

**STAFF REPORT  
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04/05/19

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**INFORMATIONAL UPDATE ON EFFORTS TO ACHIEVE MEANINGFUL PUBLIC  
ACCESS TO THE COAST AT HOLLISTER RANCH, SANTA BARBARA COUNTY**

**INTRODUCTION:**

California’s iconic coast is home to many of California’s precious natural, cultural, and historic resources. The public policy of protecting, expanding, enhancing, and promoting public access to the State’s coast, tidelands, and waterways is embodied in California’s Constitution, numerous statutes and regulations, and the common law. California is a world leader in protecting its coast and advancing the right of all people to access and enjoy our beaches and ocean. Article X of the California Constitution, Section 4 guarantees that:

“No individual, partnership, or corporation claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose . . . ; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall always be attainable to the people thereof.”

Hollister Ranch is a 14,500-acre subdivision that includes 8.5 miles of publicly owned shoreline along the Santa Barbara Channel in Santa Barbara County. The Gaviota Coast, of which Hollister Ranch is a significant part, is the least accessible stretch of coast in California, with less than 2 miles of publicly accessible shore in more than 60 miles of coastline.

**BACKGROUND:**

The Coastal Act (Public Resources Code section 30610.3) requires the Coastal Commission to prepare and adopt a public access program. It also requires the Coastal Conservancy, pursuant to its authority, to implement the adopted public access program. Over 35 years ago, in 1982, the Coastal Commission adopted a Hollister Ranch Public Access Program. This access program has never been implemented. In 2018, Assemblymember Limón authored a bill, AB 2534, that, among other things, would have clarified existing law and created funding mechanisms to provide public access to the public’s tide and submerged lands

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within Hollister Ranch. Governor Brown vetoed AB 2534 stating, “this bill relies on the implementation of a coastal access program adopted in 1982. . . it is now outdated.” Governor Brown asked that state agencies “work together to craft a sensible and fiscally responsible plan.”

### **CURRENT EFFORTS:**

#### **Interagency Collaboration Agreement**

On March 1, 2019, the staffs of the Commission, Coastal Commission, Coastal Conservancy, and Department of Parks and Recreation entered into an inter-agency [Collaboration Agreement](#) to further the State of California’s public policy of responsibly expanding and enhancing the public’s access to and along the coast and the public’s cultural, educational and recreational experiences at Hollister Ranch. The purpose of this Agreement is to establish a framework for effective and efficient communication and collaboration among the agencies to develop a new, contemporary Public Access Program informed by meaningful and comprehensive public outreach and stakeholder engagement in a timely manner.

The agency partners acknowledge, respect and are informed by the 1982 program and process that preceded its adoption. The agencies are committed to developing a contemporary Public Access Program that is informed by broad and comprehensive public outreach and engagement; reflects the values of current and future generations of all Californians; respects the unique and treasured resources, attributes and opportunities at the Ranch; and is consistent with the law and in furtherance of the policies of the State.

#### **Request for Proposals**

On March 18, 2019, in furtherance of the Collaboration Agreement, the Coastal Conservancy issued a [Request for Proposals](#) (RFP) seeking community engagement, planning, environmental and landscape architectural professional services to assist in developing an updated Public Access Program for Hollister Ranch. This project consists of a Phase 1, and a potential Phase 2. Phase 2 will be optional and not obligatory for either the Conservancy or the selected firm to pursue after Phase 1 is completed. The RFP deadline is April 19, 2019 and the approximate contract start date is May 20, 2019.

Phase 1 involves developing and executing a statewide and local public engagement strategy to ensure meaningful participation on the development of a shared vision for public access at Hollister Ranch; equitably addressing the needs, interests and priorities of all Californians, especially communities that traditionally face barriers to coastal access; and to articulate a shared vision for future public access at Hollister Ranch. Phase 1 will also identify opportunities

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and constraints for future access, including compliance with applicable land use laws and ordinances. The anticipated budget for Phase 1 is \$50,000.

Phase 2 is dependent on securing additional planning funds and the needs and expectations of the agency team in developing the plan. Phase 2, if pursued, will involve continued public input and community engagement, refinement of the Public Access Program and an outline of the regulatory permits and processes, preparation of an estimated budget for completing the program, identification of the critical path toward implementation, and identification of components for operational feasibility.

### **Mean High Tide Line Survey**

In early December 2018, staff commenced a mean high tide line (MHTL) survey along the Pacific Ocean in the Hollister Ranch vicinity. Additional surveying, along with unmanned aerial vehicle (aka UAV or drone) imagery, was performed during the weeks of December 17, 2018, and January 28, 2019. On March 18, 2019, staff conducted a supplementary MHTL survey. In total, approximately 8.5 miles of MHTL was surveyed. The results of the MHTL survey and drone aerial imagery are depicted on a draft MHTL plat that consists of 24 sheets.

In support of the larger MHTL survey effort, staff performed a UAV survey of the entire 8.5-mile coastline. The UAV survey consisted of 31 flights over a two-week period, with a total of 2816 images and about 10 minutes of video collected. From this source data staff produced image mosaics, 3D models, and a video overview.

### **State Legislation**

In early 2019, Assemblymember Limón introduced AB 1680. This bill requires the Coastal Commission, in collaboration with the Coastal Conservancy, the Department of Parks and Recreation, and the Commission to develop a new coastal access plan for Hollister Ranch by April 1, 2020. The plan must include a provision providing for public access by land and descriptions of beach recreation and scientific and educational areas. If a new coastal access plan is not completed by April 2020, the bill requires the Commission to collaborate with other governmental entities that are responsible for coastal and protection and regulation and expeditiously implement the 1982 Hollister Ranch coastal access program. By April 1, 2020, and every five years thereafter, the Coastal Conservancy would be required to make findings and provide recommendations to the Coastal Commission regarding any legislation that may be necessary to adjust the in-lieu public access fees. AB 1680 was referred to the Assembly Natural Resources Committee and will be heard in April.

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**OTHER PERTINENT INFORMATION:**

1. This informational report is consistent with Strategy 1.3 to promote, expand, and enhance appropriate public use and access to and along the State's inland and coastal waterways.
  
2. In the *Tom Pappas, et al. v. California Coastal Conservancy, et al.* litigation, the trial court most recently denied without prejudice Plaintiffs' motion to approve the final class settlement, denied the Gaviota Coastal Trail Alliance's motion to set aside the HROA, Commission and Conservancy settlement and allowed the Alliance to file a cross-complaint challenging the HROA, Commission and Conservancy settlement. The matter is pending further action in the trial court. Additional information about the history of public access at Hollister Ranch and the litigation can be found on the Coastal Commission's website at <https://www.coastal.ca.gov/hollister-ranch/>.

**CONCLUSION AND NEXT STEPS:**

Staff will continue to work cooperatively under the framework of the Collaboration Agreement through the next steps of Phase 1 as described in the Coastal Conservancy's RFP, beginning public outreach and engagement to shape the contemporary Public Access Program and finalizing the MHTL survey for public release. Staff will also monitor AB 1680, working with Assemblymember Limón and providing input to the Legislature as needed or requested. Staff will continue to update the Commission on the progress in developing a contemporary Public Access Program that will maximize benefits for all Californians while protecting cultural, biological and other natural resources at Hollister Ranch.