

CALIFORNIA COASTAL COMMISSION

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W6D

August 16, 2018

The Honorable Betty Yee
Chair, California State Lands Commission
California State Controller
100 Howe Ave. Suite 100-South
Sacramento, CA 95825

RE: Hollister Ranch Public Access Program

Dear Chairwoman Yee:

One of California's most exceptional core values as a state is the notion that all residents, regardless of race, religion, gender, socio-economic status or place of residence, share a fundamental, equal right of access to the coast. Along with the State Coastal Conservancy, our two agencies are on the leading edge of protecting and implementing that vision for all people. Since their inception, the California State Lands Commission and the California Coastal Commission have shared a common mission on behalf of the public's constitutional right to access navigable waters and state tidelands, consistent with resource protection policies and private property rights. Together, we have brought our agencies' separate but complimentary statutory authorities to bear on several intractable coastal access and resource challenges with great success. In the last decade alone, our Commissions have teamed up to halt exorbitant beach access fees at Paradise Cove in Malibu, phase out the country's last beach sand mining operation in Monterey, and we are currently collaborating on permanently protecting historic public access to Martins Beach in San Mateo County.

It is with these shared successes in mind that I write to bring your attention to a longstanding, coastal access conundrum that has stymied the Coastal Commission since the earliest days of the Coastal Act. Hollister Ranch in Santa Barbara County is a 14,500-acre historic cattle ranch with 8.5 miles of spectacular, secluded shoreline. The property was subdivided in 1971 into a gated community comprised of 136 private parcels and commonly owned open space.

The Coastal Commission's initial attempts to open the Hollister Ranch shoreline to public access through the regulatory process (permit conditions that required public access easements) were met with strong opposition by the residents in the form of multiple lawsuits. In an attempt to resolve these legal disputes and ensure timely public coastal access at Hollister Ranch, the Legislature enacted Public Resources Code Section 30610.3 in 1979, and Section 30610.8 in 1982, giving the Commission and the State Coastal Conservancy explicit authority to adopt, fund and implement a comprehensive access program at Hollister Ranch.

After three public hearings and subsequent revisions, the Coastal Commission adopted the final Hollister Ranch Public Access Program (attached) in 1982, which was to be implemented in

The Honorable Betty Yee
August 16, 2018
Page 2

three phases subject to ongoing monitoring and management. The plan includes bicycle, pedestrian and van access from Gaviota State Park, visitor-serving improvements such as bathrooms and picnic areas, general hours of operation, and daily caps on visitation between 100-500 persons per day. However, the land owners' unwavering resistance to any public coastal access beyond a very small number of supervised educational and recreational field trips has effectively blocked the plan's implementation for more than 35 years. Thus, the Coastal Act's vision of meaningful and timely public access at Hollister Ranch, and the Legislature's explicit direction to that effect has never been realized.

Given our belief that constitutionally guaranteed access to state tidelands is not being provided at Hollister Ranch as legislatively mandated, the Coastal Commission respectfully requests that the State Lands Commission consider looking into this matter. We would appreciate your agency's consideration of how best to utilize any and all of your existing legal authority to advance the implementation of the Commission's Hollister Ranch Public Access Program, prepared and adopted pursuant to Public Resources Code Section 30610.3(b).

This is a matter of high priority for my fellow commissioners, my staff, and myself. Commission staff will gladly provide you with additional information you may need, and we welcome the opportunity to discuss this matter with you further.

In closing, let me take this opportunity to thank you for your work on behalf of the people of California, and for supporting the strong, collaborative working relationship between our two agencies.

Sincerely,

A handwritten signature in blue ink that reads "Dayna Bocho". The signature is fluid and cursive, with the first name "Dayna" and last name "Bocho" clearly legible.

DAYNA BOCHCO, Chair
California Coastal Commission

cc: The Honorable Gavin Newsom, Lieutenant Governor
Michael Cohen, Director of Finance
Jennifer Lucchesi, Executive Officer, State Lands Commission

**ADOPTED
COASTAL ACCESS PROGRAM
for the
HOLLISTER RANCH**



AUGUST 18, 1981



**JOINT COASTAL ACCESS PROGRAM
CALIFORNIA COASTAL COMMISSION/
STATE COASTAL CONSERVANCY**

CALIFORNIA COASTAL COMMISSION
631 Howard Street, San Francisco 94105 — (415) 543-8555

August 16, 1982

TO: Commissioners and Interested Persons

FROM: Paul Thayer, Coastal Program Analyst

SUBJECT: Revised Hollister Ranch Access Program

August 16, 1982

Background

Section 30610.3 of the Coastal Act establishes a method for the provision of public access within subdivisions (with private roads) which meet certain criteria. The Commission designated Hollister Ranch, located in western Santa Barbara County, as a subdivision where access would be appropriately provided through the procedures outlined in that section. In accordance with those procedures the Commission adopted an access program for the Ranch in August, 1981. At the time it adopted the program the Commission acknowledged that changes might be required to reflect the environmental assessment report, which was then in the process of preparation, and because of the inability of staff to gain access to all of the portions of the Ranch where access easements were contemplated.

The completed environmental assessment report was presented to the Commission in March, 1982. The report evaluated the natural resources of the Ranch's shoreline and included recommendations as to how public access could be implemented with the least adverse impacts on those resources. The Commission directed that the staff develop access program revisions based, in part, on the information and suggestions of the environmental assessment report. These revisions, which also considered further discussions with the Ranchowners Association and the Coastal Conservancy staff, were adopted with additional modifications by the Commission in May, 1982. The enclosed Hollister Ranch Access Program is the original August, 1981 report which has been revised by staff to reflect the changes made by the Commission in May.

If the Commission concurs with the language of the Access Program and its findings, the Program will be transmitted to the Coastal Conservancy for implementation pursuant to Section 30610.3.

Staff Recommendation

The staff recommends that the Commission concur that the enclosed Hollister Ranch Access Program reflects the Commission's adoption of the program in August, 1981 and modification of it in May, 1982, and adopt the attached findings in support of that program.

(8/24-27/82)

EXECUTIVE SUMMARY

The Hollister Ranch Access Program is a plan for provision of public access to coastal resources at Hollister Ranch. The plan has been designed for phased implementation pursuant to Public Resources Code § 30610.8. The phasing has been designed to be consistent with the findings and recommendations set forth in the "Report of the Environmental Assessment Panel" prepared for the Commission by Christopher P. Onuf and submitted February 8, 1982. Upon approval of this document, the Commission will forward the first phase of this plan to the State Coastal Conservancy for implementation. The State Coastal Conservancy will then formulate and define the project to be implemented with the funds appropriated by the Legislature for this purpose. In formulating the project, the State Coastal Conservancy will be guided by the priorities for implementation established in this plan. The Commission will review the project implemented by the Conservancy for adequacy of public access and protection of coastal resources before any further implementation of phases II and III of this plan is scheduled.

The Hollister Ranch Access Program consists of two major sections. The first section consists of the Commission's findings for adoption of the access program. The second section describes the phasing and operation of access provisions.

I.

FINDINGS

A. Background

Hollister Ranch is a 14,000 acre subdivision of 135 lots consisting of approximately 100 acres each along approximately eight and one-half miles of shoreline near Point Conception in Santa Barbara County. (See Exhibit 1) MGIC Equities, Inc., the present owner-developer, has sold and offered for sale the parcels to individuals or groups of individuals. Under the Covenants and Restrictions of the Hollister Ranch no parcel may be held by more than 12 co-owners. Title to the common areas has been retained by the developer until all of the lots in the Ranch are sold, at which time title passes to the Ranchowners Association. The land adjacent to the coastline is composed of common area. The subdivision is not open to the public; access is controlled by the Ranchowners Association.

Thirty-one of the lots have been developed with single-family residences; eight have more than one residence on them. County zoning would permit up to five houses on each lot, but only one residence per lot is permitted in the County Land Use Plan.

The Commission previously has made findings that residential development could only be found consistent with the Coastal Act if provisions for public access to coastal resources at Hollister Ranch were assured.

No public access to or along the sea currently exists for a 30-mile stretch of coast extending from the west and north of Gaviota State Park (one mile to the east of Hollister Ranch) to Jalama Beach Park, a county park 10 miles north of point Conception. The three major land holdings along this stretch of shoreline include Hollister Ranch (14,000 acres), the Southern California Edison parcel at Cojo Bay between Hollister Ranch and Point Conception, and Bixby Ranch (24,000 acres). Along the 64 miles of shoreline in North Santa Barbara County, there are only four areas totalling 1.3 miles of ocean frontage available for public use. This stretch of coast provides some of the more spectacular visual and recreational opportunities including excellent surfing areas, good surf fishing, diving areas, and beaches with excellent recreational and habitat values. None of these resources is available to members of the general public except for those owning land along this stretch of coast or who travel to this area by boat. The public is currently excluded from both the shoreline and Rancho Real Road, a private road which extends from the first public road through the 12 miles of the ranch and intersects with six private accessways leading to the shoreline. Access to and along the coast is, thus, only available to members of the Hollister Ranch Homeowners Association and their guests.

The Commission has approved issuance of permits conditional upon provision of access through a combination of designated recreation areas over commons areas, pedestrian trails and a shuttle system to the recreation areas.

The Commission's decision was challenged in court as requiring inter alia an invalid condition, that is, that the individual property owner could not be required to provide access over common areas owned and controlled by the Ranchowners Association. Because the Coastal Commission had designated Hollister Ranch in February 1980 as being suitable for inclusion, pursuant to Public Resources Code § 30610.3, in an in-lieu fee program to obtain public access, the court remanded the permits in July 1980 for Commission reconsideration in view of this mechanism for obtaining access.

In August and September 1980 the Commission took public testimony on the subject of public access at Hollister Ranch, and representatives of the Ranchowner's Association requested that the area's coastal resources be studied prior to the adoption of any specific access program. In November 1980 the Association

submitted a study proposal to the Commission and suggested the name of individuals who could conduct the research. The Commission in April 1981 authorized the study to evaluate the natural resources along the Hollister Ranch shoreline. The study was to include recommendations on the appropriate levels of public use consistent with the protection of identified sensitive resources. The commission staff was escorted through common areas accessible from Rancho Real Road in July 1981, but have been refused access to all but four private lots and to any further inspection of common areas. Based on the incomplete on-site survey and subject to refinement after completion of the environmental review commissioned in April 1981, the Commission adopted a preliminary access plan in August 1981.

The environmental report was concluded in February 1982 and presented to the Commission in March 1982. The Commission directed staff to review the access program for Hollister Ranch in light of the environmental study and to recommend appropriate revisions.

In view of the continuing impasse over public access at Hollister Ranch, the Legislature enacted Public Resources Code § 30610.8 in February 1982. The Legislature recognized that establishment of an in-lieu fee for purchase of access at Hollister Ranch could be delayed indefinitely because of the refusal of the Ranchowner's Association to cooperate in the process. Accordingly, the Legislature fixed the amount of the in-lieu fee at \$5,000 for Hollister Ranch. The Legislature also appropriated \$500,000 for expenditure by the Conservancy to implement an access program at Hollister Ranch. The Legislature expressly found "...that a dispute exists at the Hollister Ranch in Santa Barbara County with respect to the implementation of public access policies of this division [of the Coastal Act] and that it is in the interests by the state and the property owners at the Hollister Ranch to resolve this dispute in an expeditious manner. The Legislature further finds and declares that public access should be provided in a timely manner and that in order to achieve this goal, while permitting property owners to commence construction, the provisions of this section are necessary to promote the public's welfare."

In April 1982, Commission staff met with representatives from the Ranch Owners Association seeking agreement as to an access program. While no overall agreement was achieved with the Association, the Association concerns as to impacts on agricultural operations, natural resources, and private property rights were reflected in the access program revisions presented to the Commission.

In May 1982 the Commission reevaluated and weighed its preliminary access program in light of the environmental study received from its consultant in March. The Ranchowners Association has continually refused permission for inspection

of the Ranch for purposes of defining appropriate public access.

The phasing and monitoring of the public access program set forth herein is the Commission's determination of what access must be provided to the public at Hollister Ranch for consistency with the public access provisions of the Coastal Act and the specific legislative mandates for provision of access at the Ranch, balanced with the needs for protection of resources identified in the environmental study, agricultural operations and private property rights at Hollister Ranch.

B. Physical Environment at Hollister Ranch

1. Shoreline. The Hollister Ranch includes approximately 8.5 miles of ocean frontage. The easterly portion of the shoreline consists of a series of pocket beaches separated by headlands and points. The pocket beaches are formed either at the mouths of intermittent or perennial streams, or in the bights or coves created by the points.

In the westerly half of the Ranch, the beaches are wider and more continuous. The major beach areas, generally named after the arroyo or stream channel that ends at the beach, are known, from east to west, as: Caliente, Alegria, Cuarta (YMCA Beach site), Secate, Drakes (at Canada de Santa Anita), Bulito, and San Augustine. (See Exhibit 2) The headlands and points along the Ranch shoreline are, from east to west: Razor Blades, Big Drakes, Panoches, Ranch House Point, and an unnamed headland at San Augustine (see Exhibit 3).

The beach width along the shoreline varies considerably. In July 1980 the major beach areas were 75 to 150 feet wide near the low tide stage, with dry sand areas up to 50 feet wide. At high tide, these beach areas are narrower, although still passable, particularly during the summer and early fall. However, some portions of the shoreline are impassable even during low tide in the summer; these locations are characterized by wave runup that reaches the toes of coastal bluffs and a number of seawalls that were installed to protect railroad tracks.

Steep bluffs run along virtually the entire Ranch shoreline. The only exceptions are where stream corridors cut into the bluffs and end at the shoreline (e.g., the major beach areas). Bluff elevations range from a few feet above sea level near the mouth of streams to more than 100 feet near some headland areas.

2. Habitat. Hollister Ranch has a rich and varied habitat (see Exhibit 4). The near coastal terrestrial environment (i.e., between the beach and Rancho Real Road), consists of

three native plant communities including coastal strand vegetation, shrubland (coastal sage scrub and chapparral) and woodland (oak and riparian). Herbland, consisting primarily of introduced and native herbs and grasses, also exists at various locations within the Ranch.

The environmental assessment report, completed in February of 1982, noted that the natural resources of the shoreline varied at different parts of the Ranch. Small wetlands occur at the creek mouths of Canada del Agua Caliente, Canada de Alegria, Canada de Santa Anita, El Bulito, and Canada de los Agujas, and with the exception of Canada de los Agujas, are considered perennial streams; the stream through Canada de Santa Anita is anadromous. Sacate Creek is a perennial stream. A number of rocky intertidal and subtidal areas are located along the shoreline at the headland points and at various rock outcrops. These rocky intertidal areas support tidepool marine life and are haul out areas for harbor seals (see Exhibit 4).

The assessment report concluded that the rocky intertidal areas in close proximity to Alegria and Agua Caliente Beaches could be most subject to abuse from excessive access.

Rare and endangered plant species known to occur within the Hollister Ranch region include Lomoc yerba santa (Eriodictyon capitatum), Hoffman's sanicle (Sanicula boffmanii), and black flowered figwart (Scrophularia altrata).

Rare and endangered animal species known to occur in the Hollister Ranch region include the peregrine falcon, southern bald eagle, brown pelican, and least tern. Legally protected species that occur in the region include red legged frog, white tailed kite, golden eagle, ringtail, and harbor seal. (Source: Final Environmental Impact Report for the Proposed YMCA Pendleton Ocean and Ranch Camp, September, 1979).

3. Existing Land Use. Land use patterns on Hollister Ranch are typical of a low density, rural-residential, agricultural development. Physical improvements on the ranch include roads, a single track railroad with sidings, recreation facilities, residences, agricultural operations, and utilities.

4. Circulation. The Southern Pacific Railroad tracks run along the length of the Ranch, ranging from less than 100 to 1,500 feet from shoreline. The railroad right-of-way is 100 feet in width along most of the route, although it is wider at the siding locations.

Rancho Real is the main east-west road that runs through the Ranch. It is a paved winding road, approximately 20 feet wide; it can accommodate one lane of traffic in each

direction. The Rancho Real right-of-way is 200 feet wide. Rancho Real actually begins at Gaviota State Park and becomes a private road at the Rancho's easterly boundary. The road runs along the inland side of the railroad right-of-way in the eastern third of the Ranch and then moves inland through the remainder of the Ranch, approximately 1,500 to 2,500 feet from the shoreline. Rancho Real intersects with six narrow roads that provide access to the shoreline at the major beach recreation areas. These beach access roads cross the railroad at grade in the four western locations; at the two eastern most locations (Caliente and Alegria) the railroad passes above the beach areas and the beach access road via trestles.

5. Beach Recreation Facilities. The six beach areas for which access roads have been constructed have been developed to varying degrees. Facilities at Caliente, Alegria, and Sacate include the access road, parking area, trash cans, and picnic tables. Drakes, Bulito, and San Augustine have been more extensively developed; facilities at these beaches include permanent cabana structures, complete with showers, fire rings, landscaping, and restrooms. In addition to the access roads to the cabana structures, there are roads leading directly to the beach; these roads provide vehicular access on the beach areas (vehicle tire tracks were observed at San Augustine during the July field trip). A wooden play structure has been constructed at Drakes Beach.

6. YMCA Facilities. The YMCA of Metropolitan Los Angeles has been granted a coastal development permit for the development of camp and conference facilities on a parcel within the Ranch subject to the condition that controlled public access to the beach be provided for 50 persons per day.

7. Residential Development. Hollister Ranch consists of 135 lots of approximately 100 acres each. The zoning for the ranch, as outlined in the Santa Barbara County LCP's Land Use Plan, limits development density to one dwelling per 100 acre; but also provides for conditional use approvals for agriculturally related structures such as workers' dwellings, a guest house, and/or stables.

Residential units have been constructed on 31 parcels within the Ranch to date. In accordance with earlier County zoning provisions, allowing up to five dwelling units per lot, some lots have been developed with more than one residence.

8. Agricultural Operations. With the exception of two parcels, the entire Ranch was designated an agricultural preserve when the ranch was subdivided. The primary operation is a cattle cooperative. All parcel owners are members of the co-op or lease their land to other members. The cattle herd averages about 1,800 head and is the largest cattle co-op in the county. Various portions of the Ranch are used for

grazing, including grasslands near the beach. A bull pasture is located near the shoreline just west of Bulito Beach.

Intensified agricultural uses include irrigated fields for avocados, citrus trees, and ornamental flowers. Approximately 1,000 acres are in use for the dry farming of oats, barley and wheat.

9. Utilities and Appurtenant Structures. Other facilities at the Ranch include the Ranch headquarters complex (the old Santa Anita Ranch), the Ranch Gate House, a fire station, and cattle co-op facilities (e.g. cattle scales, pens, etc.). Sewage disposal is provided by septic tanks. The water system consists of developed wells for domestic use and wells, reservoirs, and catch basins for irrigation purposes. Electricity and telephone lines are available within the Ranch. A Texaco Oil Company pipeline extends along the railroad tracks throughout most of the Hollister Ranch shoreline area.

C. Current Level of Public Access

Today there is virtually no public access to the State-owned tidelands along the 8.5 miles of Hollister Ranch. The Ranch does grant permission at its sole discretion for small groups to visit beach areas for scientific and educational purposes. The Homeowner's Association estimates that one such group visits the Ranch each week. Otherwise, the beach areas are restricted to the members of the Ranch and their guests. The restrictive covenants of the Ranch allow a maximum of 1,620 persons on the beach common area daily.

The points and headlands along the Hollister Ranch coastline, in conjunction with the orientation of the coastline itself, produce some of the best surfing conditions in the world. Well known surf breaks include "Razor Blades," "Drakes," "Little Drakes," "Ranch House Point," "Utahs," "Rights and Lefts," "San Augustine," and "Lefts and Rights." (See Exhibit 3) The only current public access to these surfing areas is via boat; surfers launch boats from the pier at Gaviota State Beach and anchor offshore adjacent to the surfing areas. Under the conditions of a Regional Commission permit, part of the operation of the YMCA facilities includes the provision of day use of the 3/4 mile of beach area, over which the YMCA holds a non-exclusive easement, for 50 people through a daily membership program.

The useable beach areas along the Ranch shoreline have been developed, in varying degrees, for recreation use by Ranch members. In some areas development consists of only access roads, parking areas, tables and trash cans. However, other beach areas include cabanas, landscaping, play structures and roads to the beach for boat launching.

Hollister Ranch currently is approximately 23% developed (i.e. structures on 31 parcels). Current users of beach areas include current residents, guests, and members of surf clubs that purchased lots at the Ranch. Under the current covenants and restrictions on the Ranch, the common areas (including beaches) may be used by up to 12 persons per parcel per day. The Ranchowner's Association refuses to disclose information on current Ranch use (e.g. daily counts of vehicles and people onto the Ranch). Although it is unlikely that private use would be at the maximum on any given day, the potential exists for a daily private use of 1,620 people.

D. Facilities to be Developed through the Access Program

The access facilities described in the following paragraphs include a pedestrian trail, bike path, shuttle system, and support facilities. Combined with the operation and management program in the following section, these facilities are designed to provide diverse public access opportunities with an intensity and type of use consistent with the preservation of coastal resources, as well as with the protection of the agricultural operations and private property rights.

1. Pedestrian Trail. The pedestrian trail has been designed to provide continuous lateral access along the shoreline. In places where access along the beach is impossible during all or a significant portion of the year, the trail provides an alternative method for getting from one portion of the shoreline to another. The trail allows the public to hike to the beaches from the main gate rather than use the shuttle. Finally the trail is important in the larger context of providing one segment in a longer, continuous coastal trail, a concept consistent with the policies of the Commission-approved Santa Barbara County Land Use Plan. The route of this trail will be along the existing Rancho Real road right-of-way. This trail location will cause minimal impacts on agricultural operations and private property and will facilitate supervision by the managing agency.

Access from the trail to the beach areas will be provided via the existing beach access routes. The railroad will be crossed at existing grade crossings or underpasses. The trail will be designed and located to restrict railroad crossings to the designated points.

2. Bike Path. The bicycle path alignment runs along Rancho Real Road and the existing beach access roads. The bike path provides an alternative method of access to beach areas within the Ranch. In addition, the bike trail has the potential to link the proposed Santa Barbara Bike Trail from Goleta with points west of the Ranch.

Since the bike lane runs along the paved road, it is essentially already developed as a Class III bike lane.

3. Passenger Van. The passenger van system will provide the only public vehicular access to the beach areas within the Ranch. The passenger van will transport passengers from the staging area in Gaviota State Park to the beach use areas. The passenger van system will minimize the vehicle trips for public access and ensure that public vehicular access is controlled in keeping with coastal resources protection and reasonable expectations of privacy of Ranch owners.

4. Beach Recreation Areas. In general, the beach recreation areas consist of the useable beach area that can be reached by walking from an existing access point as well as enough upland area for support facilities. Typical recreation activities appropriate for these areas include, but are not limited to walking, running, sunbathing, surfing, swimming, diving, fishing, viewing, and picnicking.

5. Facilities at Beach Recreation Areas. Development of the beach recreation areas will include support facilities designed to accommodate user needs, i.e. to minimize public impacts, to promote health and safety needs in the recreation areas, and make the areas most useable for public recreation. Facilities will include restrooms, a water supply system for drinking water and showers, trash containers, and the shuttle turn-around area. Signs will be installed at the beach areas to inform users of their rights and responsibilities.

6. Continuous Shoreline Access. A public right of access will be obtained through implementation of the Hollister Ranch Access Program along the entire Hollister Ranch shoreline of a width equal to the distance between the mean high tide line (current State-owned tidelands) inland to the toe of the bluff or revetment. This right of access will allow public use at any portion of the shoreline.

7. Access Staging Area. With the exception of periodic trips by the passenger vans, no motorized vehicular public access will be allowed on the Ranch. Therefore, a staging area must be provided for people wishing to hike and bike in, or waiting for a passenger van to bring them into the Ranch. The proposed staging area is not located on Hollister Ranch, but on State Park property just to the east of the Ranch's property line. The staging area will include a parking lot for at least 100 cars, a transit shelter for passenger van patrons, and an information kiosk.

8. Phasing of Implementation. In order that public access may be achieved in a manner consistent with Coastal Act policies regarding public access, protection of environmental resources, agricultural operations and private property rights

on the Ranch, the implementation of the Hollister Ranch Access Program shall be phased as set forth in the access provisions which follow.

9. Review of Use. Public use of the rights of access obtained pursuant to Phase I shall be limited, so that the impacts of increased usage can be reviewed by the Commission before later planning phases are implemented. The Commission finds that a maximum of 100 persons per day admitted initially to the Ranch pursuant to the public access plan will assure adequate protection of coastal resources consistent with the public's right of access to State-owned tidelands.

10. Maximum Public Usage. Maximum public usage of the rights of access acquired in all phases of the program shall not exceed 500 persons per day.

11. Pedestrian and Cyclist Use. To provide diverse opportunities for public use of the rights of access described in the program, no more than 20% nor less than 10% of the daily limit on public admittance shall be reserved for pedestrian and non-motorized cycle access. This percentage may be altered as estimates of public demand are revised as a result of experience with the Access Program.

12. Day Permits. An entry control system issuing day permits for cyclists and pedestrians seeking access to the Ranch will facilitate monitoring and protection of the fragile environmental resources.

13. Management. The Executive Director of the Commission shall review and approve for consistency with Coastal Act policies the management plan before the opening of the access areas in each phase to ensure protection of the environmental resources present on Hollister Ranch in the areas available for public use, protection of agricultural operations and protection of the rights of private property owners, including protection against trespassing, littering and fires.

II.

HOLLISTER RANCH ACCESS PROGRAM PROVISIONS

A. Plan Phasing.

The implementation of the Hollister Ranch Access Program is phased. Each phase and the elements of each are listed in order of relative priority for acquisition and development of rights of access. The State Coastal Conservancy should proceed with project implementation, including access acquisition, as funds are appropriated for this purpose and pursuant to law, in the order listed (by phase and within each phase). Upon forwarding of this plan to the State Coastal

Conservancy, it shall formulate a project for implementation taking into consideration the priorities for public access, as well as the manner in which a managing agency will protect coastal resources, agricultural operations and private property rights.

The rights of access described herein should be described in the implementation project after site inspection and survey to include all areas necessary for maintenance, placement, construction and/or repair of the access areas or public improvements to the access areas or to respond to emergencies. Improvements to facilitate public use shall be determined in defining the project for implementation. Such improvements may include, but are not limited to, the following: any support facilities, including water collection, storage, and supply facilities; toilet facilities; trash receptacles and other ancillary improvements; signs, surfacing materials, fences and related parking lot and accessway improvements determined in the discretion of the acquiring agency to be necessary for public safety and the need to protect public rights, rights of private property owners and natural resource areas from overuse; stairways, bridges, culverts, retaining walls and similar improvements determined necessary for public safety and the need to protect public rights, rights of private property owners and natural resource areas from overuse. The acquiring agency may provide in the project that such improvements may be placed, installed, maintained, repaired or replaced by the managing agency, its contractors, employees and/or agents. The project may provide that trees and other vegetation within the access areas may be removed, pruned or controlled as reasonably necessary to maintain or improve the access areas to facilitate public use and safety.

The maximum public usage of all of the rights of access acquired pursuant to all phases of the plan described herein shall be 500 persons per day, not including any persons entering the Ranch pursuant to any other public or private rights of entry or use not described as part of the access program.

Public use of the access is to be limited to the period from sunrise or 6:00 a.m., whichever is earlier, until 9:00 p.m. The managing agency should set appropriate hours of daylight opening within these parameters in view of public demand for use and legitimate expectations of privacy by property owners.

In formulating the access project, the acquiring agency should define all access so as to be free and clear of all liens and encumbrances which could interfere with the public use and access, including the effect of any covenants or restrictions of the Ranchowners Association on rights of access.

1. Phase 1.

a. Public access to San Augustine Beach

1. A right of access for controlled use of Rancho Real Road from the easterly boundary of the Ranch to the San Augustine Accessway, an existing common area road easement, and along the accessway to a van turnaround area. The public use shall be limited to vehicular travel by passenger vans, having a capacity of up to 15 persons, under the direct control and supervision of the managing agency and for vehicles determined necessary for improvement, maintenance and operation of easements acquired and for emergency vehicles.

2. A van turnaround area southerly of the railroad tracks for van parking and turnaround, for van passenger loading and unloading and ancillary improvements, including identifying signs, and for such other maintenance and emergency access as are determined to be necessary by the agency acquiring said rights of access.

3. A right of public access from the turnaround area to the beach for pedestrians and vehicles determined necessary by the acquiring agency for improvements, maintenance and public safety, and for emergency vehicles.

4. A right of public access and use of San Augustine Beach and Bulito Creek Beach, adjacent to and accessible from San Augustine Beach, between the mean high tide line and the toe of the bluff or first line of vegetation, whichever lies closer to the water's edge, for the purposes of recreational and educational use, including, but not limited to such activities as swimming, surfing, walking, jogging, picnicking, sunbathing, fishing, photography, birdwatching and sport activities not requiring placement of permanent improvements.

5. An easement for toilet, water and other support facilities to be located in the vicinity of the San Augustine Accessway.

b. Public access to Sacate Beach

1. Rights of vehicular access, as described for San Augustine Beach, along Rancho Real Road, and pedestrian access to Sacate Beach from Rancho Real Road along the Sacate Accessway,

the location of which is generally described by the existing access easement to the YMCA in the offer of dedication of easement for public access recorded in Santa Barbara County as Official Records Document 82-17113. A right of access for vehicles determined necessary by the acquiring agency for improvements, maintenance, operations and public safety of public access, and for emergency vehicles.

2. A van turnaround area in the vicinity of the intersection of the access road to the upland YMCA site and Rancho Real Road for van parking and turnaround, for van passenger loading and unloading and ancillary improvements, including identifying signs, and for such other maintenance and emergency vehicles as are determined necessary by the agency acquiring said easements.

3. A right of public access and use of Sacate Beach, between the mean high tide line and the toe of the bluff or first line of vegetation, whichever lies closer to the water's edge for the purposes described above at San Augustine Beach.

4. An easement for toilet, water and other support facilities to be located in the vicinity of the Sacate Accessway.

c. A right of public access to non-motorized cyclists for controlled use of Rancho Real Road within the boundaries of Hollister Ranch, for the controlled use of San Augustine Accessway and turnaround, and for the controlled use of Sacate Accessway and turnaround, pursuant to day permits from the managing agency pursuant to an entry control system developed by the acquiring agency. No more than 20% nor less than 10% of the daily limit (10 to 20 persons when the accessways are first opened up to 20 to 40 persons one year later) shall be reserved for cyclists and pedestrians, as provided below in section d.

d. A right of access to pedestrians for controlled public use of Rancho Real Road within the boundaries of the Ranch, for the use of San Augustine Accessway and turnaround, for the use of Sacate Accessway and turnaround, and for access to ancillary and support facilities provided pursuant to the access program in accordance with an entry control system approved and administered by the managing agency, with maximum public use as described above for cyclists.

e. Maximum public use of all the easements described above shall not exceed 100 persons per day for the first year of operation. After one year experience of operating the access areas, the maximum permitted public use shall be increased by 100 persons unless the managing agency demonstrates to the satisfaction of the Executive Director of the Commission that the increased numbers will have a substantial adverse effect on environmental resources, agricultural operations or private property rights.

2. Phase II

Phase II represents longer range planning, which is not intended for immediate implementation. The elements in Phase II are not being forwarded at this time to the Coastal Conservancy for incorporation in an implementation project. Before forwarding Phase II to the Coastal Conservancy, the Commission will review the operation of Phase I to determine how the provision of further public access in Phase II at Hollister Ranch can be accomplished without substantial negative impact on environmental resources, agricultural operations or private property rights. The environmental review and evaluation called for in Phase II shall occur no earlier than one year after the public access described in Phase I is opened to the public, and the plan shall not be forwarded to the conservancy for implementation until the review has been completed.

a. Public Access to Bulito Creek Beach

1. Rights of access for controlled vehicular access of vehicles such as are described in Phase I, for controlled pedestrian access and for controlled non-motorized cyclist access, as described in Phase I, to Bulito Creek Beach from Rancho Real Road along the Bulito Creek Accessway, an existing common area road easement.

2. A van turnaround area southerly of the railroad tracks for van passenger loading and unloading and ancillary improvements (including identifying signs), and for such other maintenance and emergency access and improvements as are determined necessary by the acquiring agency.

3. An easement for toilet, water and other support facilities to be located in the vicinity of the Bulito Creek Accessway.

b. Public Access to Drakes Beach

1. A right of access for controlled use by vehicles as described in Phase I, for controlled

pedestrian access and for controlled non-motorized cyclist access to Drakes Beach from Rancho Real Road along the Drakes Beach Accessway, an existing common area road easement.

2. A van turnaround area for van parking and turnaround, for van passenger loading and unloading, and ancillary improvements (including identifying signs), and for such other maintenance and emergency access vehicles as are determined necessary by the acquiring agency.

3. A right of public access and use of Drakes Beach, between the mean high tide line and toe of the bluff or first line of vegetation, whichever lies closer to the water's edge, for the purposes described in Phase I.

4. An easement for toilet, water and other support facilities to be located in the vicinity of the Drakes Beach Accessway.

c. Maximum public use of Drakes Beach and the areas described in Phase I shall not exceed 200 persons for all easements per day until two years of operation of the access program have elapsed. In the next two years following the opening of the access areas in Phase II, public use may be increased each year by 100 persons per day to a maximum of 400 persons if the managing agency demonstrates to the satisfaction of the Executive Director of the Commission that the increased numbers will have no substantial adverse effect on environmental resources, agricultural operations or private property rights. If experience shows that one or more of the access areas has reached maximum practicable use consistent with protection of environmental resources, agricultural operations and private property rights, no further increases to such access area shall be allowed.

3. Phase III

Phase III represents the longest range planning for public access at Hollister Ranch. No immediate access is programmed. The beaches identified in Phase III for public access are the most environmentally fragile of the Hollister Ranch beaches, but the coastal resources available at these sites are significant and should be made available to public use if experience in managing the less sensitive access sites previously described shows that public access can be provided without substantial negative impacts on environmental resources, agricultural operations or private property rights. The

accessways described in Phase III shall be opened for public use only after the Commission has specifically reviewed and approved a management plan for protection of the environmental resources at these sites and only after one year of experience operating the access areas in Phase II has been gained. In the first year after opening to the public, the access areas described in Phase III shall be made available for use only by supervised groups for scientific and educational purposes. After one year of availability to supervised groups under Phase III, these access areas may be opened to the public for recreational use as described in Phase I, if the Commission has determined that environmental resources at these sites will be protected notwithstanding such public use. Phase III shall not be forwarded to the Conservancy for preparation of an implementation project unless and until the Commission's determination as to no significant environmental effects has been made. No more than 50 persons per day per access area shall be permitted.

a. Additional access to previously described areas. If, upon implementation of Phase III, the environmental study required before implementation of Phase III indicates that any or all of the previously described access areas can accommodate increased public access, but not to exceed the 500 person maximum set for full implementation of this plan, the acquiring agency may obtain such additional access as part of Phase III.

b. Public Access to Alegria Beach

1. Public rights of access for controlled use by vehicles as described in Phase I, for controlled pedestrian access and for controlled non-motorized cyclist access to Alegria Beach from Rancho Real Road along the Alegria Beach Accessway, an existing common area road easement.

2. A van turnaround in the vicinity of the intersection of Rancho Real Road and the Alegria Beach Accessway for van parking and turnaround, for van passenger loading and unloading and ancillary improvements (including identifying signs), and for such other maintenance and emergency access and improvements as are determined necessary by the agency acquiring said easements.

3. Public right of access and use of Alegria Beach between the mean high tide line and the toe of the bluff or first line of vegetation, whichever lies closer to the water's edge, for the purposes and subject to the conditions described generally for Phase III.

4. An easement for toilet, water and other support facilities to be located in the vicinity of the Alegria Beach Accessway.

c. Public Access to Agua Caliente Beach

1. Public rights of access for controlled use by vehicles as described in Phase I, for controlled pedestrian access and controlled non-motorized cyclist access as described in Phase I to Agua Caliente Beach from Rancho Real Road along the Agua Caliente Beach Accessway, an existing common area road easement, to the beach.

2. A van turnaround area in the vicinity of the intersection of Rancho Real Road and the Agua Caliente Beach Accessway for van parking and turnaround, for van passenger loading and unloading and ancillary improvements (including identifying signs), and for such other maintenance and emergency access and improvements as are determined necessary by the agency acquiring said accessways.

3. A right of public access and use of Agua Caliente Beach between the mean high tide line and the toe of the bluff or first line of vegetation, whichever lies closer to the water's edge, for the purposes and subject to the conditions described above generally for Phase III.

4. An easement for toilet, water and other support facilities to be located in the vicinity of the Agua Caliente Beach Accessway.

B. Operation and Management

The acquiring agency shall either manage directly or contract with a governmental or non-profit organization such as the Hollister Ranch Homeowners Association for the purpose of improving, operating and maintaining the public access areas in accordance with the coastal access program as the managing agency may determine is reasonable and necessary for the continued public use and enjoyment thereof consistent with private property rights.

Before opening any of the access areas to public use, the managing agency shall submit to the Executive Director for approval a management plan demonstrating protection of environmental resources, agricultural operations, and the rights of private property owners, including protection against trespassing and littering. The access areas shall be managed in conformity with the approved plan.

The managing agency shall monitor public use of the accessways and administer a management plan in accordance with the provisions of the access program to provide for public use of each accessway at a level which the managing agency determines is appropriate and consistent with resource protection and will not overburden any particular area.

The managing agency in its discretion and consistent with the management plan shall open and close the access areas for public use to provide maximum opportunities for daylight enjoyment of the access areas commensurate with public safety, resource protection, and private property rights.

The managing agency shall administer an entry control system for cyclists and pedestrians seeking access to the Ranch. No more than 20% nor less than 10% of the daily limit on public use shall be reserved for pedestrian and non-motorized cycle access. A portion of the daily entry allotment may be available in advance through a reservation system.

The managing agency shall administer the passenger van shuttle system from the public parking/staging area outside Hollister Ranch to each of the six vertical accessways along the Hollister shoreline to accommodate varying public recreation needs consistent with ridership demand, natural habitat protection, and private property rights. Accommodations should be made on each van to carry surfboards, diving equipment and picnic supplies. To offset operation costs, ridership fees commensurate with local public transportation rates may be set.

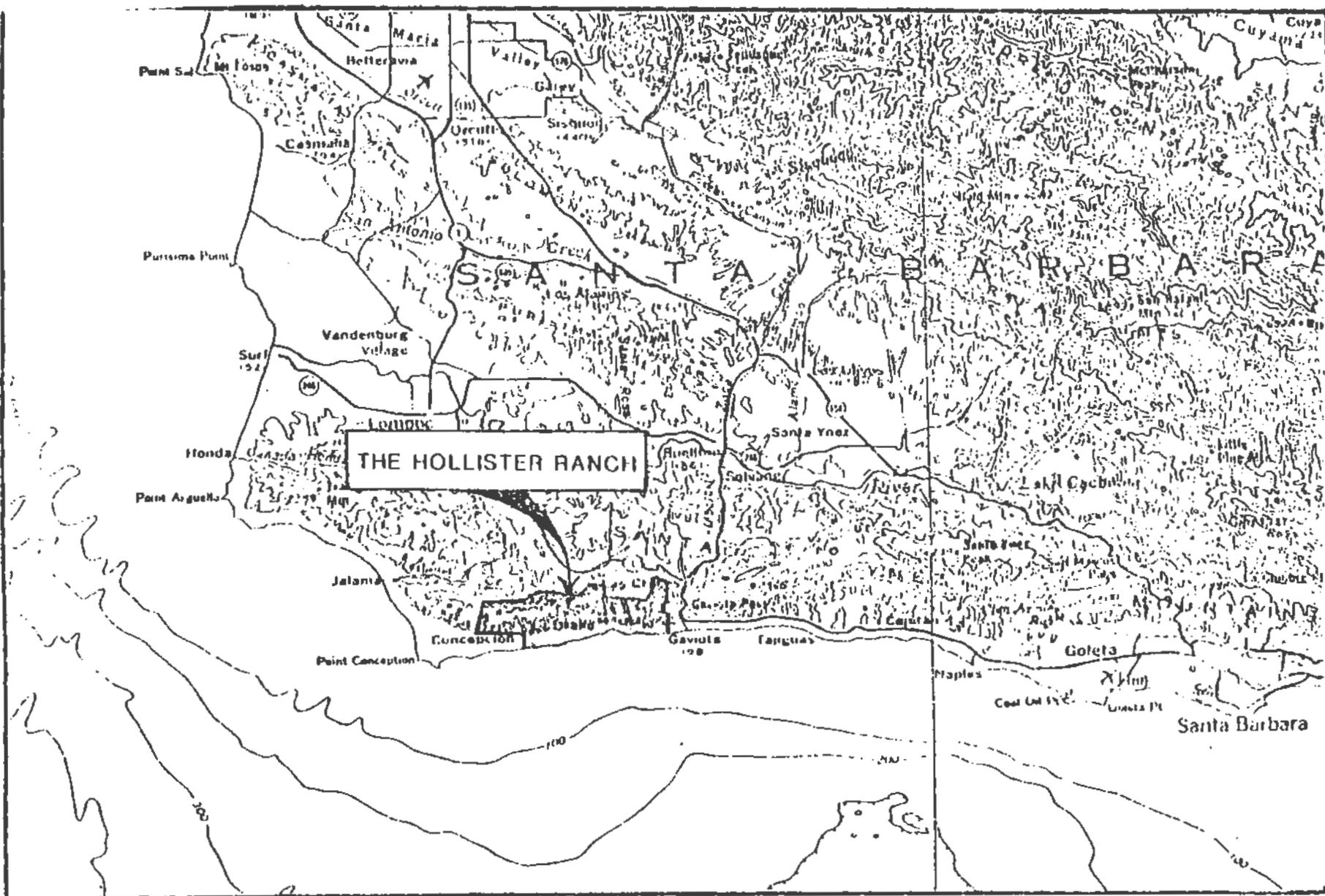
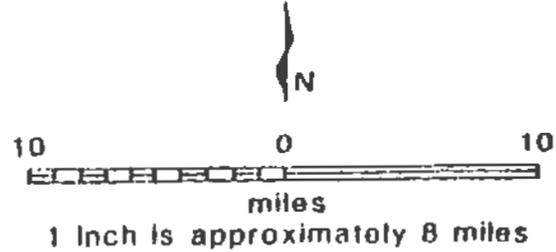


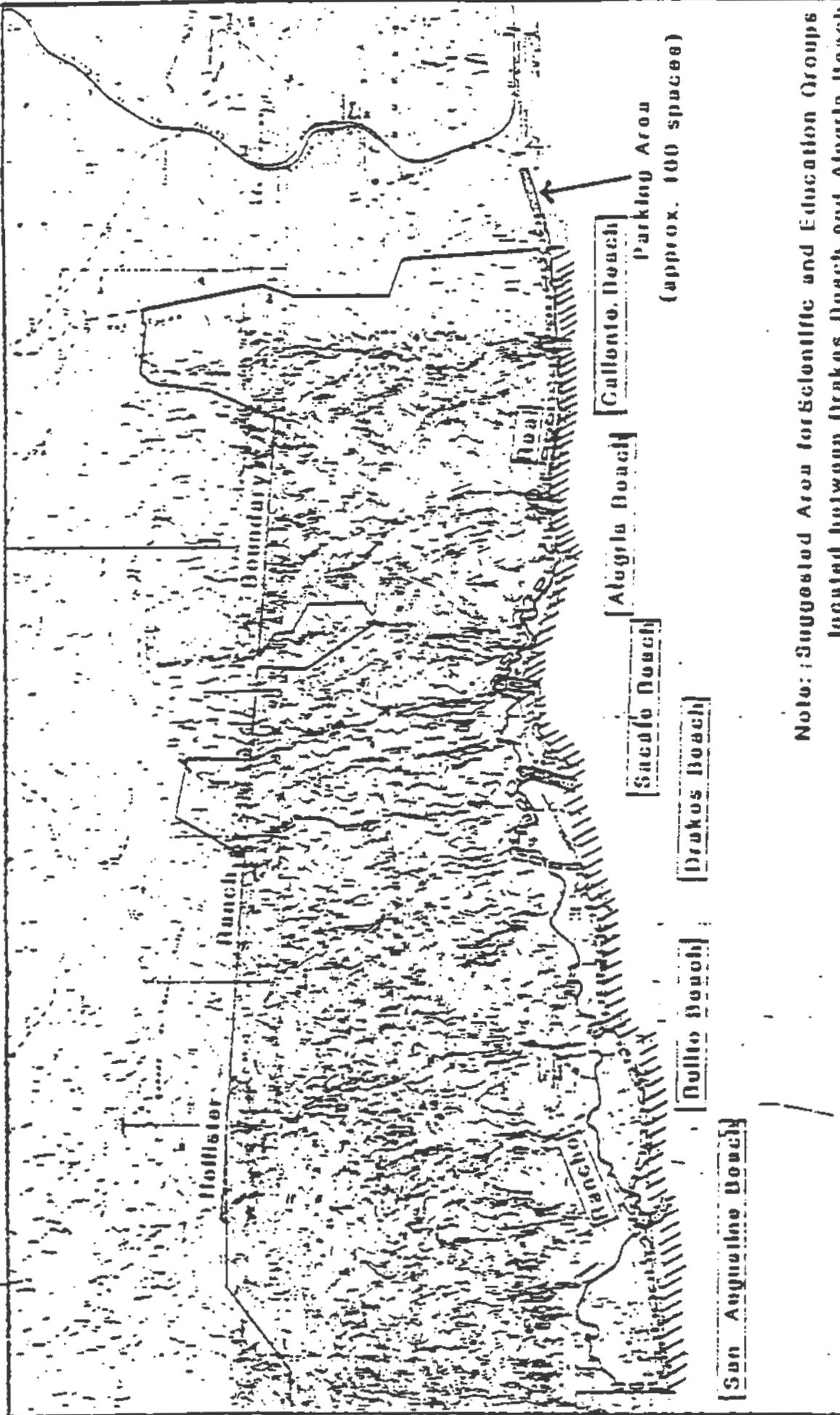
Exhibit 1

Vicinity Map—The Hollister Ranch



JOINT COASTAL ACCESS PROGRAM
 CALIFORNIA COASTAL COMMISSION/
 STATE COASTAL CONSERVANCY





Note: Suggested Area for Scientific and Education Groups located between Drakes Beach and Alugria Beach

Access Facilities The Hollister Ranch

JOINT COASTAL ACCESS PROGRAM
CALIFORNIA COASTAL COMMISSION/
STATE COASTAL COMMISSION

- Bicycle and Shuttle Route (follows Beach Road)
- Shuttle Stop and Vertical Access to Beach
- Trail Alignment
- Shoreline and Beach

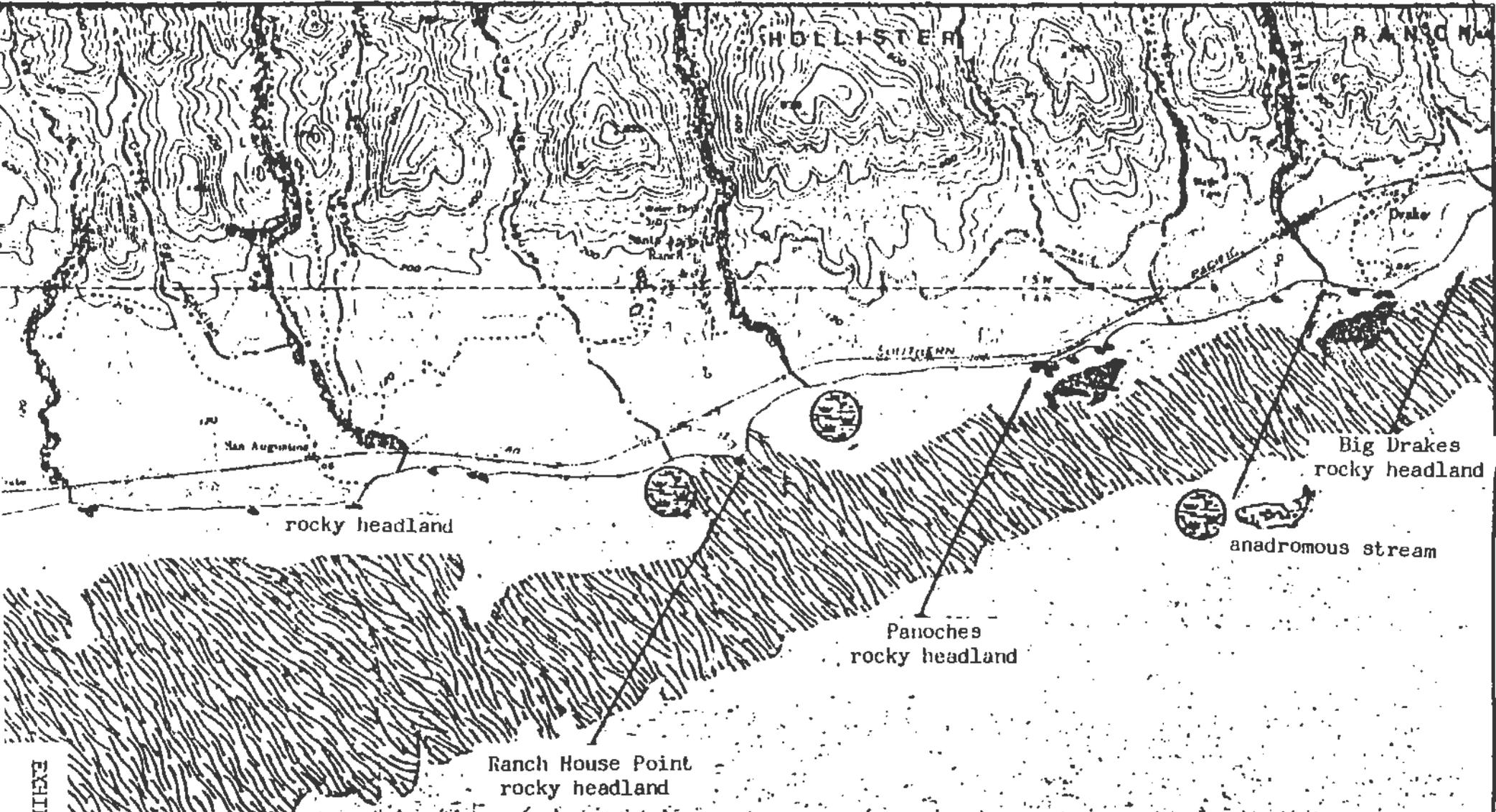


EXHIBIT 7

Ranch House Point
rocky headland

Panoches
rocky headland

Big Drakes
rocky headland

anadromous stream

rocky headland

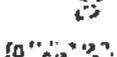
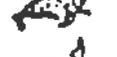
COASTAL RESOURCES

ENVIRONMENTALLY SENSITIVE HABITAT AREAS

Wooded Area* includes oak woodland, oak woodland with dense understorey, mixed evergreen forest and closed cone pine forest. Riparian woodland is shaded in conjunction with these areas and is distinguished on the map by a darker gray tint.

Source: Santa Barbara County LCP



- | | | | |
|---|--|---|--------------------------------|
|  | STREAM - perennial
intermittent |  | KELP |
|  | WETLAND
small wetland at creek mouth
vernal pool |  | ROCKY INTERTIDAL/SUBTIDAL AREA |
|  | WOODED AREA*
riparian vegetation |  | HARBOR SEAL HAULING AREA |
| | |  | ANADROMOUS STREAM |



COASTAL RESOURCES ENVIRONMENTALLY SENSITIVE HABITAT AREAS

Wooded Area includes oak woodland, oak woodland with understory, mixed evergreen forest and closed cone pine forest. Riparian woodland is mapped in conjunction with these areas and is distinguished on the map by a darker gray tint.

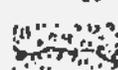
Source: Santa Barbara County LCP



STREAM - perennial
intermittent



WETLAND
small wetland at creek mouth
vernal pool



WOODED AREA*
riparian vegetation



KELP



ROCKY INTERTIDAL/SUBTIDAL AREA



HARBOR SEAL HAULING AREA



ANADROMOUS STREAM