



April 17, 2012

Mr. Mike Evans, President  
Board of Trustees  
Casa Romantica Cultural Center and Gardens  
415 Avenida Granada  
San Clemente, CA 92672

Ms. Jenifer Finley  
Executive Director  
Casa Romantica Cultural Center and Gardens  
415 Avenida Granada  
San Clemente, CA 92672

Mr. Dennis Reed  
Beaches & Parks Manager  
City of San Clemente

Dear Mr. Evans, Ms. Finley and Mr. Reed:

On October 26, 2011, over four and half months ago, we sent you a letter to outline our concerns regarding the Monterey Cypress trees that have been planted on the property of Casa Romantica. Since that letter, the trees have continued to grow at an alarming rate making a bad situation even worse for the homeowners in Reef Gate.

If you will recall from our October 26<sup>th</sup> letter, we acknowledged your stated willingness to work together as neighbors to minimize the impact of the Casa's Monterey Cypress trees on the ocean views from our condominium complex. We also acknowledged your interest in working with our Association to identify and determine the next steps as related to the potential impact of the Monterey Cypress trees on our sewer and water lines. Unfortunately, nothing of substance has happened since our letter and the problems continue. This has left individual Reef Gate West homeowners and the Association's community space with even further blockages of the views from individual homes and common areas as a result of the Monterey Cypress trees. We continue to be concerned about the Casa's compliance with the Coastal Development Permit as it relates to the planting of the Monterey Cypress trees which are neither native to Southern California nor non-invasive. We believe that the Monterey Cypress trees were planted in direct violation of the Coastal Development Permit dated July 11, 2002 which states that "*invasive, non-indigenous plant species that tend to supplant native species shall not be used.*" The Permit also states that "*landscaped areas in the front and side yards may include native or drought-tolerant, non-invasive, non-native plant species.*" Nowhere in the Coastal Development Permit are non-native, invasive species allowed. In the case of the Monterey Cypress tree, it is not indigenous to San Clemente, this part of South Orange County, or even Southern California. In addition, it is classified as an invasive species. As you are aware, an indigenous plant is defined as a plant that exists within a defined geographic area without direct or indirect human introduction. The planting of the

Monterey Cypress tree in San Clemente in the 1960's at President Nixon's Western White House does not make it an indigenous species in our area. In addition, the root system of the Monterey Cypress tree is considered highly invasive. According to the University of California Cooperative Extension, they categorized the Monterey Cypress as a "tree to avoid in lake country." They state that the Monterey Cypress tree has an "*invasive root system, host for many problem insects and diseases that spread to other plants.*" Indeed, it takes little effort to find numerous references to the invasive nature of the root system of the Monterey Cypress tree. Another reference states, "*Trees considered to have deep and/or aggressive roots that are likely to damage a drainfield include... (Monterey) Cypress trees.*" Our research and discussions with experts in this area call into question the statement in your September 30, 2011 letter where it is stated, "*Monterey Cypress trees are not known to be invasive.*" It is evident to us that the planting of the Monterey Cypress trees fails to follow two important restrictions in the Coastal Development Permit and should never have been planted on the property of Casa Romantica. Once again we request that you identify where in the Coastal Permit Roger's Gardens Nursery was authorized to plant this species of non-indigenous, invasive tree.

Finally, per your request at our meeting and since our October 26<sup>th</sup> letter, we have, at our own expense, painted the south walls of our B and C buildings using a color that was recommended by Casa Romantica. This wall was painted by our association to minimize the impact of the "big white wall" that you had identified for us as a major reason for planting the Monterey Cypress trees. The use of this color was an effort by our association to work the Casa by addressing the aesthetic concerns that were raised by you at our meeting.

While we continue to be optimistic about the potential to successfully resolve this very important issue, we also recognize that the longer this situation remains unresolved the more the trees grow and the more they continue to destroy the views from individual homes as well as common property. In addition, the continued growth of the trees and, hence, the growth of the root system places our sewer system in increasing jeopardy. As such, time is of the essence. To date, our association has twice put in writing our concerns and have once met with representatives from the Casa. Indeed, given the protracted nature of these conversations, individual homeowners are now discussing seeking a legal resolution to this issue. While the actions of the association do not necessarily prohibit individual homeowners from seeking a legal remedy, if possible, our association would like to resolve this in a more cooperative manner.

As we noted in our last correspondence, our Board of Directors has authorized Christy Manetta, Amy Flores, and John Sullivan to conduct a meeting on our behalf and to report back to the Board the result of their meeting. Please directly contact Christy Manetta at 949-436-3404 to arrange for a meeting.

As noted above, time is of the essence and we are formally requesting that a meeting take place within the next two weeks to resolve this situation.

Once again, we appreciate your wish to be open and cooperative in seeking a mutually beneficial solution as well as your willingness to establish, through ongoing communication, a positive, long-term relationship with Reef Gate West HOA. We look forward to meeting with you and any other decision makers so that we can fully resolve this issue.

Sincerely,

The Reef Gate West Board of Directors