



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Submitted on:
(COB Stamp)

Department Name: Community Services
Department No.: 057
Agenda Date: July 1, 2025
Placement: Administrative Agenda
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s): Jesús Armas, Community Services Director
Contact: Jeff Lindgren, Assistant Director, Parks
SUBJECT: Master Agreement and License Agreement with Coral Casino, LLC, for the placement of New Swim Platforms at Butterfly Beach.

^{DS}
JA

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair of the Board to execute the attached Master Agreement and License Agreement with Coral Casino, LLC for the seasonal placement and maintenance of a swim platforms at Butterfly Beach (Attachment A and Attachment B); and
- b) Determine that the above recommended actions are exempt from review under the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15265 and Section 15311, subdivision (c), since the activities consist of the placement of seasonal or temporary use items in generally the same locations from time to time in publicly owned areas designed for public use, and direct staff to file a Notice of Exemption (Attachment C).

Summary Text:

This item is before the Board to approve a Master Agreement and License Agreement with Coral Casino, LLC, to seasonally place swim platforms at Butterfly Beach. The two new swim platforms to be placed at Butterfly Beach by Coral Casino, LLC, are in addition to the swim platform placed at the neighboring Miramar Beach by Miramar Acquisitions Co., LLC, per agreement approved by the Board of Supervisors on February 6, 2024. The County has been placing buoys at these South

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County beach locations since 1983 under a lease with the State of California, State Lands Commission.

Discussion:

With placement of the swim platform at Miramar Beach in 2024, the County updated the State Lands Commission lease with a replacement State Lands agreement that included the Miramar Beach swim platform and a new term extending the existing expiring lease with a proposed term through 2044. In order to add the Butterfly Beach swim platforms, the County is seeking an amendment to the 2024 State Lands lease. State Land is anticipated to act on the County amendment in August 2025. In the interim, State Lands has issued a letter of “Non-Objection” for the County to proceed with allowing the Coral Casino to place swim platforms at Butterfly Beach while State Lands processes the amendment to the County lease. Although the swim platform construction and operation at Butterfly Beach is funded by the Coral Casino Resort, the two swim platforms will be open for public use. The State Lands agreements provide that the buoys and platforms may be sited between May 1st and October 15th each year. The Master and License agreements between the County and Coral Casino have a term through 2035 with an option to thereafter extend for 9 years.

The California Coastal Commission anticipates the new swim platforms will not require a Coastal Development Permit and will receive a June 12, 2025, Coastal Commission Executive Director’s approval of a Coastal Development Permit Waiver to allow the new swim platforms. Finally, the United States Army Corps of Engineers confirmed that the new swim platform may be authorized pursuant to Nationwide Permit 11 (Temporary Recreational Structures) in compliance with Section 10 of the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C., § 403).

Background:

The County of Santa Barbara has been authorized to place buoys in the Pacific Ocean creating “Special Use Areas” since May 16, 1983, when the Board adopted Ordinance No. 3371. The Santa Barbara County Code (Chapter 26, Article V - Special Use Area and Beach Regulations - Sec. 26-66 et seq.) establishes the authority to designate “Special Use Areas” along the Santa Barbara County coastline to protect persons from injury or death from the operation of motor-powered boats or other water devices in such limited areas, which include, but are not limited to, swimming, surfing, snorkeling and scuba diving, fishing, sailing, rowing, and other non-motor-powered small boat use. The buoys act as a barrier between powered vessels and swimmers to demarcate a safe public swimming area.

On December 5, 2023, the State Lands Commission approved and authorized execution of the new lease between the State of California and the County (Attachment D). The new lease with the State of California allowed the County’s continued placement of swim and marker buoys at Goleta Beach, Arroyo Burro Beach, Lookout Beach, Butterfly Beach and Miramar Beach between May 1st and October 15th annually. The County Parks Division typically places the buoys at the aforementioned locations after May 1, through mid-September following Labor Day weekend. The new lease with the State of California will terminate in 2044. The new license with Coral Casino, LLC will expire in 2035, with the opportunity for renewal until 2044 to coincide with the termination of the new lease with the State of California.

Fiscal and Facilities Impacts:

Budgeted: Yes

The California State Lands Commission collects \$198 in annual rent (with an annual Consumer Price Index adjustment) for the Lease which allows the County’s continued placement of swim and marker

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buoys for special use areas at several beaches. In addition, the Community Services Department Parks Division incurs annual costs for contracting the placement and removal of buoys. Staff maintains and makes the necessary repairs to buoys that are deployed. The total annual cost for the special use area buoy placement and maintenance program is approximately \$25,000. This cost is unrelated to the platform proposed by the Coral Casino nor to the Miramar platform approved last year.

Pursuant to the proposed License Agreement between the County and Coral Casino, LLC, (Attachment B), Coral Casino, LLC, is responsible for all costs associated with the installation, repair, and maintenance of the swim platforms at Butterfly Beach. There are no additional direct costs to the County for installation, maintenance or management of the swim platform.

Special Instructions:

- 1) Please send an electronic copy of the Minute Order and Executed Agreements (Attachments A and B) to Jeff Lindgren at jlindgren@countyofsb.org.

Attachments:

- Attachment A: Master Agreement between the County of Santa Barbara and Coral Casino, LLC.
- Attachment B: License Agreement between the County of Santa Barbara and Coral Casino, LLC.
- Attachment C: CEQA Notice of Exemption
- Attachment D: Existing Lease PRC 7082 between the State Lands Commission and the County of Santa Barbara

Contact Information:

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