



CALIFORNIA
COASTAL
COMMISSION



Collaboration Agreement for the Development of a Contemporary Hollister Ranch Coastal Access Program

California's iconic coastline is fundamental to the high quality of life we enjoy in the nation's most populous state. The coast is home to many of California's precious natural, cultural, and historic resources; it underpins our thriving economy, is our primary recreational outlet, and draws more and more people to settle here each year. 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's Constitution specifically directs the Legislature to enact such laws as will give the most liberal construction to the right of the people to access the waters of the State so that access to these waters shall always be attainable to the people.

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 of 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 (the **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, with no land-based coastal access for the public. 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.

This inter-agency Collaboration Agreement (**Agreement**) is entered into among the staffs of the California Coastal Commission, the California Department of Parks and

Recreation, the California State Coastal Conservancy, and the California State Lands Commission 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 the **Ranch**.

Each signatory is a **Party**, and they are collectively the **Parties**.

Recitals

- A. The California Coastal Commission (**CCC**) plans and regulates the use of land and water in the coastal zone. CCC is committed to protecting and enhancing California's coast and ocean for present and future generations and maximizing public access to and along the coast.
- B. The California Department of Parks and Recreation (**DPR**) advances the right of all people to access and enjoy the outdoors, including our beaches and ocean. The Department is the state's largest coastal landowner, managing and protecting the rich natural and cultural resources of nearly a quarter of California's coastline. Through a variety of programs, the Department along with the network of partners and volunteers supports rich cultural, recreational, and educational experiences to connect visitors with the coastal landscape--inspiring a future generation of stewards to protect these special places for future generations.
- C. The California State Coastal Conservancy (**SCC**) works with partners to implement projects that protect and restore the California coast, and increase public access to it. In its 40 years, SCC has put over \$1.3 billion to work protecting open space, restoring wetlands, constructing coastal trails and accessways, and creating opportunities for all Californians to experience and enjoy their coastline.
- D. The California State Lands Commission (**SLC**) is committed to expanding and enhancing public use and access to the public's tide and submerged lands along California's coast. The SLC protects and manages the State's approximately 4 million acres of public-trust lands, including the tide and submerged lands waterward of the ordinary high water mark, as measured by the mean high tide line, except for areas of fill or artificial accretion. SLC champions environmentally sustainable public land management and balanced resource protection for the benefit and enjoyment of all current and future generations of Californians.

- E. Each Party has distinct jurisdiction and authority, but the Parties share a mutual imperative in expanding and enhancing meaningful, safe, environmentally sustainable and operationally feasible public access to and along the coast at the Ranch.
- F. Over 35 years ago, in 1982, the CCC adopted a Hollister Ranch Public Access Program. This 1982 access program has never been implemented.
- G. In 2018, Assembly Member Limón authored a bill, AB 2534, that, among other things, would have clarified existing law and created additional funding opportunities to provide public access to the public’s tide and submerged lands within the 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.”
- H. The Coastal Act (PRC Section 30610.3) requires the CCC to prepare and adopt the Public Access Program and the SCC, pursuant to its authority, to implement the Program.
- I. The Parties acknowledge, respect and are informed by the 1982 Public Access Program and process that preceded its adoption. The Parties 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.

Purpose

The purpose of this Agreement is to establish a framework for effective and efficient communication and collaboration among the Parties to develop a contemporary Public Access Program (**Program**) informed by meaningful and comprehensive public outreach and stakeholder engagement in a timely manner.

Agreement Among the Parties

1. The Parties shall work in cooperation to develop the Program.
2. The Parties shall work collaboratively to identify public access and recreational, cultural and educational experience opportunities and constraints; research, analyze and incorporate environmental, cultural resource, and other publicly available site-specific data; solicit comprehensive public input and stakeholder engagement; and synthesize other information as appropriate into the Program in a timely manner.
3. Because interagency participation and collaboration is essential to the effective implementation of meaningful access at Hollister Ranch, the Parties shall work in good faith to achieve consensus agreement on the elements of the Program.
4. The CCC, as the agency that will formally adopt the Program pursuant to PRC Section 30610.3, will lead the Program development and will take responsibility for:
 - a. Organizing and hosting a twice-monthly conference call among the Parties;
 - b. Generally coordinating the Program development schedule to include meaningful public outreach and engagement, research and analysis, data and analysis sharing, and document routing and review among the other Parties.
5. The DPR, SCC, and SLC agree to provide input consistent with their areas of expertise:
 - a. The DPR will provide input on land management and operations including but not limited to maintenance, interpretive programs, cultural resource programs, law enforcement and visitor services, and will consider integration with its other park properties.
 - b. The SCC will provide an assessment of the feasibility of implementation for the Program and input on possible funding sources or collaborative public or private partnerships to enable development of the Program.
 - c. The SLC will provide input on land title, ownership and boundary issues, surveying and mapping, and land and resource management.

- d. In addition to the foregoing, all Parties shall collaboratively provide input on environmental and cultural impacts, goals, feasibility, costs, and scope.
6. The Parties are committed to seeking early and meaningful public and stakeholder input to guide and inform the Program development. Towards that end, the Parties shall develop, organize, facilitate, and implement a public-outreach and engagement process to solicit meaningful input and perspective on public-access opportunities within the Ranch.

Other Provisions and Limitations

1. This Agreement becomes effective on execution by each of the Parties, which may be done in counterparts. The Agreement has a term of one year or adoption by the CCC of the Program, whichever comes first.
2. A Party may withdraw from this Agreement by sending written notice to the other Parties. The withdrawal of a Party does not terminate this Agreement.
3. Nothing in this Agreement is intended to require any Party to expend funds for any particular project or purpose. The Parties also acknowledge that any expenditures of funds for the execution of the Program are subject to appropriation. Each Party retains full discretion to direct the work of its staff.
4. Nothing in this Agreement is intended to or shall be construed to limit or affect in any way the authority, jurisdiction or legal responsibilities of the Parties.

Contacts

The primary contacts for each Party are:

- CCC: John Ainsworth, Executive Director and Susan Hansch, Chief Deputy Director
- DPR: Lisa Mangat, Director and Liz McGuirk, Chief Deputy Director
- SCC: Sam Schuchat, Executive Officer and Mary Small, Deputy Executive Officer
- SLC: Jennifer Lucchesi, Executive Officer and Colin Connor, Assistant Executive Officer

California Coastal Commission

By: 

Name: John Ainsworth
Title: Executive Director
Date: February 28, 2019

California Department of Parks and Recreation


By: _____

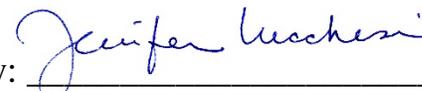
Name: Lisa Mangat
Title: Director
Date: March 1, 2019

California State Coastal Conservancy

By: 

Name: Sam Schuchat
Title: Executive Officer
Date: March 1, 2019

California State Lands Commission

By: 

Name: Jennifer Lucchesi
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