



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461

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December 16, 2023

Orange County Board of Supervisors
400 W. Civic Center Dr.
Santa Ana, CA 92701

Re: December 19, 2023, Agenda item 11 on the Consent Calendar

Dear Supervisors,

Dana Point Boaters Association wishes to comment on the above referenced item. In general, we approve of the Estoppel Agreement based upon the confirmation we received from both Supervisor Foley's office and the OC Real Estate office that Dana Point Harbor Partners (DPHP) is not in default on their lease, nor delinquent on any rents. We understand it is needed to secure financing for this very important project.

While we commend the yeoman's effort by Supervisor Foley and her staff to instill better oversight and transparency of this project, we still have some concerns.


Concerned boaters strongly feel Dana Point Harbor Partners is not in compliance with the Coastal Development Permit regarding the slip configuration. It is our understanding that this item is under enforcement review at the CA Coastal Commission, but they are severely backlogged, and we don't know when this item will be addressed. Technically, if DPHP is not in compliance with the Coastal Development Permit, they are not in compliance with the master lease.

We understand in January a county employee will be named to oversee this project in the OC Real Estate office. Their only responsibility will be oversight of this project. Again, this is a step in the right direction, and kudos to Supervisor Foley for making this happen, but is this enough?

The questions boaters have regarding the slip configuration is that it has changed and will not accommodate the number of slips required by the Coastal Development permit; it does not adequately address ADA requirements; and the fire suppression system is questionable. Where is the engineering oversight of this project to protect the County from liability?

We have requested a meeting with Supervisor Foley's Deputy Chief of Staff to meet with a small group of boaters in January to discuss the non-compliance items and ask Supervisor Foley to ensure it is calendared soon. If these issues aren't addressed now, time is running out to fix these issues. If the CA Coastal Commission finds that DPHP is not in compliance with the Coastal Development Permit fixing the mistakes could be very costly.

Regards,


Anne Eubanks
President