

COASTAL CONSERVANCY

Staff Recommendation  
October 17, 2019

**HOLLISTER RANCH CONTEMPORARY COASTAL ACCESS PROGRAM**

Project No. 19-007-01  
Project Manager: Trish Chapman

**RECOMMENDED ACTION:** Authorization to disburse up to \$300,000 to augment \$50,000 previously authorized by the Executive Officer for consultant services to facilitate development of a contemporary Hollister Ranch Access Program, in Santa Barbara County.

**LOCATION:** Gaviota Coast, Santa Barbara County

**PROGRAM CATEGORY:** Public Access

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EXHIBITS

- Exhibit 1: [Project Location Maps](#)  
Exhibit 2: [December 14, 2018 Coastal Commission memo on the Hollister Ranch Public Access Program](#)  
Exhibit 3: [State Agency Collaboration Agreement](#)
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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31111, 31104 and 31400-31410 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed three hundred thousand dollars (\$300,000) provided by the California Department of Parks and Recreation to augment \$50,000 previously authorized by the Executive Officer, to contract for consultant services to facilitate development of a contemporary Hollister Ranch Access Program at Hollister Ranch, Santa Barbara County.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Public Resources Code Sections 31111 and 31104, regarding the Conservancy’s ability to undertake planning and feasibility studies and

receive financial support from public sources to carry out the purposes of Division 21. The project is consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding a System of Public Accessways.

2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”
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**PROJECT SUMMARY:**

Staff recommends that the Conservancy authorize disbursement of up to \$300,000 provided by the California Department of Parks and Recreation (State Parks) to augment \$50,000 already authorized by the Executive Officer to contract for consultant services to help prepare a Hollister Ranch Contemporary Coastal Access Program (CCAP). The consulting services could be retained through one contract for \$350,000 or several contracts for lesser amounts. A goal of the CCAP is to resolve a long-standing conflict regarding providing public access to an 8.5-mile stretch of the Gaviota Coast in Santa Barbara County.

Hollister Ranch is a 14,000-acre subdivision that includes 8.5 miles of shoreline along the Santa Barbara coast with no land-based coastal access to the adjacent public shoreline. 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. Providing public access to the Hollister Ranch shoreline has been the subject of a decades-long dispute with the owners of the Ranch. In 1982, the California Coastal Commission approved a Hollister Ranch Public Access Program which the Conservancy was directed to implement. Despite repeated attempts, the Coastal Conservancy and Coastal Commission have not been able to secure any form of public access to the Ranch. This history is summarized in detail in Exhibit 2.

In March of this year, the Conservancy, Coastal Commission, State Lands Commission, and State Parks entered into an agreement to work collaboratively to develop and implement a contemporary Hollister Ranch access program (Exhibit 3). The Conservancy volunteered to lead the planning effort and, using the delegated authority of the Executive Officer, to contribute \$50,000 to the initial planning. State Parks offered to contribute an additional \$300,000 to complete the plan. The Conservancy has already entered into a \$50,000 contract for consultant services to assist with the initial planning work. The proposed authorization would allow the Conservancy to use the State Parks funds to augment the existing contract up to \$350,000 or enter into other consulting contracts for assistance with the CCAP.

The goals of the Hollister Ranch CCAP planning process include: 1) engaging a wide variety of stakeholders in a collaborative planning process; 2) developing an over-arching shared vision for public access at Hollister Ranch that will guide development and implementation of the program; 3) ensuring that the vision and program provide for diverse, equitable, and inclusive

access that meets the needs, interests and concerns of as broad a range of Californians as possible; and 4) developing a program that can be feasibly implemented in light of the property's physical and environmental characteristics, regulatory requirements, private property interests, public safety and other identified constraints and interests.

Consultant services will be used to lead the community engagement process, assess the property's resources, identify access opportunities and constraints, summarize the strengths and weaknesses of various potential access program components, and assist the state agency team in finalizing the CCAP. Once the CCAP is complete, the Coastal Commission will consider whether to adopt it as the Hollister Ranch Access Program, replacing the 1982 plan.

**Site Description:** Hollister Ranch is a 14,000-acre, gated subdivision in Santa Barbara County with 8.5 miles of spectacular coastline. The ranch has been subdivided into 135 parcels, each of which can have up to 12 owners. The Hollister Ranch Owners Association (HROA) oversees the subdivision and manages common spaces, including the roads and shared beach facilities. Adjacent (west) to Hollister Ranch is the privately owned 24,000-acre Cojo Jalama Ranch, and then Vandenberg Air Force Base to the north. These three properties constitute the least accessible stretch of California's coastline, with less than 2 miles of general public access in a 60-mile stretch. Adjacent to the property on the downcoast side (east) is Gaviota State Park.

The shoreline of the Hollister Ranch features tall bluffs, punctuated periodically by rocky outcroppings and pocket beaches. This topography makes it nearly impossible to walk safely along the shoreline from Gaviota State Beach to the Hollister Ranch beaches. This section of coast provides some spectacular scenic and recreational opportunities including excellent surfing areas, surf-fishing, diving areas, tidepools, and beaches with recreational and habitat values. None of these resources are currently accessible to the general public except those traveling by boat, landowner guests, or invitees to the Ranch. The public is currently excluded from both the shoreline and Rancho Real Road, a private road that extends from the first public road through the 12 miles of Hollister Ranch and intersects with six private access roads leading to the shoreline.

This section of shoreline has rich and varied habitat supportive of one of the most intact terrestrial ecosystems on the south coast. The intertidal marine resources along the coast are rich and substantially pristine.

Railroad tracks used by Amtrak and freight trains are located between Rancho Real Road and the coast. At two of the beach access points, the railroad tracks cross via trestle bridges. This allows people to walk under the trestle and get safely on the other side of the tracks. At all other beach access points, there are uncontrolled, at-grade crossings which pose a significant safety risk for future public use.

Most of the Ranch land is open space that is used as grazing land by the Hollister Ranch Cattle Cooperative. There are very few fences on the property and cattle are sometimes found on Rancho Real Road.

**Project History:** The dispute over public access to the Hollister Ranch dates to the earliest days of the Coastal Act. A brief project history is provided below with a more detailed summary of the dispute is provided in Exhibit 2.

The Ranch was purchased and subdivided before the enactment of the Coastal Act. In the late 1970s, the Coastal Commission attempted to obtain public access to the Hollister Ranch coast through the then-traditional regulatory process of requiring individual property owners to provide beach access as a condition of their coastal development permits. Unfortunately, this effort was met with strong opposition and multiple lawsuits by property owners. To resolve the disputes between property owners and the Commission, the Legislature amended the Coastal Act to allow the Coastal Commission to designate coastal subdivisions with inadequate public access as eligible for an alternative process for meeting the Coastal Act's public access mandate, wherein acquisition is funded through the imposition of in-lieu fees (Public Resources Code 30610.3). Once an area is designated as eligible, the Commission develops a coastal access program that will ensure meaningful public access. The Coastal Conservancy implements the program through a management plan.

The Commission designated Hollister Ranch as eligible for the program, and in 1982 approved the Hollister Ranch Public Access Program for the Ranch. This program relied on the acquisition of public access property rights from the Ranch owners, which was to be funded through the in-lieu fee program. The State Coastal Conservancy and the Commission attempted to implement the access program but were unable to overcome landowner opposition and were not successful in attempts to acquire the necessary property rights. Discussions continued for years, but no access was gained.

In 2013, the Conservancy accepted an offer to dedicate which conveyed to the Conservancy limited access rights to the ranch. The offer to dedicate was the result of an earlier Coastal Development Permit issued to the YMCA. The Conservancy and Commission were sued by the HROA and three landowners over the legitimacy of the access rights. In 2017, the Commission and Conservancy entered into a settlement agreement with the HROA that would provide limited public access to the beach from the water and increased access to the Ranch's beaches through supervised access opportunities offered to nonprofit organizations. Once the terms of the settlement agreement were made public, significant public opposition arose and sparked renewed interest in implementing the 1982 Hollister Ranch Public Access Program. The settlement agreement has not yet been confirmed by the court, and it remains uncertain if the negotiated access will be realized.

Subsequently, AB 2534 (Limón) was introduced which directed all relevant state agencies to work together using their existing authorities to provide timely public access through the subdivision to its coastline. Ultimately, the bill was vetoed by Governor Brown. In his veto message, the Governor indicated that the 1982 Hollister Ranch Public Access Program should be updated before taking additional steps.

In February 2019, Assemblymember Limón introduced AB 1680 which is a revised version of the earlier AB 2534. One component of the bill calls for the Conservancy, Commission, State Lands Commission, and State Parks to work together to update the Hollister Ranch Coastal Access Program. When AB 1680 was still under consideration by the legislature, the four state agencies recognized the need for collaborative effort at Hollister Ranch and began to work together. They signed the collaboration agreement in March 2019, and began to work on development of the CCAP shortly thereafter.

**PROJECT FINANCING**

<b>State Parks</b> ( <i>via</i> interagency agreement with the Conservancy)	<b>\$300,000</b>
Coastal Conservancy (previously authorized via Executive Officer Delegated Authority)	\$50,000
<b>Project Total</b>	<b>\$350,000</b>

California State Parks is providing funds specifically for development of the Hollister Ranch CCAP.

The source of Coastal Conservancy funds previously authorized by the Executive Officer pursuant to delegated authority is an appropriation to the Conservancy from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Proposition 12, Public Resources Code Section 5096.300 et seq.). Proposition 12 funds appropriated to the Conservancy may be used for projects that are consistent with Division 21 of the Public Resources Code and involve the development of public use facilities. Public Resources Code Section 5096.352(c)(3) directs that a portion of Proposition 12 funds be used by the Conservancy specifically for projects in Santa Cruz, Monterey, San Luis Obispo, and Santa Barbara Counties. Consistent with Proposition 12, the proposed project consists of development of a public access plan in Santa Barbara pursuant to Chapter 9 of Division 21 of the Public Resources Code (see Consistency with the Conservancy’s Enabling Legislation).

**CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

The proposed project is undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 *et seq.*).

Section 31400 states that it is the intent of the Legislature that the Conservancy have a principal role in the implementation of a system of public accessways to and along the state’s coastline.

Pursuant to section 31400.2, the Conservancy may provide up to the total cost of the initial development of public accessways. Consistent with this section, the amount of funding

provided by the Conservancy and Parks has been determined by the total amount of funding available for coastal public accessway projects, the urgency of the project relative to other eligible projects, and the application of the Conservancy's Project Selection Criteria and Guidelines, as described below.

Pursuant to section 31400.3, the Conservancy may provide such assistance as is required to aid public agencies and nonprofit organizations in establishing a system of public coastal accessways, and related functions necessary to meet the objectives of this division. Consistent with this section, the Conservancy is working collaboratively with the three other state agencies to develop a program for public access to the Hollister Ranch shoreline.

In addition, Public Resources Code section 31111 allows the Conservancy to undertake plans and feasibility studies to carry out the purposes of Division 21 of the Public Resources Code. Section 31104 authorizes the Conservancy to receive funds from outside sources for the same enabling purposes.

**CONSISTENCY WITH CONSERVANCY'S ACCESS PROGRAM STANDARDS:**

The CCAP will be developed to be consistent with the Conservancy's Access Program Standards, as summarized below.

Click on the link to read the complete [Accessway Standards.](#)]

**Standard No. 1, Protect Public and Coastal Resources:** Consistent with Standard No. 1 the CCAP will identify appropriate public access points and facilities based on consideration of several factors including minimizing impacts to coastal resources, preventing unwarranted hazards to land and public safety, and ensuring the privacy of adjoining residences.

**Standard No. 12, Support Facilities:** Consistent with Standard No. 12, the CCAP will identify necessary support facilities such as parking, bathrooms, and signage for each component of the CCAP.

**Standard No. 13, Barrier-Free Access:** The CCAP will provide barrier-free access to the greatest extent possible and consistent with State and Federal laws.

**CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#)  
GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 2, Objective B** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will develop a program for opening an area of California's coast that is currently inaccessible for public access.

**CONSISTENCY WITH CONSERVANCY'S  
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

**Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Promotion and implementation of state plans and policies:**
  - Coastal Act – Public Resources Code Section 30610.8 specifically addresses public access at Hollister Ranch and requires the Conservancy and the State Public Works Board utilize their authority to provide public access at Hollister as expeditiously as possible.
4. **Support of the public:** Over the past 18 months, hundreds of people have either sent emails or letters to the Coastal Commission or testified at Commission meetings advocating for public access to the Hollister Ranch. The planning effort is supported by Assemblymember Limon and the County of Santa Barbara.
5. **Location:** The proposed project study area is located within the coastal zone of Santa Barbara County.
6. **Need:** Providing public access to Hollister Ranch will require overcoming multiple challenges. Funding and collaborative effort by all four state agencies will be needed in order to be successful. Conservancy and Parks funding are critical to developing an access program.
7. **Greater-than-local interest:** The Hollister Ranch is a spectacular part of the California coastline that has changed little over the past 150 years. This makes it unique place to visit. The coastline also has several high-quality surf breaks that would draw surfers from throughout the State.
8. **Sea level rise vulnerability:** As with any coastal access, future sea level rise will change shoreline conditions and potentially effect access opportunities. Any infrastructure recommendations included in the CCAP will consider a range of sea level rise scenarios for the years 2050 and 2100 in order to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise.

**Additional Criteria**

9. **Conflict resolution:** The goal of the proposed planning effort is to resolve a long-standing conflict over public access to this special part of the California coast.

10. **Readiness:** The State agencies are already working on the CCAP and the additional funding is needed immediately.
11. **Cooperation:** The project is being undertaken as a collaborative planning effort of the four State agencies, the Hollister Ranch Owner's Association, the County, and a wide array of public stakeholders. This includes participation by the Santa Ynez Band of Chumash Indians.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The 1982 Coastal Land Use Plan of the Santa Barbara County Comprehensive Plan is the approved Local Coastal Program for Santa Barbara County. Section 3.7 of the plan addresses coastal access within the county. Policy 7-1 states that the County shall take all necessary steps to protect and defend the public's constitutionally-guaranteed rights of access to and along the shoreline. Section 3.7 calls out the need for more accessways to the County shoreline, and specifically mentions Hollister Ranch. The proposed project is consistent with the LCP as it will develop a public access program for the Hollister Ranch.

**CEQA COMPLIANCE:**

The proposed project involves only feasibility and planning studies and it may include basic data collection, resource evaluation, and research, that will not impact any environmental resources, for possible future action which has not yet been approved, authorized, adopted, or funded by the Conservancy or another agency. Therefore, the proposed project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations title 14, section 15262 and categorically exempt from CEQA pursuant to California Code of Regulations, title 14, section 15306. Planning carried out as part of this project will consider environmental factors as required by section 15262.

Upon approval of the project, Conservancy staff will file a Notice of Exemption.