

# LAW OFFICE OF MARC CHYTILO

ENVIRONMENTAL LAW

April 5, 2013

Chair Salud Carbajal  
Santa Barbara County Board of Supervisors  
Santa Barbara County  
105 E. Anapamu Street  
Santa Barbara, CA 93101

*By email to [sbcob@co.santa-barbara.ca.us](mailto:sbcob@co.santa-barbara.ca.us)  
and by hand delivery*

RE: Irrevocable Offer to Dedicate Hollister Ranch Public Access Easements, April 9, 2013  
Agenda Item #4

Dear Chair Carbajal and Honorable Members of the Board of Supervisors,

This office represents the Gaviota Coast Conservancy ("GCC") in this matter. GCC is a local public benefit, non-profit organization dedicated to the protection of the environment and rural character of the Gaviota Coast. GCC supports your Board's acceptance of an irrevocable offer to dedicate public access easements in the Hollister Ranch area.

Hollister Ranch is one of few stretches of "exclusive" coastline in California, where the public is effectively precluded from exercising its constitutional right to access the coast (*see* Cal. Constitution Section 4, Article X; *see* Coastal Act § 30210). Hollister landowners have proffered numerous excuses for failing to provide public access, and employed a sustained campaign to deny the public these Constitutional rights. One popular claim contends that public access would cause increased impacts to biological resources on Hollister Ranch's beaches and intertidal areas, however Hollister Ranch is one of the few beaches where owners themselves drive that same biologically sensitive beach. As the Staff Report clarifies, any access program would be studied and conditioned so as to ensure consistency with the County's biological resource protection policies.

The Legislature created a special exemption to allow Hollister Ranch properties to be developed while the access issues were resolved. "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." Public Resources Code § 30610.8(a). The Legislature directed this occur expeditiously: "It is the intent of the Legislature that the State Coastal Conservancy and the State Public Works Board utilize their authority provided under law to implement, as expeditiously as possible, the public access policies and provisions of this division at the Hollister Ranch in Santa Barbara County." *Id.* § 30610.8(b). Although this authority was adopted in 1982, 34 years later, Hollister Ranch remains inaccessible to the any form of meaningful public access in derogation of the Legislature's direct mandate and the requirements of the California Coastal Act and our Local Coastal Plan.

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Santa Barbara County's LCP and General Plan site a public trail along the coast through Hollister Ranch on the PRT map. The Draft Gaviota Plan adopted by the GavPac leaves that trail in the same location.

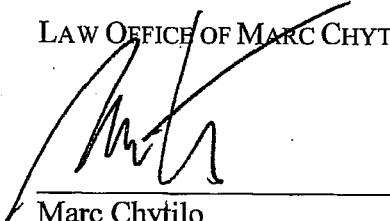
Accepting the offer to dedicate the public access easements as proposed furthers the requirements of the Coastal Act (§§ 30210, 30212), the Santa Barbara County Local Coastal Plan and the Coastal Access Program for the Hollister Ranch, adopted by the Coastal Commission and Coastal Conservancy in 1981. We understand that approximately \$1,615,000 is currently available in local and state funds for the implementation of the Hollister Ranch access program, and every Hollister Ranch Landowner pays an additional \$5,000 for each Coastal Development Permit for the express purpose of providing public access at Hollister Ranch. Pub. Res. Code § 30610.8(b),

Representatives of the Hollister Ranch Home Owner Association contend that the YMCA committed fraud on the California Coastal Commission and the public by offering easements that the YMCA might not have. We consider this to be just another delaying tactic that has no merit. In any case, this issue is not germane to the County's acceptance of the offer to dedicate. Accepting this offer does not adjudicate the nature of the YMCA's rights that are contained in the offer.

This offer to dedicate is an important opportunity and a necessary first step for the County to secure public access rights to a significant segment of our coastline. We respectfully urge the County to accept the offer to dedicate public access easements on the Hollister Ranch.

Respectfully submitted,

LAW OFFICE OF MARC CHYTILO

A handwritten signature in black ink, appearing to read 'Marc Chytilo', is written over a horizontal line.

Marc Chytilo

Ana Citrin

For the Gaviota Coast Conservancy