

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST DISTRICT  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800



**F17b**

**A-4-STB-18-0074**

**(WALL FAMILY TRUST)**

**JUNE 2, 2022**

**CORRESPONDENCE**

**(RECEIVED AS OF 5:00 PM ON JUNE 3, 2022)**

Jack Wall  
36 Hollister Ranch  
Gaviota, CA 93117

June 2, 2022

Chair Donne Brownsey  
and Commissioners

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105

Via email: [michelle.kubran@coastal.ca.gov](mailto:michelle.kubran@coastal.ca.gov)

RE: June 8, 2022, De Novo Hearing on Appeal No. A-4-STB-18-0074

Chair Donne Brownsey and Commissioners of the California Coastal Commission,

This letter responds to the staff report and recommendation pertaining to the Commission's de novo review and hearing, following judicial remand, of CCC Appeal No. A-4-STB-18-0074. As you know, I have applied to build a small (60 ft by 16 ft) pool and attached spa next to our developed and occupied residential residence at Hollister Ranch. The purpose is to provide a swimming pool for our grandchildren and extended family during the warm seasons. The pool will be located immediately adjacent to the southern side of our house, next to a family porch area and a kitchen/dining area. The pool (and any grandkids using it) will be easily visible and accessible from the windowed kitchen and dining area.

The staff report recommends approval of my pool permit application subject to these two special conditions: (1) payment of a \$5,000 in lieu of public access fee and (2) agreement to provide and apparently pay at least one Native American to monitor (in addition to an archeological monitor) during the entire process of excavating, building, and landscaping our proposed pool.

I object to these conditions. First, I continue to object to the imposition of an in-lieu public access fee on our pool permit on the ground that it is unrelated to the proposed pool. Building the pool will not affect or harm any existing public access interests or any public beach access that might exist in the future. I consider Special Condition No. 1 to be an unreasonable, unnecessary, and unconstitutional condition and request that the Commission approve the permit without that condition. This should not be construed as a statement that I will not pay the fee, if imposed. I reserve my right to decide whether to accept the permit as conditioned and pay a fee condition (despite my concerns), or not, after the Commission makes its decision whether to impose the condition.

Chair Donne Brownsey  
and Commissioners

June 1, 2022

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I also object to portions of Special Condition No. 2. This condition appears to require me to provide and pay for both an archeological monitor and at least one Native American monitor during the course of the pool project. I specifically object to the requirement that I provide one or more Native American monitors *in addition* to the archeological monitor, as excessive, unnecessary, and unreasonable. This is a small project next to a large home on a previously approved and graded development pad. This site was previously excavated for creation of a building pad and development of a home in approximately 2001, a process that included an archeological inspection. No historical artifacts were found in the previously graded area of the pad where our pool is planned.

Given this history, one on-site archeological monitor is probably unnecessary, but it is certainly unreasonable to require me to provide multiple on-site Native American monitors who would be stationed next to our kitchen and eating area for the life of the project, including during "landscaping." That is an unwarranted intrusion on our privacy and enjoyment of our property. While I do not object to one archeological monitor, requiring additional Native American monitors on our property during the life of the project is an arbitrary, unreasonable, and disproportionate condition. I request the permit be approved without the Native American monitor requirements in Special Condition No. 2.

Sincerely,

A handwritten signature in black ink that reads "Jack Wall". The signature is written in a cursive, flowing style.

Jack Wall

# Gaviota Coastal Trail Alliance



June 3, 2022

California Coastal Commission  
45 Fremont Street  
San Francisco, CA 94105

RE: Appeal No. A-4-STB-18-0074 (Wall Family Trust – Hollister Ranch Parcel 36); Item F.17.b, 6/10/21

Dear Chair Brownsey and Honorable Coastal Commissioners,

This letter is submitted on behalf of the Gaviota Coastal Trail Alliance (GCTA or Alliance), an ad-hoc alliance of organizations committed to effectuating safe and appropriate public coastal access including establishment of a continuous Coastal Trail with vertical access to Hollister Ranch beaches. GCTA supported the Commission’s earlier finding that Commissioner Groom and Padilla’s appeal raised a substantial issue with respect to the development’s consistency with the County of Santa Barbara’s certified Local Coastal Plan (LCP) and the public access policies of the Coastal Act, and supported the Commission’s de novo action to deny the Wall CDP.

GCTA remains concerned that CDPs are being issued for Hollister Ranch development when the public still has no access to the 8.5 miles of state tidelands and beaches that border Hollister Ranch, and Hollister Ranch interests continue to obstruct implementation of the Hollister Ranch Coastal Access Plan (HRCAP) that would allow the in-lieu fees to be spent to effectuate public access. GCTA is further concerned that with respect to this property specifically, “the County does not have a record of in-lieu fees being paid in connection with prior County coastal development permits issued for any of the existing development on the property, which includes a single-family residence and guesthouse approved for development in 2001, a barn approved in 2010, and an accessory storage structure approved in 2011.” (Staff Report, p. 10.) The County’s past failure to collect in-lieu fees as required, based on an interpretation of the Coastal Act soundly rejected by the Court of Appeals, severely compromised the viability of the in-lieu fee program to raise the funds needed to effectuate public access to the Hollister Ranch shoreline.

Given these concerns, GCTA does not fully support Staff’s recommendation of approval with conditions. However, given the direction from the Court of Appeals, GCTA understands if the Commission decides to support staff’s recommendation and move on. Our hope is that Hollister Ranch landowners like the Wall Family Trust will cooperate with the State Agency Team to implement the HRCAP, and push back against other Hollister Ranch interests determined to delay and obstruct public access.

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An outcome that protects the unique and valuable coastal resources of the Hollister Ranch shoreline, and simultaneously allows the public to access and enjoy this important stretch of the California coastline in a responsible manner, is achievable and GCTA remains committed to achieving such an outcome.

Sincerely,

LAW OFFICE OF MARC CHYTILO, APC

A handwritten signature in black ink, appearing to read "Ana Citrin", written over a horizontal line.

Ana Citrin  
Marc Chytilo  
For the Gaviota Coastal Trail Alliance

**From:** [SouthCentralCoast@Coastal](mailto:SouthCentralCoast@Coastal)  
**To:** [Kubran.Michelle@Coastal](mailto:Kubran.Michelle@Coastal)  
**Cc:** [Gonzalez.Diana@Coastal](mailto:Gonzalez.Diana@Coastal)  
**Subject:** FW: COURT REMAND DE NOVO REVIEW A-4-STB-18-0074  
**Date:** Wednesday, June 8, 2022 10:07:01 AM

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Hi Michelle,

This was in the SCC email

-----Original Message-----

**From:** jeff kruthers <[jeff.kruthers@gmail.com](mailto:jeff.kruthers@gmail.com)>  
**Sent:** Friday, June 3, 2022 12:59 PM  
**To:** SouthCentralCoast@Coastal <[SouthCentralCoast@coastal.ca.gov](mailto:SouthCentralCoast@coastal.ca.gov)>  
**Cc:** Jeff Kruthers <[jeff.kruthers@gmail.com](mailto:jeff.kruthers@gmail.com)>  
**Subject:** COURT REMAND DE NOVO REVIEW A-4-STB-18-0074

June 3, 2022

California Coastal Commission  
Attn: Michelle Kubran  
89 S. California Street #200  
Ventura, CA 93001  
Via e-mail and the USPS

**Re:** COURT REMAND DE NOVO REVIEW  
A-4-STB-18-0074

I am very concerned that there would be any opposition to the construction of the swimming pool at 36 Hollister Ranch Road. The Wall family's home is next door to ours.

Along the Gaviota Coast, there have recently been a number of wind-driven wildfires in the vicinity our homes. Wind speeds were such that the tankers and cranes, that are so effective in quelling these significant fire events, were grounded due to the unsafe flying conditions. In order to effect fire containment and structure protection, ground crews had to depend upon on-site water sources.

Inasmuch as the only water reservoirs are miles from the Walls' home, and from ours, stored water is the one and only source for the protection of our homes and our lives. Fire trucks carry a minimum amount of fire. In order to save homes and protect lives, fire fighters hook their water hoses to water tanks that serve the homes. The required 5,000 gallons doesn't go far in a raging wildfire.

Swimming pools provide thousands of gallons of extra water. The additional water will be used to protect the lives of the fire fighters and the residents whose homes and lives will be at great risk during a wind-driven firestorm with sustained winds of over 45 mph and gusts in the 60s and 70s.

Given the capacity to offer safety to first responders alone, approval of swimming pools should receive speedy approval. Pools are, essentially, wildfire sprinklers. Sprinklers are required in home construction. "Wildfire sprinklers" should be encouraged in the tinder dry Coastal Zone when owners offer to install them. Pool water was very helpful during the recent Laguna Nigel fire.

Thank you, and please think safety first,

Jeff Kruthers  
26 Hollister Ranch Road

Gaviota, CA 93117  
805-567-1008