short summary:

As you know, the Shoreline Committee sent a response back to the Coastal Commission in February indicating our willingness to engage in community-wide discussions related to their allegations of unpermitted shoreline armoring.

We received a reply on April 23rd. Expecting to read a letter offering some prospective dates for a meeting, the CCC is demanding complicated, expensive and onerous reports and studies, is questioning the authority of the Shoreline Committee and is trying to involve the Capistrano Bay District in an area where the District has no authority. The CCC is giving the Committee 30 days to respond.

The Committee's counsel, Stan Lamport, will have to take some time to put together an appropriate response that will, among other things, remind the Commission of the District's non-existent authority over private owners' constitutional rights and of course, push back on their demand for lengthy and expensive reports and studies.



Winecki Consulting, Inc.
805.451.9055

Billed To
Capistrano Bay District
35000 Beach Road
Capistrano Beach, CA 92624

Date of Issue
04/23/2025

Due Date
04/23/2025

Invoice Number
2025-60

Amount Due (USD)
\$11,000.00

Description	Rate	Qty	Line Total
Reimbursable- Agency/Permit Fees City of Dana Point permit review fees.	\$11,000.00	1	\$11,000.00

Subtotal	11,000.00
Tax	0.00

Total	11,000.00
Amount Paid	0.00

Amount Due (USD)	\$11,000.00
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Terms

If you would like to remit payment via ACH or Zelle, please contact April@wineckiconsulting.com.



APRIL WINECKI
315 MEIGS ROAD SUITE A505
SANTA BARBARA, CA 93109

The City of Dana Point
Make all checks payable to:
The City of Dana Point
33282 Golden Lantern
Dana Point.CA 92629

INVOICE #
INV-10133
Due Upon Receipt

Invoice Date: 4/23/2025

Record #	Record Type	Fee Group	Fee Description	Quantity	Amount
PA24-0048	PA	D_PL20 3RD PARTY WAVE RUN-UP REVIEW		1	\$4,000.00
		D_PL20 LEGAL REVIEW		1	\$7,000.00
					\$11,000.00

Invoice Total: \$11,000.00



VICE CHAIR KATRINA FOLEY

ORANGE COUNTY BOARD OF SUPERVISORS
FIFTH DISTRICT

COUNTY ADMINISTRATION NORTH
400 W. CIVIC CENTER DR., SIXTH FLOOR
SANTA ANA, CA 92701
(714) 834-3550 Katrina.Foley@ocgov.com

RECEIVED
APR 03 2025

April 3, 2025

Don Russell, Manager
Capistrano Bay Community Services
35000 Beach Road,
Capistrano Beach, CA 92624

Re: Formation of South Orange County Beach Coalition

Dear Mr. Don Russell,

More than a decade ago, the County of Orange embarked on a Coastal Regional Sediment Management Plan which outlined the critical need for the development of a government structure solely focused on regional sediment management. Last year, the County adopted the South Orange County Regional Coastal Resilience Strategic Plan which also found that a regional collaborative organization is necessary to solve for the crisis on our South County coastline. As the County Supervisor representing the South Orange County coastline, I write this letter to invite Capistrano Bay Community Services to join in the formation of the South County Beach Coalition.

Given our mutual interest in protecting and preserving our coastline, and your participation in the development of the 2023 South Orange County Regional Coastal Resilience Strategic Plan, I believe Capistrano Bay Community Services must be a voting member of the Coalition and plays a critical role in helping shape South Orange County's coastal future. The Coalition is intended to bring together coastal landowners, land managers, and key stakeholders to foster greater cooperation and collaboration on coastal resilience within the Orange County portion of the Oceanside Littoral Cell, ensuring our resources are brought together and move farther.

The South Orange County coastline is an economic driver in our county. Approximately one third of Orange County's tourism economy comes from our beaches and every dollar invested into sand nourishment yields \$3,000 of economic output from beach tourists. Unfortunately, our coastline has experienced chronic, regionwide beach erosion resulting in the narrowing of beaches with negative impacts on critical infrastructure, public access, and wildlife habitat. Independently, agencies and organizations have been working to enhance the resilience of the coast, but it is abundantly clear that coordinated action is needed as coastal challenges are not exclusive to one entity and transcend political jurisdictional boundaries.

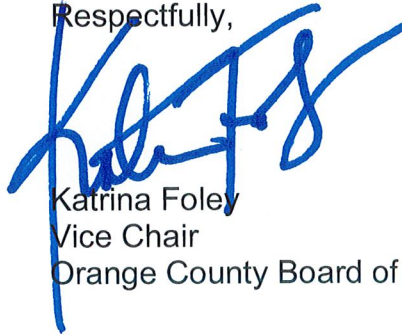
Proudly serving the cities of Aliso Viejo, Costa Mesa, Dana Point, Irvine, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Newport Beach, San Clemente, San Juan Capistrano and the unincorporated areas of Coto de Caza, Emerald Bay, Ladera Ranch, Las Flores, Rancho Mission Viejo, Stonecliffe, and Wagon Wheel

Mr. Don Russell
April 3, 2025
Page 2

Each voting member entity is asked to review the attached South Orange County Beach Coalition MOU and Bylaws and appoint a formal representative to serve by April 11, 2025. The MOU is substantially complete pending minor adjustments following confirmation of all participating members. Following the April 11, 2025, review date, final copies of the MOU will be sent to participating entities for signature and adoption to formally join the Coalition. Upon your organization or city council's approval, please send notification of participation to my office and the Coalition Executive Officer at 13042 Old Myford Rd., Irvine, CA 92602.

I look forward to serving alongside you or your appointee and building upon the decades of work to bring about a comprehensive and coordinated approach to protecting the South Orange County coastline. Should you have any questions, please feel free to contact my Deputy Chief of Staff, Alyssa Napuri, at (714) 834-3550 or Alyssa.Napuri@ocgov.com.

Respectfully,



Katrina Foley
Vice Chair

Orange County Board of Supervisors, Fifth District

Attachments:

MOU – South Orange County Beach Coalition
Bylaws – South Orange County Beach Coalition



CAPISTRANO BAY DISTRICT

35000 Beach Road

Capistrano Beach, CA 92624

Phone: (949) 496-6576

Fax: (949) 487-9224

email: drussell@capobay.org

Board of Directors
P. McNulty Pres.
F. Lurner
R. Misher
J. Champlain
M. Seidensticker

Manager
D.S. Russell

April 8, 2025

Coalition Executive Officer
c/o Supervisor Katrina Foley
13042 Old Myford Rd.
Irvine, CA 92602

RE: Notice of Participation/South OC Beach Coalition

Dear Supervisor Foley

This letter is to confirm that the Capistrano Bay District Board of Directors is in complete support of the formation of the South Orange County Beach Coalition and as such has authorized the District General Manager, Donal Russell, as the voting representative for the District.

Regards,

Donal S. Russell

Donal S. Russell, General Manager
Capistrano Bay Community Services District

