

## Alexander, Jacquelyne

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**From:** Mark Wilkinson <  
**Sent:** Friday, August 28, 2015 11:48 AM  
**To:** sbcob  
**Cc:** Farr, Doreen; Russell, Glenn; Steve Hudson  
**Subject:** Trails Council Comments on Las Varas Ranch Development Project | BOS Hearing 09-01-2015  
**Attachments:** Las Varas Ranch Reports.zip; Attachment-A-Livestock-Grazing-Operation-and-Trail-Use-at-Las-Varas-Ranch.pdf; Las-Varas-Ranch-BOS-Hearing-09-01-2015.pdf



SANTA BARBARA COUNTY  
**Trails Council**

Dear Chair Wolf and Board Members:

Please find attached our comment letter on the Las Varas Ranch Project. We have included several relevant reports prepared by the Trails Council.

Regards,

A handwritten signature in black ink, appearing to read 'Mark Wilkinson'.

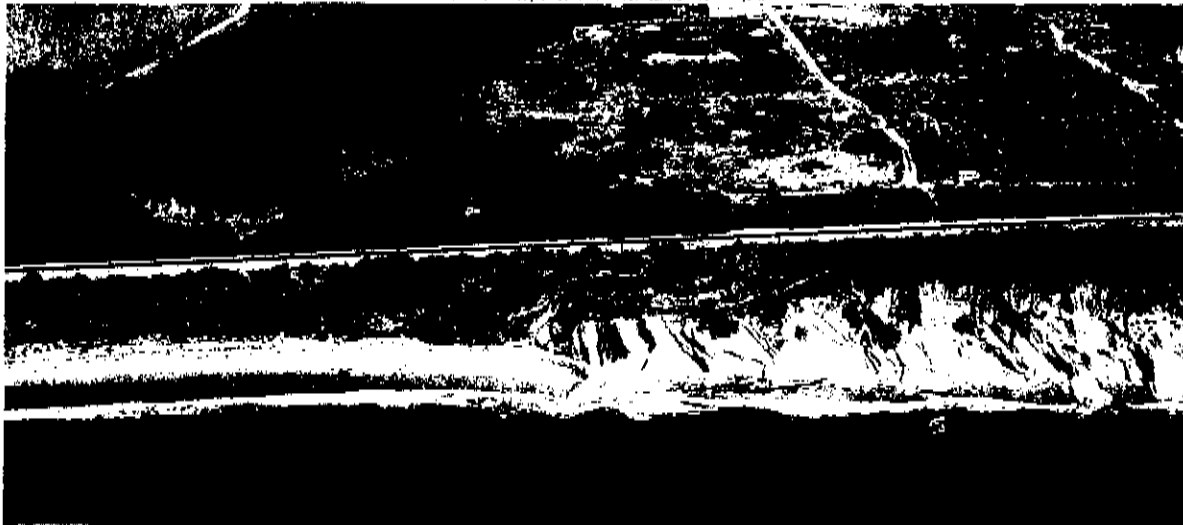
Mark Wilkinson  
*Executive Director*

**Santa Barbara County Trails Council**

805.708.6173 | [website](#)



Photo courtesy of California Coastal Reserve project



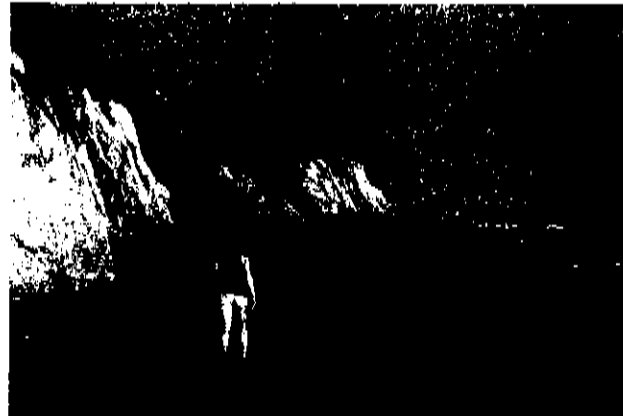
September 18, 2014



SANTA BARBARA COUNTY  
Trails Council

As part of a development review County and State policies require provision of public access along the shoreline even at high tide. The Las Varas Ranch development project, as proposed, would eliminate existing informal access along the coastal bluff tops. However, the proposed granting of lateral access along the beach would not guarantee the public's right to passage along the shoreline the majority of the time due to tides. This paper explores the affects of tides on lateral coastal access at Las Varas Ranch.

**Introduction:** Las Varas Ranch is located on the eastern Gaviota Coast, approximately ½ mile east of El Capitan State Beach Park in southern Santa Barbara County. The eastern Gaviota Coast encompasses approximately 20 miles of shoreline that extends from the City of Goleta west to Gaviota State Park. The Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) notes that Beaches along the Gaviota Coast are characterized by *relatively thin veneers of sand over hard bedrock and are backed by high bluffs and marine terraces*. BEACON also notes that *the numerous pocket beaches that exist are generally narrow and bounded by rocky points or*



*Beaches along Las Varas Ranch are strongly intertidal, with access often restricted along much of the ranch at modest tides of 2-4 feet. High tides and waves often reach the base of the bluffs, particularly west of Edwards Point (background), limiting public access along the shoreline.*

*headlands. Some wider sandy beaches do exist at lower relief coastal areas and stream discharge locations* (BEACON, 2009). As a result, many Gaviota Beaches are intertidal, particularly during the winter and spring when sand levels are low. Beaches and coves such as Deadmans, Dos Pueblos, Las Varas, El Capitan, Coral Canyon, Tajiguas, Refugio and Gaviota are often located at creek mouths or "stream discharge locations" where sediment from streams supports wider pocket beaches that can support dry sand beach berms, particularly in summer.

Public access to and along this shoreline is limited. Developed public vertical access to the beach exists at only three locations over this 20 mile-long shoreline; El Capitan, Refugio and Gaviota State Beaches. However, 22 major and multiple minor informal access trails cross both state and private lands to provide access to many pocket beaches, including diving, fishing and surf break locations such as Naples, Edwards Point, Tajiguas and Canada de Leon at the Gaviota Marine Terminal ( Santa Barbara County Trails Council, 2013). Due to the narrow and often intertidal nature of these beaches, public lateral access along this shoreline is strongly influenced by seasonal sand supply and tidal conditions, with many rocky headlands limiting lateral access, particularly during winter. While the beauty and isolation of these beaches is one of their attractions, difficult and time restricted lateral access limits public use.

**Purpose of this Report:** This report was prepared by the Santa Barbara County Trails Council (Trails Council) to inform the general public and county and state agency staff and decision-makers regarding existing lateral access conditions along beaches at Las Varas Ranch, particular how access is influenced by tides, seasons and sand supply. Protection and expansion of access to and along the shoreline is a key element of state and county policies as embodied in the State Coastal Act and is an important concern for many California residents and visitors alike. The loss of public access to and along the State's shoreline was a key driver of the enactment by the voters of Proposition 20 in 1972, which led to passage of the Coastal Act and creation of the California Coastal Commission.

The Las Varas Ranch encompasses approximately 2 miles of shoreline or more than 10% of the Gaviota Coast between the City of Goleta and Gaviota State Park. It is largest single privately owned undeveloped shoreline ranch in southern Santa Barbara County south of Point Conception and possibly all of Southern California. As such, public access to and along the shoreline at this location is an important consideration. County and potentially State decisions regarding a pending development project on the Las Varas Ranch will affect existing informal public coastal access, proposed acquisition of and public access to Edwards Point on the Las Varas Ranch, which has been planned by the County and State for over 32 years. This paper examines and analyzes existing lateral beach to understanding of the relationship of such lateral beach access to existing state and county policies and proposals for access to and along the coast included in the Las Varas Ranch Development project.

**Methodology:** The Trails Council surveyed Las Varas Beaches on four occasions in 2012-2014 during preparation of the Gaviota Coastal Trail and Access Study (Trails Council 2013) and review of the impacts of the proposed Las Varas Ranch development project on public coastal access and recreation. Trails Council staff reviewed Coastal Records Act Aerial photos, surveyed the beaches, recorded tides, photographed sand conditions and evidence of tidal levels and observed public use and access.

Access was obtained along the beach from the east and west, generally at low tides due to restrictions on passage along the coast at higher tides. The Trails Council utilized tide data for 2014 from the National Oceanic and Atmospheric Administration (NOAA) to project the effects of tides on lateral access on Las Varas Beaches. The Trails Council also communicated



*Many Gaviota area beaches support a thin layer of sand over underlying rocky marine terrace and may not develop a dry sand summer beach berm, limiting lateral public beach access during periods of low sand supply such as spring and winter. During such periods, sand can be largely absent from some beaches as shown in this high tide photo looking west from Dos Pueblos bluff tops toward Las Varas Ranch and Edwards Point to the west.*

with and reviewed documents prepared by the California State Lands Commission (CSLC), an agency charged with addressing lateral access issues and assessing the boundary between public and private lands along the shoreline. Additional details on the methodology are provided in various subsections of this report as needed below.

**Regulatory Framework Governing Coastal Access:** Public access to the shoreline is guaranteed by the California Constitution. The State Coastal Act sets forth six key goals to manage the state’s Coastal Zone , including one related too recreation and coastal access which states:

*“Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.”*

Under California’s constitution, land lands below the Mean High Tide Line (MHTL) are public property. As a rule of thumb, such lands can be discerned by the ordinary high water mark, which means land regularly subject to submersion. Although not formally surveyed, in practice due to the intertidal nature of many of the beaches along the Las Varas Ranch, this means that public property below the MHTL extends landward close to or at the toe of the coastal bluffs along many of the regions beaches.

In order to help guarantee public access along the shoreline, the County’s adopted Local Coastal Plan requires the County to protect and defend the public’s right to access to and along the shoreline (Table 1). County policy also requires dedication of lateral access easements to allow for public access along the shoreline and states that *“at a minimum, the dedication easement shall be adequate to allow for lateral access during periods of high tide.”* The implication of the policy for the location of lateral access along strongly intertidal Las Varas Ranch beaches requires careful consideration during review of development projects.

**Table 1: County Policies that Address Lateral Beach Access**

<p><b>CLUP Policy 7-1:</b> <i>The County shall take all necessary steps to protect and defend the public’s constitutionally guaranteed rights of access to and along the shoreline. At a minimum, County actions shall include:</i></p> <p><i>(a) Initiating legal action to acquire easements to beaches and access corridors for which prescriptive rights exist consistent with the availability of staff and funds.</i></p> <p><i>(b) Accepting offers of dedication which will increase opportunities for public access and recreation consistent with the County’s ability to assume liability and maintenance costs.</i></p> <p><i>(c) Actively seeking other public or private agencies to accept offers of dedications, having them assume liability and maintenance responsibilities, and allowing such agencies to initiate legal action to pursue beach access.</i></p>	<p><b>CLUP Policy 7-3:</b> <i>For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory. In coastal areas, where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County, based on findings reflecting historic use, existing and future public recreational needs, and coastal resource protection. <u>At a minimum, the dedicated easement shall be adequate to allow for lateral access during periods of high tide.</u> In no case shall the dedicated easement be required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.</i></p>
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**Tidal influence on Lateral Access:** In order to determine the extent of tidal influence on lateral access at Las Varas Ranch, the Trails Council utilized tide data for 2014 from the National Oceanic and Atmospheric Administration (NOAA). Four months were selected (see Table 2) to represent the tidal variations across the four seasons (i.e., winter, spring, summer, fall). To review conditions on Las Varas Beaches, the Trails Council conducted surveys of the beaches in spring of 2012, spring and summer of 2013 and fall of 2014. Based on observations made during these surveys over the past two years and review of California Coastal Records Project aerial photographs, the Trails Council assumed that all beaches were passable at a negative or minus low tide. Although rocky conditions can make passage difficult in some locations in winter, it is assumed that under these conditions lateral access is provided along the entire 2 mile coastline of Las Varas Ranch. Additionally, based on past observations, the Trails Council assumed that the majority of beaches are passable at less than two foot tides, and that some beaches are passable at a less than four foot tides. However, as the tide rises from negative tides to four foot tides lateral access becomes constricted across the coast line, submerging beaches and creating isolated pocket beaches (e.g., beach at Las Varas Creek).

Trails Council calculated average sunrise and sunset times for typical seasonal months (e.g., January, winter). Trails Council then looked at each low tide value and calculated the percentage of low tides that occurred below one of the above threshold values (e.g., negative tides, less than or equal to two foot tides, less than or equal to four foot tides) within daylight hours. For example of the 120 high and low tide values provided by NOAA for Santa Barbara County, only 16 of these values were negative and occurring within daylight hours. Additionally, only 25 of these 120 tide values were below two feet and occurring within daylight hours. Trails Council used this proxy to estimate the percentage of time that the Las Varas Beaches were laterally accessible to the public.

**Table 2: Tidal Influence on Lateral Access at Las Varas Ranch**

Season (Month)	Average Sunrise	Average Sunset	All Passable (<0 ft)	Majority Passable (≤ 2 ft)	Some Passable (≤ 4 ft)
Winter (January)	7:03 AM	5:13 PM	13%	21%	27%
Spring (April)	6:27 AM	7:32 PM	5%	28%	43%
Summer (July)	6:00 AM	8:10 PM	2%	16%	42%
Fall (October)	7:06 AM	6:23 PM	4%	14%	22%

It should also be noted that this analysis cannot precisely correlate the typical beach profile at the Las Varas beaches, which also fluctuates on annual and decadal timescales. Heavy wave attack associated with El Niño years may result in a narrower beach profile, further constricting lateral access. For example, 13 percent of the low tides during the winter months are negative and assumed to provide complete lateral access; however, during winters characterized by strong wave action the beach profile may be reduced such that tides must be less than -1 foot to provide complete coastal access. Nevertheless, this data is still valuable as an estimate for lateral access. It is clear that uniform access is rare at the Las Varas Beaches ranging from approximately two percent of the time during the summer to 13 percent of the time during the Winter. The seasonal effects of tides on lateral access are shown in Figures 1, 2, 3 and 4 below.

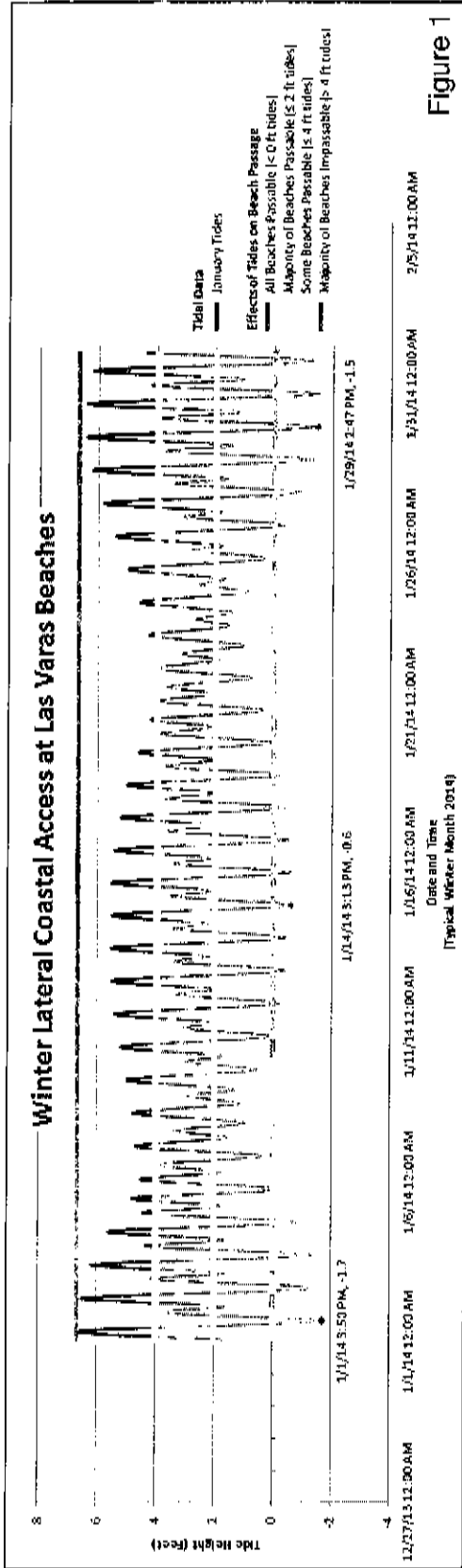


Figure 1

Source: NOAA 2014. Notes: January was selected as the typical winter month as it occurs mid-way through the winter season, and is therefore less likely to pick up transition periods between the seasons.

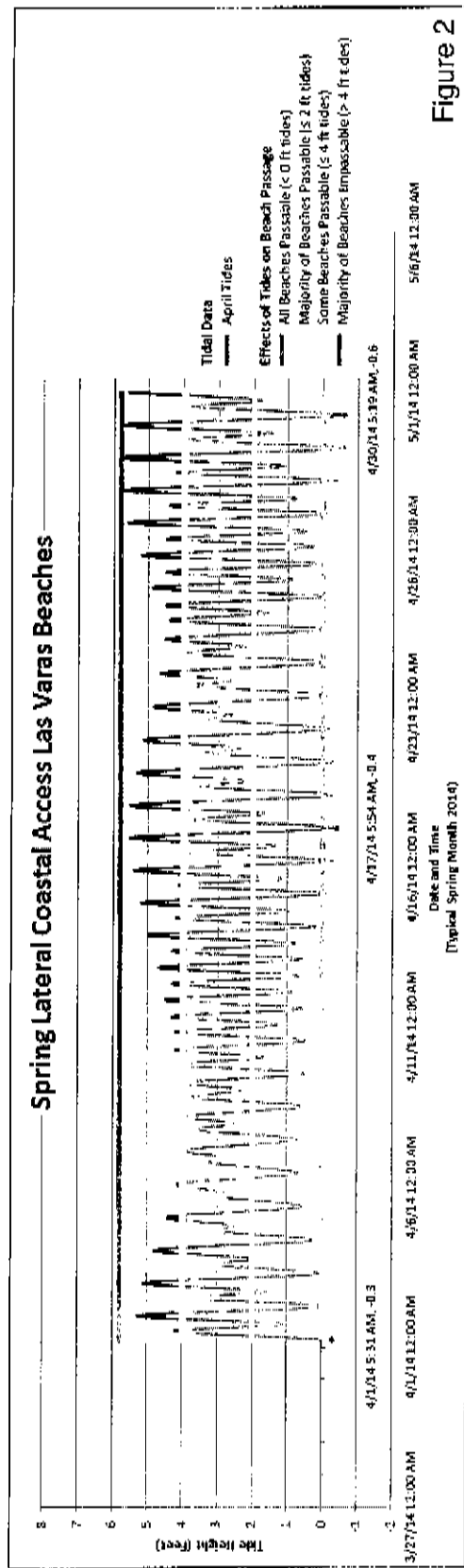


Figure 2

Source: NOAA 2014. Notes: April was selected as the typical spring month as it occurs mid-way through the spring season, and is therefore less likely to pick up transition periods between the seasons.

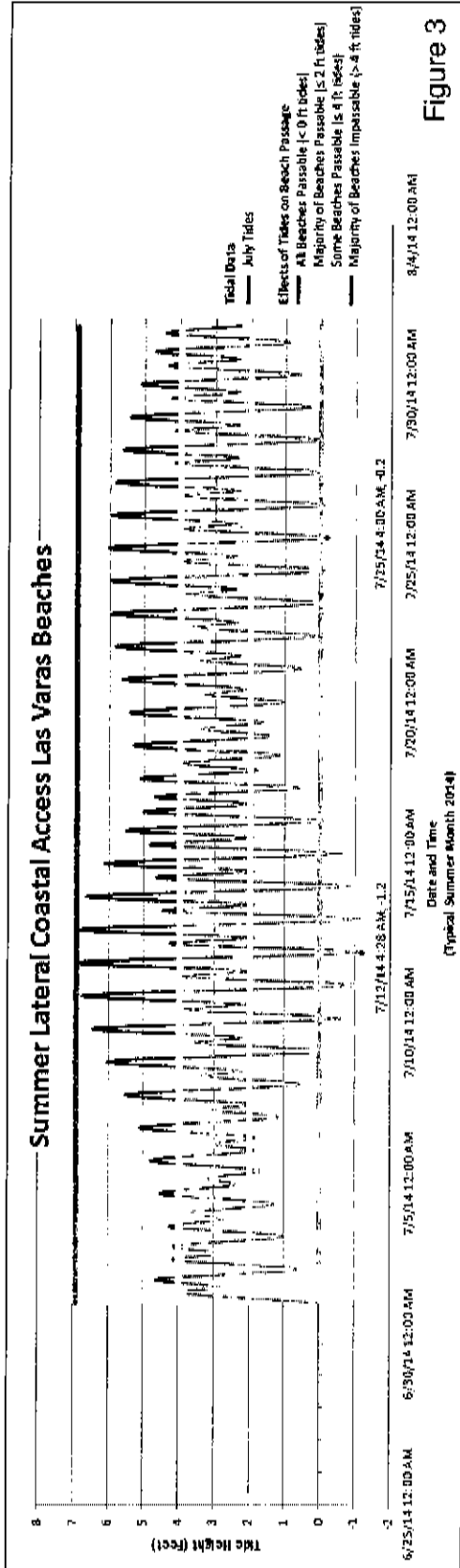


Figure 3

Source: NOAA 2014. Notes: July was selected as the typical summer month as it occurs mid-way through the summer season, and is therefore less likely to pick up transition periods between the seasons.

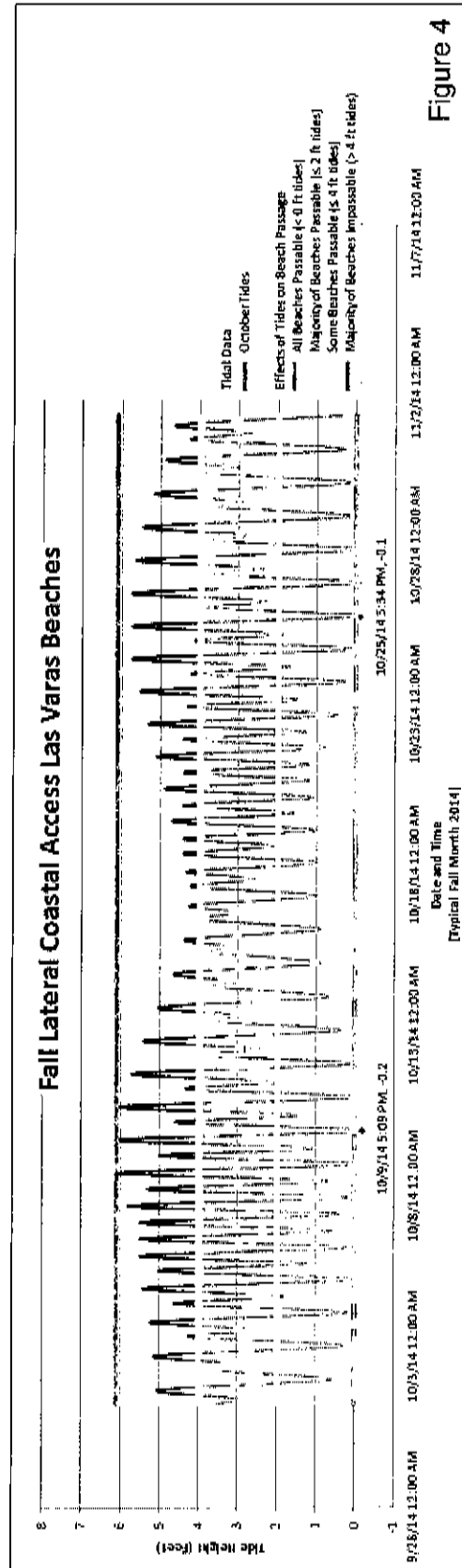


Figure 4

Source: NOAA 2014. Notes: October was selected as the typical fall month as it occurs mid-way through the fall season, and is therefore less likely to pick up transition periods between the seasons.



**Availability of Lateral Access on Las Varas Beaches:** Beaches along Las Varas Ranch allow for differing levels of public access based upon observed beach profile and width, sand supply and tides. The availability of access varies over multiple years, seasonally and daily based on these factors. Beaches can widen after major storm events, fires and influxes of sand into the system or narrow in responses to loss of sand through major storms or lack of sand input. As discussed below, based on our field surveys, historic aerial photographic research and tidal analysis provided above, in most years, the majority of beaches fronting the Las Varas Ranch would be submerged at tides of above 4 feet (Figure 5).

The Las Varas Ranch has approximately 2 miles of shoreline. The eastern 4,800 feet of shoreline is characterized by a long sandy beach which extends from a rocky point located 300 feet east of Las Varas Creek west to a rocky cobble headland in "Edwards Cove", approximately 1,000 feet east of Edwards Point. This long beach overlies a rocky marine terrace, where in summer and times of abundant sand, a modest dry sand beach berm forms, particularly near Las Varas Creek. However, in winter or periods with low sand supply (i.e., September, 2014), this beach is intertidal, with high tides reaching the base of the bluff and lateral access regularly available at tides below +4 feet. Therefore, even in summer during a low sand year, passage along this beach can be obstructed at modest or high tides due to this sometimes narrow beach being submerged.

The 1,000 feet of beach within the cove east of Edwards Point is more regularly intertidal. Based on field observations, the Trails Council estimates that most of this cove would be submerged at a +3 foot tide, with the narrowest areas of the cove becoming submerged at a 2 foot tide. The increasing presence of cobbles approaching Edwards Point also makes passage difficult and beach goers would be required to scramble over slippery cobbles at higher tides.



*The beach at Las Varas Creek (looking west) supported a modest dry sand beach berm in late spring of 2013. However, high tides reach near the base of the bluff limiting the timing and duration of public access (note line of seaweed).*



*The beach at Las Varas Creek (looking east towards the creek) supported no well-developed dry sand beach berm in September 2014 and high tides reached the base of bluff limiting the timing and duration of public access (note line of seaweed).*



Prepared by Santa Barbara County Trails Council

- Generally impassible above 2 ft tide
- Generally impassible above 3 ft tide
- Generally impassible above 4 ft tide

Based on Santa Barbara County Trails Council Beach Survey – September 2014

0 100 200 Feet



**FIGURE 1** Affects of Tides on Lateral Beach Access on Las Varas Ranch

Rocky Outcrop  
Generally impassible above 0.5 ft tide

Edwards Point  
Generally impassible above 4 ft tide due to slippery cobbles

Las Varas Ranch

Lateral access and beach passage at Edwards Point appears to be available at up to a +4 foot tide. The large cobbles mound up at the Point, allowing access to those willing to scramble the large slippery cobbles even at high tides.



*The cove east of Edwards Point is more strongly intertidal than beaches to the east and appears to be generally submerged above a +3 foot tide. Cobbles and rocky outcrops can make lateral access more challenging here, even at low tide. Edwards Point is in the background.*



*Rocky points limit lateral access from Dos Pueblos Canyon east to Las Varas Beach (background); at a low tide of +1.7 feet on August 16 of 2014, access west to Las Varas Beach was blocked by waves and rocks. Lateral access was available by scrambling over rocks at a +0.5 tide.*



*Lateral access on the sandy intertidal beach along the eastern 4,100 feet of Las Varas Ranch is limited by rocky points to the east (right), which prohibit access east to Dos Pueblos creek except very low or minus tides. In years with ample sand, a dry sand beach berm may develop allowing lateral access. However, in winter and low sand supply summers, later access can be impeded along this beach at even moderate tides (note narrow beach berm).*

In general, based on field surveys and review of historic aerials from 2002 to 2014, Las Varas beaches west of Edwards Point are the narrowest and most strongly intertidal beaches that front the ranch. These beaches appear to be regularly submerged by relatively modest tides of +2 feet or more. In this area, the public regularly uses the bluff top to access Edwards Point.



*Scenic rocky outcrops such as this one west of Edwards Point can present challenges for lateral access.*



*Las Varas beaches near the west end of the ranch west of Edwards Point is strongly intertidal, with the entire beach often submerged at moderate tides.*



*Beach along Las Varas Ranch west of Edwards Point appears to be the most strongly intertidal of those fronting the ranch. Here, lateral access along the shoreline is generally restricted to tides below + 2 feet. The bluff top west of Edwards Point is also the area of the ranch that receives the highest level of informal access by the public as beachgoers traverse the bluffs to reach Edwards Point; proposed development would block this existing informal access, limiting public access along the coast to low or minus tides.*

**Conclusions:** Based on Trail Council research and field work, key conclusions of this study include:

1. State Coastal Act Section 30211 protects public access to the shoreline that has been acquired through "use or custom". Santa Barbara County LCP Policy 7-1 requires 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". County LCP Policy 7-3 requires that "For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory..." and that "At a minimum, the dedicated easement shall be adequate to allow for lateral access during periods of high tide."



*Acquiring public access to and along the shoreline at Las Varas Ranch is an important County and State policy goal. However, provision of public vertical access to the often intertidal beach at Las Varas Creek (pictured) would not facilitate public access along the shoreline to Edwards point at moderate and high tides as required by County policy.*

2. The public currently accesses the beaches along Las Varas Ranch primarily via informal access along the Union Pacific Railroad and across the bluff top west of Edwards Point, with more limited use of the bluffs east of the Point (Trails Council 9/16/14). The proposed development of Las Varas Ranch would close or substantially interfere with such access. While public access to these beaches does occur along the beach from the east and west and through Las Varas beaches such access is limited to low or at best moderate tides. Access along the shoreline at moderate to high tides inhibits public lateral access much of the time.
3. The proposed dedication of dry sand beach included as part of the proposed Las Varas Ranch development project would not guarantee or allow for public access along the shoreline as required by state and county policy. In particular, the public would not be able to access Edwards Point, the location of existing and planned access, much of the time due to tidal restrictions. Further, while a formal Mean High Tide Line Survey has not been completed, field surveys and review of historic aerial photographs indicate that private lands on the beach along the Las Varas Ranch are likely limited as many of the beaches fronting the reach are strongly intertidal. This limits public benefits associated with dedication of dry sandy beach.
4. If public access along the shoreline is to be guaranteed consistent with state and county policy, dedication of a nearshore coast trail would be required. Such a trail would permit public access between tidally isolated beaches such as that at Las Varas Creek and Edwards Point.



September 16, 2014



SANTA BARBARA COUNTY  
Trails Council

**Introduction:** Edwards Point on the Las Varas Ranch has a long history of informal use by members of the public. As disclosed below, historic public use includes fishing, hiking, beach walking, swimming, and surfing. This existing public use is threatened by proposals to develop two large estate residential compounds at Edwards Point. These residential estate compounds, including guest homes, walls or fences would lie across routes historically used by the public to gain access to shoreline at this location, effectively blocking public access. In addition, based on similar situations along the eastern Gaviota Coast and at locations such as Broad Beach in Malibu, the real potential exists for new development to use security guards, cameras and other security measure to interfere with or eliminate historic public access to the coast at Edwards Point.



*Provision of public access to and acquisition of scenic Edwards Point has been planned by Santa Barbara County for over 30 years.*

This brief report provides photographic and other evidence of substantial and sustained public access at Edwards Point to allow state and county decision-makers to understand the nature and importance of public access at Edwards Point. As part of its review of the impacts of Las Varas Ranch development proposal, Santa Barbara County has not undertaken any detailed or systematic surveys of existing public access or retained any recreational experts to assess such use, instead relying on hearsay and secondhand sources of information from a surf book, the project applicant's ranch manager and consultant surveying the site for other resources (e.g., biology). This report provides a greater level of information on existing public access.

**Methodology:** The information in this report was compiled local sources, including a photographer who has visited Edwards Point periodically over the last 5 or more years, with photographs taken episodically during this period, representing only a sampling of public use. This information is supplemented by field surveys compiled by the Santa Barbara County Trails



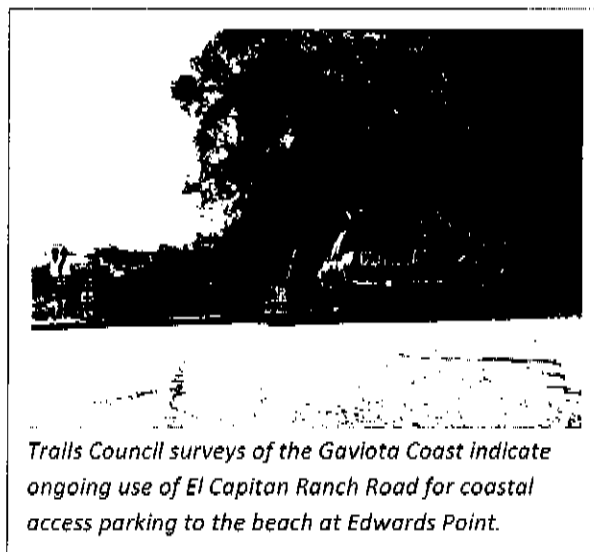
*This photo depicts a hiker on the bluffs at the Inner cove at Edwards Point looking west toward the point (background). This photograph was taken in winter- spring as indicated by the green pasture.*

Council (Trails Council) during preparation of the Gaviota Coastal Trail and Access Study (Trails Council, 2013). These surveys were conducted in spring and early summer of 2013 outside of the winter surf season when use would be expected to be higher. Trails Council field crews consisting of an experienced Environmental Planner and 1-2 interns performed 12 days of field reconnaissance along the Gaviota Coast to survey and document existing coastal access routes, parking and beach use between Bacara Resort and Spa and Gaviota State Park. During these surveys, Trails Council field crews observed an average of 2-3 cars parked on El Capitan Ranch Road during the majority of these surveys. During several follow up public access surveys conducted during the late summer, Trails Council field crews noted as many as six cars parked at El Capitan Ranch Road, where parking south of US Hwy 101 serves as the "trailhead" for access to Edwards Point along the UPRR.

### Existing Public Access Routes to Edwards Point

Primary public access to Edwards Point occurs along the Union Pacific Railroad (UPRR) corridor and across the bluffs on Las Varas Ranch west of Edwards Point and down to the beach at the Point (Figure 1). Public road shoulder parking is available along El Capitan Ranch Road, with space for approximately 15 cars. The public traverses the UPRR corridor along the tracks and this access has created a visible informal trail along the edge of the tracks.

Access follows the tracks for approximately for 1,500 feet to the first ranch gate at an at-grade UPRR crossing (Figure 1). However, coastal access may also occur via the existing Gato Creek tunnel under the UPRR, located approximately 3,000 feet west of El Capitan Ranch Road.<sup>1</sup> After leaving the UPRR corridor, the public then follows several existing ranch roads and/ or cattle trail across the blufftop gaps in the steep bluff at Edwards Point west of Gato Creek (Figure 1). Access is also available to Edwards Point along the beach from El Capitan State Park to the west and the Naples informal coastal access located two miles to the east and west respectively. However, due to the intertidal nature of area beaches and the presence of rocky points, such beach access is reliable only at low tides. Based on Trails Council field surveys in September of 2014, lateral access from the east may be available at a "0" low tide and from the west at tides of from 0 to 1 foot. Such tides occurred for several hours on 13 of 30 days in September of 2014, allowing lateral access on 40% of the days in



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<sup>1</sup> The Trails Council has documented existing access along the UPRR during field surveys and observed hikers entering the ranch, as well as the presence of the informal trail along the tracks and signs of ongoing public use along UPRR, including multiple footprints. Trails Council crews have also observed the public climbing through fences near the west end of the ranch.





**FIGURE 1** Existing Public Coastal Access Routes on Las Varas Ranch

San Diego County Trails Council does not endorse or certify any product.

September, but only for several hours each day, or between 10% to 20% of available daylight hours during this month (Southern California Tide Log 2014, Pacific Publishers).

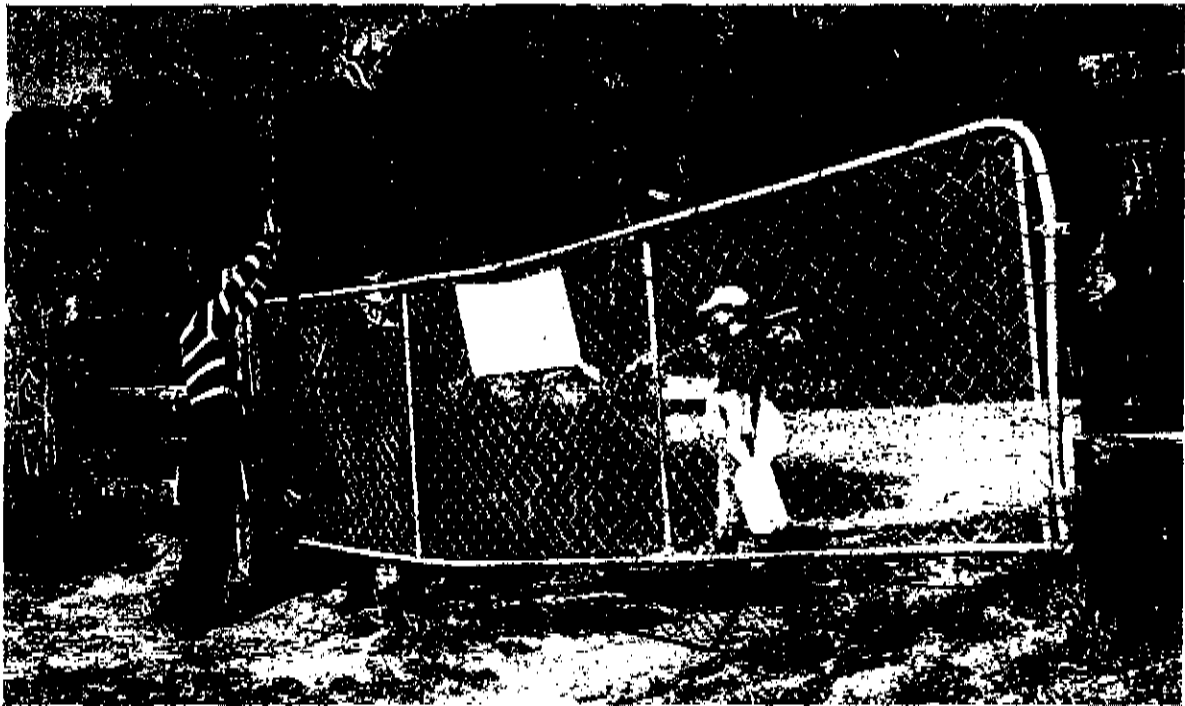
### **Existing Levels of Public Access at Edwards Point**

The level of existing public access to Edwards Point has not been well documented as part of the Environmental Impact Report (EIR) for the Las Varas Ranch Development Project. However, 2013 Trails Council surveys of the Gaviota Coast documented regular public parking at El Capitan Ranch Road on more than 50% of the days such surveys were conducted during the spring and summer, outside of the primary surf season. Trails Council surveys also documented the public using the UPRR corridor to access the ranch as well as public access from an existing blufftop trail system that Links Las Varas beaches with Dos Pueblos Canyon and beach.

In addition to Trails Council surveys, photo-documentation compiled by a local photographer also indicates diverse and sustained use. These episodic surveys confirm regular ongoing use of access to Edwards Point by fishers, hikers and surfers on many of the days that surveys occurred. Such surveys indicate that Edwards Point receives regular use by members of the public, including fishers from Los Angeles, Santa Maria and Lompoc and college surfers. Taken together, Trails Council surveys and those by a local photographer have documented public parking at El Capitan Ranch Road and / or use of the UPRR and / or Edwards point on more than 15 days during limited periods of each of these days. Ongoing public use is likely to be far more extensive than such surveys reveal as the surveys did not cover the entire day and Trails Council surveys occurred outside the winter surf season and were not focused on Las Varas Ranch alone, but the entire eastern Gaviota Coast. Still, the following photographs represent a more substantial body of evidence than the hearsay relied upon in the County's EIR.



*El Capitan Ranch Road west of Edwards Point has sufficient road shoulder parking within public right of way to accommodate approximately 15 vehicles. In this photo, ten cars are visible indicating the probability that 10 or more people are accessing Edwards Point at this one moment in time. However, as shown in later photographs, parties of 2, 3, 4 or even as many as 5 individuals are documented visiting the Point together. This could raise the number of people at the point to 20 or 30 during this period on a single day.*



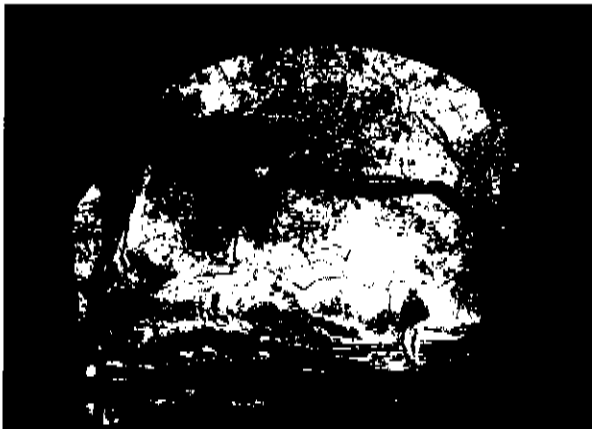
*This party of three fishers is leaving the Las Varas Ranch Bluffs and handing equipment over the western ranch gate after fishing at Edwards Point. The UPRR lies in the background. This gate lies approximately 1,500 feet west of available on street parking on El Capitan Ranch Road.*



*This man was photographed walking west along the UPRR after leaving the Edwards Point area. His Car is parked on El Capitan Ranch Road approximately 1,500 feet to the west, past the cypress and eucalyptus trees in background. Note faint trail paralleling tracks to the left. Trails Council surveys observed footprints and bike tracks along this trail after rains in spring of 2013.*



*The UPRR corridor offers the primary access route from public parking along El Capitan Ranch Road to Edwards Point.*



*The Gato Creek tunnel under the UPRR offers another way to reach Edwards Point from the informal public access corridor along the UPRR. This tunnel is used by ranch vehicles and to move cattle between pastures.*



*Lateral access to and along Las Varas Ranches' intertidal beaches is restricted to low and moderate tides.*



*This father and two sons are heading to the beach at Edwards Point and are west of the first at-grade railroad crossing. The Trails Council has interviewed other surfers that have taken their children into Edwards point.*



*This trio of fishermen from Santa Maria is walking down the trail to Edwards Point from the Las Varas Ranch blufftops; Gato Creek lies in background. The distant point is on Dos Pueblos Ranch east of Las Varas Ranch.*



*The same trio of Santa Maria fishermen revisited Las Varas Ranch on a different day than the photo above (note clear skies); they are using the blufftop trail on Las Varas Ranch.*



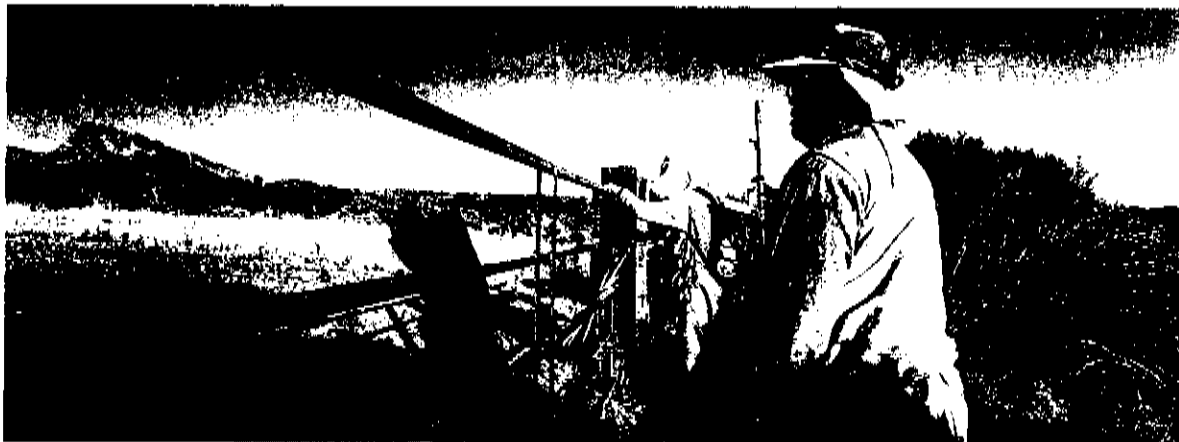
*Two young hikers view Edwards Point from bluff top on Las Varas Ranch down coast and east of the Point.*



*A party of four college students using the UPRR corridor to access Edwards Point; they had parking their car on El Capitan Ranch Road. They are leaving the UPRR at the western at grade crossing and enter the ranch at gate to right.*



*A photographer is engaged in filming at Edwards Point from the blufftop down coast or east of the Point. The beach at Las Varas Creek and Dos Pueblos Point lie in distant background.*



*A party of Korean fishers from Los Angeles climbs a ranch gate to access Edwards Point. They had parked at El Capitan Ranch Road, walked along the UPRR and across ranch roads to reach the beach by Edwards Point.*



*Fishermen on beach west of Edwards Point with catch during a minus tide. Note lack of dry sand beach berm on this intertidal beach; this beach would be impassable at medium or high tides (i.e., majority of many days).*



*A party of five fishermen from Los Angeles enjoys the fire pit and picnic area at Edwards Point.*



*A Lompoc family of four enjoys fishing on beach west of Edwards Point. They had parked at El Capitan Ranch Road, walked the UPRR corridor and used ranch roads to access beach at Edwards Point. Note that the intertidal beach is all wet sand and the lateral access would be limited at higher tides.*

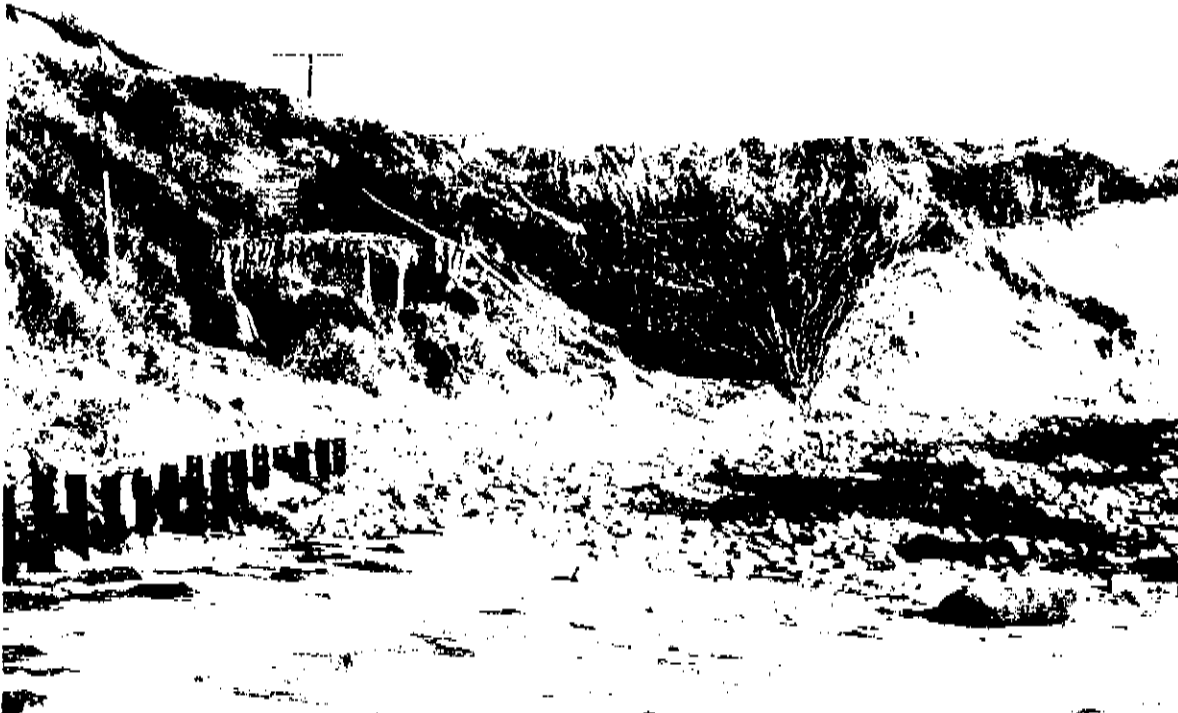


*A lone surfer scrambles over a ranch gate to access Edwards Point. Note UPRR tracks in foreground and no trespassing sign.*





*Surfers and their five dogs on bluffs in seaside pasture just west of Edwards Point. Note that their faces have been obscured as requested.*



*A beach goer descends the informal coastal access trail down the bluff face near the beach shack located just east of Las Varas Creek. This trail connects to a blufftop coastal trail that extends east to Dos Pueblos Canyon.*

**Importance of Public Access to Edwards Point:** Protection and improvement of public access to and along the coast is a key goal of California's State Coastal Act as well as Santa Barbara County's Local Coastal Plan (LCP). Coastal Act Policy 30211 states that *"Development shall not interfere with the public's right of access to the sea where acquired through use, custom or through legislative authorization..."*. Santa Barbara County's LCP Policy 7-1 states: *"The County shall take all necessary steps to defend the public's constitutionally guaranteed rights of access to and along the shoreline."*

This paper provides substantial evidence that public access to and use of Edwards Point is ongoing and consists of diverse user groups from locations as widely separated as Los Angeles, Lompoc, Santa Maria and UCSB. Photographs and field observations by Trails Council survey crews have documented at least 15 different days of public access to and/or use of Edwards Point as well as parking at El Capitan Ranch Road. In contrast, the County's draft EIR on the Las Varas Ranch development project provides no maps of access routes, photographic evidence of access or use of systematic surveys focused on recreation. As such, this paper provides substantial evidence in the record of existing public coastal access across Las Varas Ranch.

The County's LCP notes that existing coastal parks are used to capacity especially on summer weekends. We also note that the County's official trail advisory body, the County Riding and Hiking Trails Advisory Committee has found that existing and long planned access at Edwards Point is an issue of significant concern and that its loss would be a significant issue. No new formal public coastal access has been developed on the Gaviota Coast in the last 30 or more years. Acquisition and development of such access is costly and can require years or decades to implement. The high priority placed on protecting such coastal access in adopted county and state laws and policies combined with evidence of sustained and diverse ongoing use and the difficulty of providing new access increases the importance of existing access at Edwards Point.



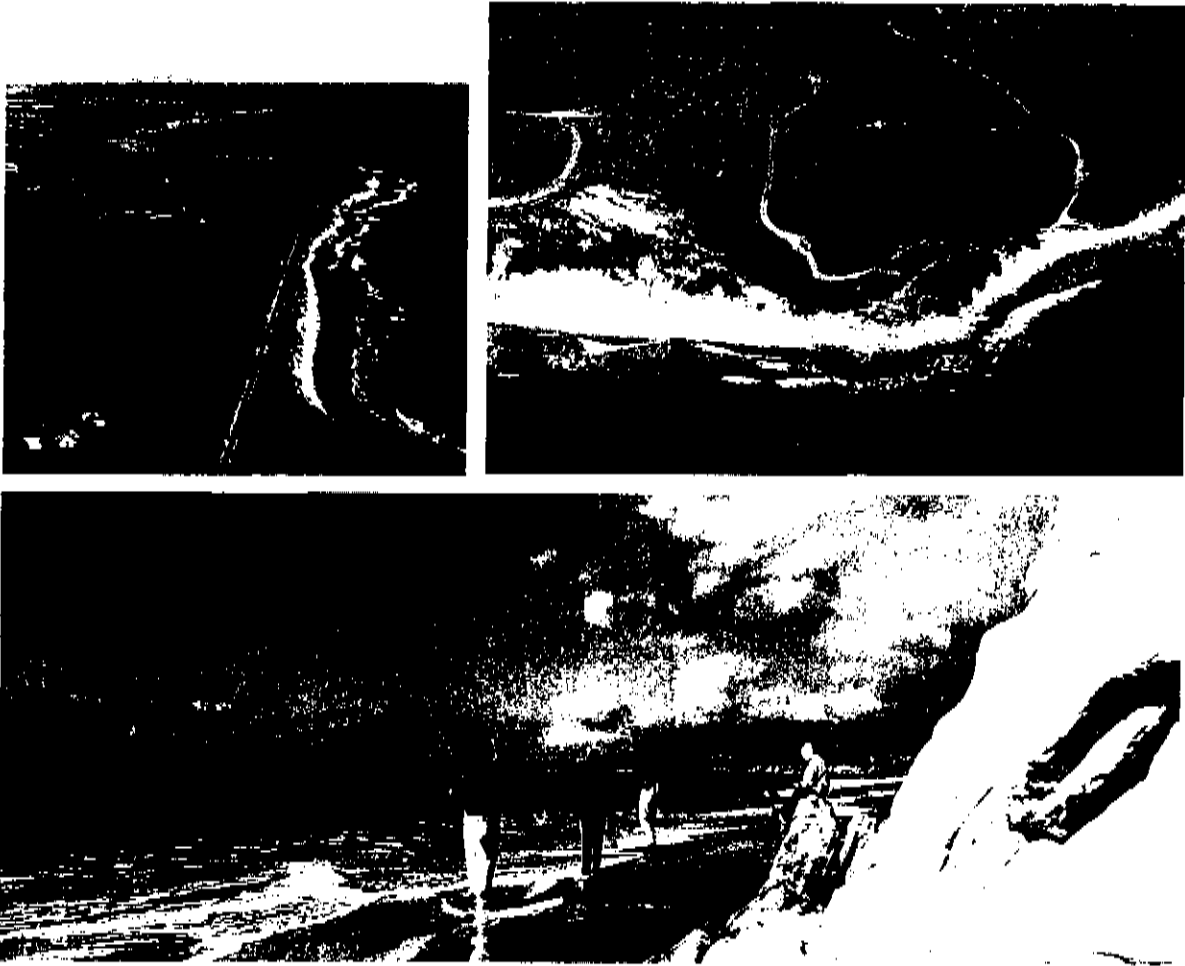
*A man sitting atop bluffs at west end of Las Varas Ranch. He had completed the beach walk of almost 3 miles from the Naples access Point during a low tide event.*



*This informal fire pit and seating area at Edwards Point receives is used by a range of is people, including surfers, fishermen and hikers.*



*This beach shack and fire pit at the east end of Las Varas Ranch is testament to ongoing use of the area. A trail up the bluff faces links this site to residences on ranches adjacent to Las Varas Ranch to the east, with a coastal trail extending for almost ½ miles to the east connecting with Dos Pueblos Ranch. The public uses this blufftop trail to bypass rocky points which impede lateral access at most tides west of Dos Pueblos Canyon beach.*



Appendices 1A, 1B, 1C, 1D, 1E and 1F

September 16, 2014



SANTA BARBARA COUNTY  
**Trails Council**

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## Appendix 1A

### Recommended Findings of Significant Impacts to Recreation

The Planning Commission disagrees with the EIR regarding impacts to Recreation and finds that impacts to Recreation due to loss of existing coastal access are potentially significant and may be unavoidable and significant. Because of the scarcity of coastal access, the difficulty and high cost of acquiring new coastal access and the high priority placed on coastal access in the State Coastal Act and County Local Coastal Plan (LCP), the Commission finds that the probable closure of existing well documented informal public access at Edwards Point due to construction of new homes would constitute a potentially significant impact under CEQA that may be unavoidable. This impact would be more severe as Edwards Point has also been planned for public access and acquisition for over 30 years in the LCP. This impact is not mitigated by the planned access at Las Varas Creek one mile east of Edwards Point. The Commission's reasoning for this finding is set forth below.

1. Documented Significant Existing Recreational Use of Edwards Point: The Santa Barbara County Trails Council (Trails Council) has submitted substantial evidence into the record that Edwards Point experiences historic and ongoing public use that appears to be both more diverse and extensive than indicated in the EIR (Attachment 2, Trails Council, 9/16/14). More than a dozen Trails Council surveys document cars parked along El Capitan Ranch Road a majority of the time with an average of from 3-2 cars and a high of 6 cars (Trails Council, 9/2014). Photographic evidence shows 10 cars on one occasion. As documented by the Trails Council, photographic evidence and surveys document parking at El Capitan Ranch Road and/or use of Edwards Point on at least 15 different days. Existing user groups appear to include at least surfers, fishers, hikers, families and beach walkers, in parties sometimes as large as 3, 4 or 5 individuals. The Commission finds that past Trails Council surveys and photographic evidence of parking at El Capitan Ranch Road and ongoing public access provide compelling evidence of ongoing significant public access to and use of Edwards Point.
2. Inconsistency with State and County Policy: Provision and protection of coastal access IS a key goal of the State Coastal Act. Coastal Act Section 30211 states:

*"Development shall not interfere with the public's right of access to the sea where acquired through use, custom, or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. "*

The County's adopted Local Coastal Plan Policy 7-1 states:

*"The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline. At a minimum, County actions shall include:*

*(a) Initiating legal action to acquire easements to beaches and access corridors for which prescriptive rights exist consistent with the availability of staff and funds.*

*(b) Accepting offers of dedication which will increase opportunities for public access and recreation consistent with the County's ability to assume liability and maintenance costs.*

*(c) Actively seeking other public or private agencies to accept offers of dedications, having them assume liability and maintenance responsibilities, and allowing such agencies to initiate legal action to pursue beach access."*

The Commission notes that Coastal act Section 30211 specifically enjoins development from interfering with access to the coast where acquired through use or custom. We find that such customary use of access to Edwards Point exists. We also note that LCP Policy 7-1 actions a-c are the minimum required of the County and that these policy inconsistencies combined with substantial evidence of historic and ongoing recreational use support the significance of existing recreational access at Edwards Point. The Commission also notes that provision of public access at Edwards Point is required in LCP Policy 7-18 which states in part:

*"Expanded opportunities for access and recreation shall (underling added) be provided in the Gaviota coast planning area. Implementing Actions:*

- a. In order to maximize access to the beaches, vertical easements connecting the proposed coastal bicycle trail (linking Santa Barbara and Gaviota) to the beach shall be acquired by a public agency at the following locations: (3) Edwards (near Gato Canyon). The trails connecting the bicycle path to the beach shall be well-marked and bicycle racks shall be provided. Where necessary, stairways from the top of the bluffs shall be provided. Public parking and other facility development, other than staircases, fences, improved trails, bicycle racks, and picnic tables, shall not be permitted at these accessways except as specified in section b."*

The Commission finds that this policy is mandatory and not permissive and that failure to provide access at Edwards Point is another major inconsistency with adopted State and County Policy. These major policy inconsistencies when combined with substantial documented historic and ongoing access to and use of Edwards Point for public coastal access and recreation support a finding inconsistency with adopted policies and, as discussed below, significant impacts to recreation.

3. Significant Impacts to Public Recreation: The Commission finds that the records supports a identifying project impacts to existing public coastal access and recreation (Impacts Rec-2 and Rec-3) as significant and potentially unavoidable for the following reasons:

- **Importance of Existing Access:** The Commission finds that existing access appears to be more important and substantial than acknowledged in the EIR. Existing dedicated public access along County's shoreline, particularly the Gaviota Coast is limited. The County's LCP notes that "existing County and state beaches are used to capacity, especially on summer weekends". As noted by the Trails Council, new public access is difficult and expensive to provide. This is supported by the fact that none of the proposed 8 public coastal access points along the Gaviota Coast identified in the County's 1983 LCP have been acquired or developed over the last 32 years. As documented by the Trails Council in the Gaviota Coastal Trail and Access Study (Trails Council 2013), existing informal access along the Gaviota Coast plays an important role in public access to the shoreline for County residents and visitors alike. Therefore, existing informal access to Edwards Point which has been acquired by the public through *use and custom* should be considered as a significant resource under CEQA.
- **Use of a Low Threshold:** The importance of coastal access in the State Coastal Act and County's LCP, the limited availability of such access, the difficulty of acquiring and providing new access and guidance provided in CEQA and court cases (e.g., No Oil Inc vs City of LA) and Coastal Act/ LCP policy importance warrant use of a low resource protective threshold of significance for recreation and coastal access.
- **Impacts of Proposed Blufftop Homes:** The proposed project would facilitate development of large residential estate compounds west of Edwards point. These residential estate compounds, including guest homes, walls or fences would lie across routes historically used by the public to gain access to shoreline at this location, effectively physically blocking public access. In addition, based on similar situations along the eastern Gaviota Coast (e.g., Paradiso del Mare, McCaw property) and at locations such as Broad Beach in Malibu, the real potential exists for new development to use security guards, cameras and other security measure to interfere with or eliminate historic public access to the coast at Edwards Point.
- **Reliance on Expert Opinion and Surveys:** The EIR provides no expert analysis of recreational and coastal access issues or surveys of existing use, relying instead on second hand information for this important issue. In contrast, the Commission has received substantial evidence of ongoing access and expert input from the County Riding and Hiking Trails Advisory Committee (CRAHTAC) and the Trails Council which have both recommended that the loss of coastal access at Edwards Point be considered a significant impact. CRAHTAC is charged by the Board of Supervisors with advising the County on trail matters and is an expert on County recreational and trail policies. The Trails Council is expert at trail design, permitting and construction. Both CRAHTAC and the Trails Council are recognized in the County's LCP as important advisors to the County on trail matters. Further, given its publication of the Gaviota Coastal Trail and Access Study, its extensive work regarding trail construction and planning efforts for the County and other agencies, including



coastal access at Elwood Mesa, and planned coastal trail construction at Paradiso del Mare, the Trails Council must be considered an expert on public access and trail design issues. Therefore, based upon input from these bodies and the substantial evidence in the record cited in this discussion and as submitted by the Trails Council, the impacts of loss of existing access at Edwards Point must be considered as significant impact.

- **Failure of Proposed New Access to Mitigate:** If and when completed, the proposed Las Varas Creek Trail would provide access to the coast one mile east of Edwards Point. However, this trail is unfunded and faces permit obstacles with the UPRR and potentially state and federal agencies. Therefore, the certainty and timing of its completion cannot be ascertained and it cannot be contrasted too act as mitigation for the loss of existing access at Edwards Point. Further, due to the strongly intertidal nature of the beaches fronting the Las Varas Ranch as documented by the Trails Council, this proposed access would not allow regular public access at medium and higher tides west to Edwards Point, particularly during the winter surf season when sand levels are low. For surfers, prevailing currents, particularly during major north or northwest swell events, would prohibit all or most surfers from completing an already challenging mile long paddle to Edwards Point. Because Edwards Point is the current and planned location of public access in this area and the destination of a substantial portion of existing and potential future user groups, the Commission finds that, even if successfully completed and opened, access at Las Varas Creek would not replace existing access at Edwards Point and would not address the inconsistency with adopted County policy.

## Appendix 1B

### Recommended Findings of Significant Land Use Impacts

The Planning Commission finds that the EIR fails to disclose two potentially significant land use impacts associated with the proposed Project regarding the provision of coastal access at and the acquisition of Edwards Point and the location of the California Coastal Trail.

Coastal Act Section Policy 30221, LCP Policy 7-18 and LCP Table 3-5: Coastal Act Section 30221 states:

*“Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.”*

Further, County LCP Policy 7-18 in part:

*“Expanded opportunities for access and recreation shall (underling added) be provided in the Gaviota coast planning area. Implementing Actions:*

- a. *In order to maximize access to the beaches, vertical easements connecting the proposed coastal bicycle trail (linking Santa Barbara and Gaviota) to the beach shall be acquired by a public agency at the following locations: (3) Edwards (near Gato Canyon). The trails connecting the bicycle path to the beach shall be well-marked and bicycle racks shall be provided. Where necessary, stairways from the top of the bluffs shall be provided. Public parking and other facility development, other than staircases, fences, improved trails, bicycle racks, and picnic tables, shall not be permitted at these accessways except as specified in section b.”*

#### ***Suggested New Land Use Impact LU-4; Loss of Existing and Planned Coastal Access:***

*The Commission finds that the loss of long planned recreational access to and acquisition of Edwards Point Edwards Point when combined with documented ongoing public access to and use of Edwards Point is a potentially significant Land Use Impact that may be unavoidable.*

Edwards Point is oceanfront land highly suitable for recreation, such coastal recreational land is in very short supply and Edwards Point has long been planned for access and acquisition in the County's LCP. The Commission finds that policy 7-18 is specific and **requires** access to Edwards Point and is not permissive to allow its substitution with alternate access. The Commission also notes that the County's LCP finds that "existing beach parks owned by the County and State are being used to capacity, especially on summer weekends" and that reliance on existing facilities to determine consistency with Coastal Act Section 30221 is not substantiated by the facts. Further, none of the eight public access points planned in the LCP

for Gaviota have been acquired by the public and Edwards Point is one of only two such proposed Coastal Parks identified in the entire County in the 1982 LCP. Such oceanfront land is increasingly scarce and highly valued by the public. Therefore, the Commission finds that these policy inconsistencies combined with loss of existing access constitute a major conflict with adopted State and County plans and policies which are therefore considered a significant Land Use Impact under CEQA. Notwithstanding the County's ability to exact dedication of or to purchase Edward's Point at this point in time, the permanent foreclosure of the potential to acquire this key coastal open space would be considered *a potentially significant impact under CEQA which may be unavoidable.*

LCP Policies 7-1 and 7-25: LCP Policy 7-1 states:

*"The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline. **At a minimum** (emphasis added), County actions shall include:*

*(a) Initiating legal action to acquire easements to beaches and access corridors for which prescriptive rights exist consistent with the availability of staff and funds.*

*(b) Accepting offers of dedication which will increase opportunities for public access and recreation consistent with the County's ability to assume liability and maintenance costs.*

*(c) Actively seeking other public or private agencies to accept offers of dedications, having them assume liability and maintenance responsibilities, and allowing such agencies to initiate legal action to pursue beach access."*

Policy 7-3 States:

*"For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory. In coastal areas, where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County, based on findings reflecting historic use, existing and future public recreational needs, and coastal resource protection. **At a minimum, the dedicated easement shall be adequate to allow for lateral access during periods of high tide** (emphasis added). In no case shall the dedicated easement be required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval."*

**Suggested New Land Use Impact LU-5; loss of lateral access, inconsistency with PRT Maps and State Coastal Trail Siting Guidelines:** The Planning Commission finds that the project would eliminate existing lateral access along the ranch blufftops, that proposed easements on the dry sand beach would not permit lateral coastal access during periods of

medium and high tides and that the proposed location of the California Coastal Trail is inconsistent with the County's Parks Recreation and Trails (PRT) Maps.

The EIR does not disclose a significant Land Use Impact associated with inconsistency of the proposed Project with County LCP Policies 7-1 and 7-3 and the County's (PRT). As demonstrated by Planning Commission and Board action on the draft Gaviota Coast Plan, the Commission finds that the appropriate location for the California Coastal Trail on the Las Varas Ranch is near the shoreline. Further, the Commission notes that, due to the often intertidal nature of beaches at Las Varas Ranch, and the presence of rocky outcrops (e.g., Edwards Point) dedication of lateral access along the beach would not guarantee the public's right to access along the shoreline during high tides as set forth in LCP Policy 7-3. The Commission finds that the Trails Council has submitted substantial evidence that during mid to high tides, which constitute the majority of daylight hours much of the season, especially during winter, such dedication of lateral beach access would not guarantee the public's right to access along the shoreline much of the time as required under Policy 7-3 (Trails Council, 9/18/14).

Further, it would be difficult and potentially hazardous for surfers to paddle the one mile from the newly proposed Las Varas Creek access point to Edwards Point, especially during high winter surf. Long term currents/littoral drift in along the south Coast are to the east, downcoast of Edwards Point. Paddling from the Las Varas Creek Trail upcoast would be against the prevailing current. Also, Edwards Point primarily breaks with big north or northwest swells, with waves sweeping downcoast, further increasing difficulty of paddling upcoast against such swells. Paddle **one mile** against a major current and prevailing swell would be exhausting, potentially exposing surfers to hazardous conditions. Further, other user groups would also be precluded from lateral access along the beaches much of the time. Finally, the proposal to locate the Coastal Trail located along US Hwy 101 far from the shoreline would also not meet the requirements to provide access "along the shoreline and would be inconsistent with the Commission's previous direction for location of the Coastal Trail as well as direction provided in State Guidelines.

Therefore, notwithstanding the County's ability to exact dedication of a nearshore Coastal Trail at this time, the proposed Project would create *potentially significant impacts under CEQA* due to inconsistencies with adopted LCP Policies 7-1 and 7-3, the County's adopted PRT Maps, State Coastal Conservancy Guidelines for siting the Coastal Trail as well as loss of existing physical public access along the bluffs. Depending upon the availability of mitigation, such impacts may be unavoidable.

## Appendix 1C

### Recommended Findings of Policy Inconsistencies

**Recreation Facilities and Coastal Access; Consistency with Coastal Act Section 30221 and LCP Policy 7-18:** The Planning Commission disagrees with the EIR and staff report regarding the consistency of the proposed Project with the following adopted policies and finds that the project is inconsistent as set forth below:

Coastal Act Section 30221 regarding preservation of oceanfront land suitable for recreation as the Commission finds that Edwards Point is oceanfront land highly suitable for recreation, that such coastal recreational land is in very short supply and that is permanent loss to residential development would be inconsistent with the intent of this Coastal Act Section. The Commission notes that the County's LCP finds that "existing beach parks owned by the County and State are being used to capacity, especially on summer weekends." As discussed below, Edwards Point has long been planned for acquisition and use as a major Coastal Park. Notwithstanding the County's ability to exact dedication of or to purchase Edward's Point at this point in time, the permanent foreclosure of the potential to acquire this key coastal open space is a clear inconsistency with the intent of Coastal Act Section 30221.

LCP Policy 7-18 requires provision of public access at Edwards Point and recommends its acquisition for low intensity camping as also set forth in LCP Table 3-5). The plain language of LCP Policy 7-18 means that the County shall provide coastal access at Edwards Point near Gato Creek and that this site should be acquired as a major Coastal Park (see also Table 3-5). Edwards Point is only one of two such proposed Coastal Parks identified in the entire County in the 1982 LCP and such oceanfront land is increasingly scarce and highly valued by the public. The Commission notes that the County's LCP finds that "existing beach parks owned by the County and State are being used to capacity, especially on summer weekends." Approval of the proposed Project, including reconfiguration of existing parcels and eventual construction of estate residential homes and other related improvements would forever preclude public access at and acquisition of this site as set forth in the LCP. Therefore, the Commission finds that the proposed Project is inconsistent with the County's adopted LCP including Policy 7-18 and the intent of Table 3-5. Notwithstanding the County's ability to exact dedication of or to purchase Edward's Point at this time, the permanent foreclosure of the potential to acquire this key coastal open space is a major inconsistency with the County's adopted LCP.

**Recreation and Public Access; Consistency with Coastal Act Sections 30211; 30212 and LCP Policies 7-1, 7-3, Coastal Conservancy Guidelines for Completing the California Coastal Trail and County PRT Maps:** The Planning Commission *disagrees* with the EIR and staff report regarding the consistency of the proposed Project with the following state and county policies and finds that:

Coastal Act Policy 30211 protects the public's right of customary and ongoing access to the sea at Edwards Point. The proposed development would interfere with or prohibit this customary use and is therefore inconsistent with the intent of this Coastal Act Section.

LCP Policy 7-3 requires that dedication of lateral beach access where bluffs are present account for and allow passage at high tides. The Trails Council has submitted substantial information that due to the largely intertidal nature of the majority of beaches at Las Varas Ranch, that lateral access would be largely limited to periods of low and in some area moderate tides (Attachment 3; Trails Council, 9/18/14). Public lateral access would not be available much or most of the time during higher tides. In the absence of a dry sand beach in many years and seasons, Project offers to dedicate lateral beach access and a Coastal Trail far from the shoreline would not allow public access along the beach at periods of medium to high tides; therefore the project is inconsistent with this policy.

Coastal Conservancy Guidelines for Completing the California Coastal Trail requires that the Coastal Trail to be located as close as aesthetically and physically feasible to the shoreline. The proposed lateral access easement for the Coastal Trail would be located far from the shoreline and would be inconsistent with the primary goal of Proposition 20 and Coastal Conservancy Guidelines for completing the Coastal Trail "as close to the shoreline as physically and aesthetically feasible". The Commission finds that construction of a nearshore Coastal Trail would be most consistent with the intent of these State Policies and Guidelines and that there are no insurmountable physical constraints that would prevent constructing a nearshore Coastal Trail. Therefore, the Commission finds that the applicant's proposed Coastal Trail is inconsistent with Conservancy Guidelines regarding the proposed location of the California Coastal Trail. The staff identified alternative is also inconsistent with intent of State Policies and Guidelines for location of the Coastal Trail. Notwithstanding the County's ability to exact dedication of a nearshore alignment of the Coastal Trail, the proposed location of the Coastal Trail far from the shoreline is inconsistent with the intent of Coastal Act Section 30212 and adopted Coastal Conservancy Guidelines.

County PRT Maps: as discussed above, the Commission finds that the proposed location of the Coastal Trail far from the shoreline is inconsistent with the County's adopted PRT Maps. Where physically feasible, the Coastal Trail should be near the shoreline. As demonstrated by Planning Commission and Board action on the draft Gaviota Coast Plan, the Commission finds that the appropriate location for the California Coastal Trail on the Las Varas Ranch is near the shoreline. Further, the Commission notes that, due to the often narrow and ephemeral nature of beaches on the Gaviota Coast, and the presence of numerous points (e.g., Edwards Point) dedication of lateral access along the beach would not guarantee the public's right to access along the shoreline as set forth in LCP Policy 7-3. The Commission finds that at mid-to-high tides, especially during winter, such dedication of lateral beach access would not guarantee the public's right to access along the shoreline. Further, a Coastal Trail located along US Hwy 101 far from the shoreline would also not meet the requirements to provide access "along the shoreline." Therefore, notwithstanding the County's ability to exact dedication of a nearshore coastal trail at this time, the proposed Project would be inconsistent with adopted LCP Policies 7-1, 7-2 and 7-25 and the County's adopted PRT Maps.

## **Appendix 1D**

### **Recommended Findings of Significant Impacts to Agriculture and Grazing**

The Planning Commission *disagrees* with the EIRs finding regarding impacts to agriculture as follows:

- The proposed reconfiguration and subdivision of parcels and construction of large residential compounds across the site would substantially increase the potential for grazing operations to be discontinued on much of the ranch, especially on the coastal portions of the property.
- The County cannot control the actions of new, potentially non-agricultural owners who would purchase these very high end homes, and that cattle grazing may not be viewed as consistent with exclusive residential development.
- Potential impacts to grazing cannot be mitigated by the adoption of CC&Rs which the County cannot enforce, even if made a recorded condition of approval. The Commission finds that reliance on difficult to enforce or infeasible measures would not mitigate impacts.
- Although it would not guarantee continue grazing operations, the Commission finds that imposition of a conservation easement would help reduce impacts to agriculture as well as many other issues such as protection of view corridors, cultural landscapes and biological resources (see discussion of Conservation Easement).

While such a conservation easement would help keep undeveloped areas from being developed or used for non-agricultural purposes, the County cannot compel future owners to continue grazing which may be viewed as inconsistent with desired estate residential oriented uses. Therefore, the Commission finds that the proposed development would create *unavoidable and significant* impacts to agriculture.

## **Appendix 1E**

### **Role of a Conservation Easement in Mitigation Multiple Project Impacts**

The Planning Commission finds that the project would create multiple potential future impacts associated with loss of agriculture and grazing, impacts to designated scenic view corridors, disruption of a significant cultural landscape and impacts to biological resources. These impacts would be associated with development or roads, infrastructure and the residential compounds, but also related to development of future agricultural outbuildings (e.g., equestrian barns, agricultural employee units), walls, fences, and infrastructure and also removal of key biological resources, historic features, scenic trees, etc.

The Commissions finds that use of a Conservation Easement outside of building envelopes is the most feasible enforceable mechanism to protect such resources, mitigate project impacts and ensure consistency with County policy. If a Conservation Easement is unavailable, the Commission finds that preparation of a specific plan may be required to ensure such mitigation. Key elements of the Conservation Easement would include:

- Prohibition of agricultural support buildings, facilities, walls, fences and other structures outside of designated areas, unless specifically allowed for support of primary agricultural operations and permitted under the language of this easement.
- Prohibition of alteration of, or damage to, historic structures, trees or other elements of the cultural landscape.
- Retention of mature scenic trees, agricultural outbuildings, water towers, etc
- Prohibition of removal of, or alteration to, designated significant biological resources.

The Commission directs staff to draft required language for and maps depicting such an easement reflective of the above or any additional concerns. The easement shall be held by the Land Trust for Santa Barbara County or another recognized and qualified land conservation organization acceptable the Planning Commission.



## **Appendix 1F**

### **Examples of Rural Area Specific Plans**

The Trails Council discovered at least 7 examples of rural area specific plans, most of which addressed issues similar to those associated with Las Varas Ranch; agricultural and open space protection, clustering and transfer of development and provisions of recreation. Taken together with the County's own successful use of specific plans for the Ellwood Joint Proposal, Santa Barbara Shores, More Mesa and Rice Ranch, there is ample evidence that specific plans could be used to address major project concerns, including acquisition of Edwards Point.

**Alhambra Valley Specific Plan**

**Middle Green Valley Specific Plan**

**Specific Plan Examples**

# Alhambra Valley Specific Plan

*Contra Costa County, California | Adopted October 1992*

## Key Plan Goals

- ▶ Preserve agricultural and rural residential atmosphere.
- ▶ Enact strict regulation for protection and enhancement of natural resources, agricultural preservation, and scenic beauty.
- ▶ Preserve rural cultural landscape of low density development, hillsides and ridgelines, historic structures, and open spaces.
- ▶ Improve access to parks, trails, and other public attractions from scenic routes.
- ▶ Prioritize agricultural uses, including grazing and cultivated lands.



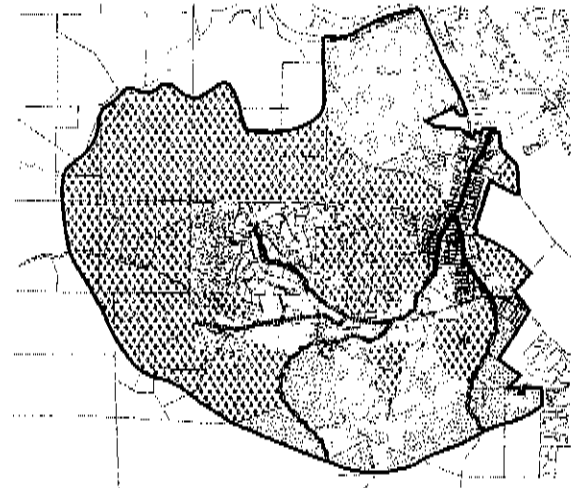
## The Plan's Toolbox

- ▶ Clustered low-density development pattern to preserve open spaces and agricultural areas.
- ▶ Hillside and ridgeline preservation techniques, including design guidelines and grading requirements.
- ▶ Rural roadway design standards and scenic route/gateway designations.
- ▶ Rural design guidelines, including required open rail fencing along scenic roadways.
- ▶ The use of public dedication or granting of scenic or conservation easements to preserve open lands, including agricultural and park lands.
- ▶ Brione Hills Agricultural Preservation Agreement to prevent urban development or annexation for approximately 4.5 square miles of the Specific Plan area.



## Specific Plan at a Glance

- ~30% Agricultural Preservation - 840 acres
- ~30% Open Lands for Resource Preservation and Recreation - 840 acres
- ~18% Low Density Residential Land with 360 residential units at buildout - 504 acres
- 2,800 total acres in rural area





# Specific Plan Examples

*From the Planning Toolboxes of California Communities*

## Hidden Valley Estates Specific Plan

**San Diego County – Adopted 1991**

- ▶ 1,460 acres of rural area
- ▶ 438 rural residential homes with 962 acres of dedicated open space.
- ▶ The use of design guidelines and clustering to maintain rural character.

## Indian Valley Specific Plan

**Marin County – Adopted 2003**

- ▶ 630 acres comprising orchards, equestrian, livestock, open space, and rural residential lands.
- ▶ 71 additional rural residential units.
- ▶ Development standards to control home size to retain rural character, address water quality issues associated with septic systems in rural area, and prevent encroachment onto adjacent agricultural and open space preserves.

## Montecito Ranch Rural Estates Specific Plan

**San Diego County – Adopted 2010**

- ▶ 935 acres of scenic rural land.
- ▶ 64% (over 600 acres) preserved as nature preserve, public open space, and dedication of an 12 acre historic site as preserved cultural resource.
- ▶ 31% for rural residential with development standards to preserve rural character and resources.

## Sonoma Mountain Plan

**Sonoma County – Adopted 1993**

- ▶ 65 square miles of agricultural land, open space, and exceptionally low density residential development.
- ▶ 45% maintained in agricultural preserves.
- ▶ Clustered development and neighborhood centers based on a Community Centered Concept to preserve agricultural and open space resources.



SANTA BARBARA COUNTY  
Trails Council

September 18, 2014

Mr. Dan Blough, Chair  
Santa Barbara County Planning Commission  
123 East Anapamu Street  
Santa Barbara, CA 93101

Subject: Las Varas Ranch Development Project

Dear Chair Blough and Commissioners:

This letter follows up on issues raised our previous letter and attachments (7/27/14) regarding the Las Varas Development Project and provides additional analysis and recommendations. We believe the serious inadequacies in the Project's Environmental Impact Report (EIR) and faulty analysis of the project's consistency with adopted State and County policies undermines the Commission's ability to make fact based decisions on this Project. Therefore, we strongly recommend that the Planning Commission take the following steps:

- **Step 1:** First consider the adequacy of the analysis within the EIR. Unless the Commission supports and agrees with the EIR analysis, it has an inadequate basis for decision-making and should not proceed until inadequacies in the EIR are addressed. No decisions on nexus, mitigation measures or exactions can occur absent an adequate evidentiary basis in the EIR.
- **Step 2:** Direct County Planning and Development (P&D) staff to correct or update the findings of the EIR based on Commission direction. The Trails Council and other community organizations have provided substantial evidence that the EIR analysis of impacts to Recreation, Agriculture and Land Use are inadequate. Consider the information provided in our previous letter and attachments 1A – 1F and supporting studies on *Documentation of Existing Public Access to Edwards Point* (Attachment 2) and *Affects of Tides on Lateral Beach Access at Las Varas Ranch* (Attachment 3), and find that impacts to Agriculture, Land Use and Recreation are *potentially significant and may be unavoidable and significant*.
- **Step 3:** Consider and revise the policy consistency analysis in the EIR and staff report to reflect the analysis in the revised findings of the EIR as recommended by the Trails Council. The Commission has heard expert testimony from the County Riding and Hiking Trails Advisory Committee and others regarding major inconsistencies with adopted policies regarding access to Edwards Point and the location of the California Coastal Trail (see Attachments 1B and 1C).
- **Step 4:** After the EIR and policy analysis are revised to meet Commission concerns, then consider the appropriate potential mitigation measures or alternatives and if sufficient nexus and rough proportionality exists to impose conditions of approval to reduce project impacts to less than significant and to address related policy inconsistencies. After adjustments in the

impact and policy analysis and imposition of available mitigation measures, then consider if impacts remain substantially more severe than forecast in the EIR and what processing steps may be required by County.

Our major concerns and recommendations are briefly summarized below and detailed suggested findings for the Planning Commission are provided in Attachment 1.

**Recreation:** The EIR fails to identify significant impacts to existing coastal access as potentially significant. The Trails Council has submitted substantial evidence (Attachment 2) that recreational use of and access top Edwards Point is more significant than disclosed in the EIR, which provides no surveys of public access and relies on hearsay and second hand information. The Commission should find that this impact of loss of existing recreational access is *potentially significant and may be unavoidable and significant* (please refer to Attachments 1A – 1C and Attachment 2).

**Land Use Impacts:** The EIR fails to disclose two significant Land Use Impacts regarding Project inconsistency with the State Coastal Act and County Local Coastal Plan Policy. The project would forever foreclose provision of public coastal access to and acquisition of Edwards Point as required in adopted Coastal Act and County LCP Policies as set forth in Attachment 1B. The Planning Commission should direct that the EIR be amended to identify these inconsistencies with State and County Policy as *potentially significant land use impacts which may be unavoidable*.

**Agriculture and Grazing:** Impacts to grazing from the lot line adjustment, subdivision, and development remain *potentially significant and may be unavoidable*. The County cannot be party to or enforce proposed CC&Rs which would not mitigate impacts to agriculture and grazing. The Trails Council has provided a discussion of how imposition of a conservation easement or requirements for a specific plan could at least partially mitigate impacts to agriculture and issues such as protection of a cultural landscape, biology, visual resources, etc (Attachment 1F). The Planning Commission should *disagree* with the EIR and find that impacts to agriculture are *unavoidable and significant* (please refer to Attachments 1E and 1F).

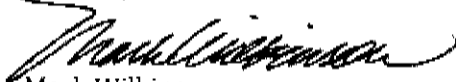
**Trails and Grazing:** The EIR relies on unsubstantiated opinion to find serious conflicts between a nearshore coastal trail and grazing under Alternative 4B. The Trails Council's has submitted substantial evidence into the record that grazing, including cow-calf operations and unfenced trails coexist on tens of thousands of acres throughout the State. Substantial evidence in the record indicates that trail closure is unneeded and that simple fencing and landscape screening would mitigate any potential conflicts between a nearshore coastal trail and the heifer pastures. The Planning Commission should *disagree* with the analysis in Alternative 4B to reflect the findings that fencing and landscape screening would mitigate any potential trails and grazing conflicts as recommended in Dr. Neil Havlik's report (previously submitted).

**Alternatives:** The EIR erroneously dismisses clustering or transfers of density around the ranch as infeasible and ignores community requests to examine use of a specific plan. The Trails Council has submitted evidence that specific plans are used in rural areas throughout the state to protect agriculture, open space and allow well planned development (refer to Attachment 1F). The County has a

long history of requiring use of specific plans to achieve such goals at Santa Barbara Shores, More Mesa and Rice Ranch and as part of The Ellwood-Devereux Joint Proposal. The County should not abandon one of the strongest planning tools available to regulate land use on the sensitive Gaviota Coast. In allowing this development to proceed without making any effort to explore available options to acquire Edwards Point as planned in the LCP, the County will forever forego what may be the last available site for creation for a major coastal park in Santa Barbara County. This is a terribly unfortunate loss for future generations and a major failure of the County's planning process.

Thank you for considering our comments.

Sincerely,



Mark Wilkinson  
Executive Director

- cc. Doreen Farr, 3rd District Supervisor  
Chris Hensen, 3rd District Administrative Assistant  
Glenn Russell, Director, Planning and Development Department  
Alice McCurdy, Deputy Direct, Planning and Development Department  
Anne Almy, Supervising Planner, Planning and Development Department  
Steve Hudson, California Coastal Commission

**Attachment 1:**

Recommended Planning Commission Amendments to EIR Impact and Policy Consistency Analysis

- A) Recommended Findings of Significant Impacts to Recreation
- B) Recommended Findings of Significant Land Use Impacts
- C) Recommended Findings of Policy Inconsistencies
- D) Recommended Findings of Significant Impacts to Agriculture and Grazing
- E) Role of a Conservation Easement in Mitigation Multiple Project Impacts
- F) Examples of Rural Area Specific Plans

**Attachment 2:**

Documentation of Existing Public Access Analysis at Edwards Point, Las Varas Ranch, Gaviota, Ca  
(Trails Council, 9/16/14)

**Attachment 3:**

Affects of Tides on Lateral Coastal Access at Las Varas Ranch, Gaviota, Ca  
(Trails Council, 9/18/14)

# Trails and Grazing

Research and outreach performed by the Santa Barbara County Trails Council indicates that grazing is compatible with appropriate public access and trails. Numerous organizations and land management groups throughout California currently have ongoing public access through grazing lands were contacted and the information gathered is included in this document.



SANTA BARBARA COUNTY  
**Trails Council**



# Las Varas Ranch

U.S. DEPARTMENT OF AGRICULTURE | FOREST SERVICE

## Analysis of Issues Related to Livestock Grazing Operation and Trail Use

U.S. DEPARTMENT OF AGRICULTURE | FOREST SERVICE

Neil A Havlik, PhD.

U.S. DEPARTMENT OF AGRICULTURE | FOREST SERVICE



March 24, 2014

San Luis Obispo County Planning Commission

***Neil A. Havlik, PhD.***

Planning Commission  
Santa Barbara County  
123 E. Anapamu Street  
Santa Barbara, CA. 93101

672 Serrano Drive #11  
San Luis Obispo, CA. 93405  
neilhavlik@aol.com  
805-801-3416

Dear Commissioners:

San Luis Obispo County Planning Commission

My name is Neil Havlik. I have been asked by the Santa Barbara Trails Council to comment on the proposed subdivision project at Las Varas Ranch, west of Goleta, California, particularly in relation to the continued livestock operation, trail routing across the property, and the compatibility of those two programs.

Personal Qualifications

I am a long-time and well-known natural resources manager, having been involved in this profession in California for nearly forty years. I graduated with a degree in biology from California Polytechnic State University, San Luis Obispo, California (College at that time) in 1968, earned a Master's Degree in Botany from the University of California, Santa Barbara, in 1971, and earned a Doctor of Philosophy degree in Wildland Resource Science from the University of California, Berkeley, in 1984.

In my professional career I worked for a number of public and nonprofit organizations as a planner, resource manager, natural history educator, and researcher. In most of these positions I was involved in many aspects of land and resource management, particularly involving the use of livestock grazing as a management tool, and integrating livestock uses with public use of those same lands. This generally included public use of hiking, riding, and bicycling trails. Specifically, the organizations for which I worked were:

- East Bay Regional Park District, where I worked in 1972 to 1978 and again from 1981 to 1987. At the Park District I rose from the position of park worker to resource analyst to range and property management specialist. In the latter position I was responsible for oversight of all agricultural operations within the 75,000 acres of the Park District's 40 properties at the time. There were approximately 25 different livestock grazing leases covering about 40,000 of those acres, virtually all of which were open to non-motorized public use (riding and hiking) on unfenced trails, which brought livestock and trail users in frequent close contact. I served as the liaison between park management and the various livestock and other agricultural operators. This meant being involved in many aspects of those operations, particularly in regard to their effect on public use and vice-versa.

- Solano Land Trust, where for nine years (1987-1996) I was the organization's executive director. During my tenure, the trust acquired over 5,000 acres of rangelands in four major properties which were eventually opened to the public for hiking, nature study, and other educational purposes. Like the lands of the Park District mentioned above, these rich grasslands continued to be used for livestock grazing operations as well as the public trail use (each site had one livestock grazing lessee) and as executive director I once again served as the liaison between the trust's Board of Directors, the licensees, and the public.
- City of San Luis Obispo, where I worked as the City's Natural Resources Manager for sixteen and a half years (1996-2012), until my retirement in July 2012. My primary duties at the City included creation of a greenbelt around the City, which was a high priority for the community and for the City Council, and establishing resource management programs for the lands so acquired. During my tenure the City acquired over 3,500 acres of land in fee title and another 3,500 in conservation easements, making an excellent beginning to the goal of a complete greenbelt around the City. At the time of my retirement, the City operated ten open space areas; open to the public, and ranging in size from about 30 acres to over 1,000 acres. Six of these sites had livestock grazing operations on them which were continued, with certain changes made to accommodate resource protection needs such as excluding livestock from springs and streams, or to balance the agricultural operations with newly introduced public use. However, once again, trail use was considered compatible with continued livestock grazing, and the grazing areas of these properties were again crossed by numerous unfenced riding and hiking trails. In my role as Natural Resource Manager I was responsible for development of management plans for these properties, as well as overseeing the implementation of those plans. This included determining the livestock grazing regimes there, and again serving as the liaison between the City, the livestock operators, and the public.

In each of these positions I have been called upon to judge the proper balancing of competing uses for the lands involved. Some had seasonal livestock grazing operations, others were year-round; some were stocker operations with only young cattle, others were cow-calf operations with a mix of adult and very young animals. This variety of operations in differing settings has given me valuable experience in working with those operations, where each livestock operator has his or her own management perspective. In addition, many of the lands had rare or endangered species in them, which called for special management or protective measures. Virtually all of the lands, however, were open to some level of public use on many miles of hiking and riding trails. These trails were multiple use, and generally unfenced, allowing livestock to intermix with trail users, *often in close proximity.*

## Addressing Problems and Use Conflicts

In my many years of experience addressing potential issues between hikers or riders and livestock, I generally found them to be minor and actually uncommon. The most frequent complaint from the livestock operators was that the public would sometimes leave gates between pastures open, so that livestock could move out of the pastures where they had been placed. This required the operator to round up the livestock or drive them back into the proper pasture, which added to management costs and time requirements. (In fact, gates being left open when they should be closed or closed when they should be open are historically the greatest complaint by cattlemen, and this can occur where public roads cross pasture boundaries). Other complaints involved people living near the parks allowing their dogs to roam the countryside, with the dogs occasionally harassing and sometime even injuring or killing livestock, especially calves. However, it should be noted that this complaint is quite distinct from people walking their dogs in the parklands and allowing them to chase livestock. The latter was also a complaint by operators, but was considered much less serious than the former.

Complaints from the public generally involved people complaining about stepping in manure while hiking or bicycle riding, and the generic complaint that livestock were incompatible with a park setting. However, in all my time in these positions I recall only one incident in which a citizen actually claimed injury, by having been “butted” by a mother cow when the citizen inadvertently got between the cow and her calf while hiking. The person was frightened but not seriously injured, and the matter was handled by the operator’s insurance carrier. There was occasional property damage from cattle getting out of the fenced areas; however, this usually involved damage to gardens or crops. Here again claims were relatively minor and were routinely handled by insurers. I recall no incidents in which a livestock operator made a claim against a park visitor.

In summary, during my almost 40 years as a public land manager charged with balancing public use with livestock operations, I found that people typically showed common sense and proper “range etiquette”, and there were generally no problems. I think that the problems were more vocalized in the urban East Bay than in the more rural Solano County or San Luis Obispo areas, where agriculture is close at hand and is second nature to many people’s experiences. In my experience, livestock operators adapted well to public use within the leaseholds and managed their operations in balance with recreational uses. I can recall only one livestock operator who relinquished his leasehold when the property was planned to be opened to the public, but the property was quickly leased again without difficulty.

## Applicability to Las Varas Ranch

I have reviewed the Agricultural section of the Las Varas Ranch EIR, as well as the “Las Varas Ranch Trails Analysis” by range consultant Dr. Orrin Sage. Dr. Sage stated that the cow-calf operation at Las Varas Ranch utilizes several pastures to separate heifers (young

cows that have not yet had a calf) from their mothers (the heifer weaning areas), and to keep them separate from other cattle during their pregnancies and time of giving birth (the heifer calving areas). Dr. Sage stated that these pastures were selected for ease of access by the livestock operator for better safety from predators such as coyotes or mountain lions, and for protecting the general health of the animals during these times.

This particular grazing situation, involving the heifers and later they and their newborn calves, appears to be the key issue supporting Dr. Sage's findings of a significant impact to the grazing operation, and appears to be the driving force for his recommendations regarding the near-shore Coastal Trail location and for extended periods of trail closure. However, based upon my own long experience and review of the maps and aerial photos, I believe it would be a simple matter to develop screening to shield the cattle from trail users and vice-versa, thereby obviating the entire issue.

My recommended solution for this issue would involve:

- Fencing off a strip of land thirty to forty feet wide along the southerly edge of the heifer weaning and heifer calving pastures for the trail and creation of a vegetative buffer to screen trail users from the cattle. Fencing should be standard "turkey wire" or other durable non-passable fencing that would also prevent intermixing of dogs and livestock.
- Vegetating the fenced trail corridor with a mix of plants of the locally native coastal sage scrub community would create an effective screen between these pastures and the Coastal Trail within just a few years.

Based on my review of the site, the gentle topography and relatively good soils along the bluff top favor this possibility. As many as a dozen species could be utilized for this effort. These species can establish naturally when coastal areas are released from grazing pressure or other grassland maintenance techniques, and this tendency could be speeded up by planting and irrigation for two to three years to ease their establishment. It is estimated that a fenced strip of land thirty to forty feet wide and occupying an area of less than two or three acres would be needed to accomplish this effect along the southerly or seaward edge of the heifer weaning and heifer calving pastures. This would not seriously affect the functioning of these pastures as they are not of sufficient size to support the livestock within them without supplemental feed anyway, and they are already subject to such feeding and other animal husbandry techniques for the health and predator safety reasons stated above. This of course involves the regular presence of humans in and among these animals.

Westerly of these pastures the trail is proposed to cross under the railroad tracks and be in an area of use by older cows which are more used to people and not so likely to be affected by their nearby presence.

I would conclude by stating that making what are essentially permanent land use decisions such as the location of the California Coastal Trail based upon the perceived or anticipated behavior of livestock is not the soundest basis for such decision-making. The project EIR notes that changes to the nature of the grazing operation, or even its elimination by the new owners, as a possibility. For such high-value estate properties, cattle could be replaced by horses, which are much more tolerant of both people and dogs, and they might in fact be pets themselves. Grazing use itself might be replaced by new orchards or vineyards. These changes could all be abrupt, and have nothing to do with the existence or location of the trail.

It appears to this reviewer that the potential conflicts between the livestock grazing operation and trail use are overstated, and that obvious, simple and effective opportunities exist to mitigate the potential impacts of trail establishment and use on that operation. My many years of experience with the different types of grazing operations on land with public trail uses, including those involving young cattle and calves, indicates that problems are not common, can be anticipated, and can be obviated or completely avoided by simple and effective management techniques.

Thank you for considering this input.

Sincerely,

A handwritten signature in cursive script that reads "Neil Havlik".

Neil Havlik, PhD.  
Natural Resources Manager (retired)  
City of San Luis Obispo, CA.

cc: The Hon. Doreen Farr

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6/18/14



**CITY OF  
SAN LUIS OBISPO**

Santa Barbara County Trails Council  
P O Box 22352  
Santa Barbara, CA 93121  
[www.sbtrails.org](http://www.sbtrails.org)

Re: Compatibility of Cattle Grazing and Recreational Trails

Dear Planners:

My name is Doug Carscaden. I am the supervising ranger for the City of San Luis Obispo and have been in this position for the last 10 years. Our agency manages approximately ~1,500 acres of grazing land with 9 different cattle operations/leases. Our grazing land typically supports a couple hundred head max and consists of cow/calf and stocker operations along with horses/colts. Our agency's lands are used for both grazing and recreational trails and our pastures support ~18 miles of public trails. These trails are multiple-use (Hiking and Biking) and cross our land with trail users passing in close proximity to cattle and horses. Grazing areas have perimeter and pasture fencing with active trail users in the same pastures as the livestock. We have even developed mini cattle guards to facilitate recreation but keep the livestock where desired at pasture crossings and illuminate the need for gates. Picture attached.

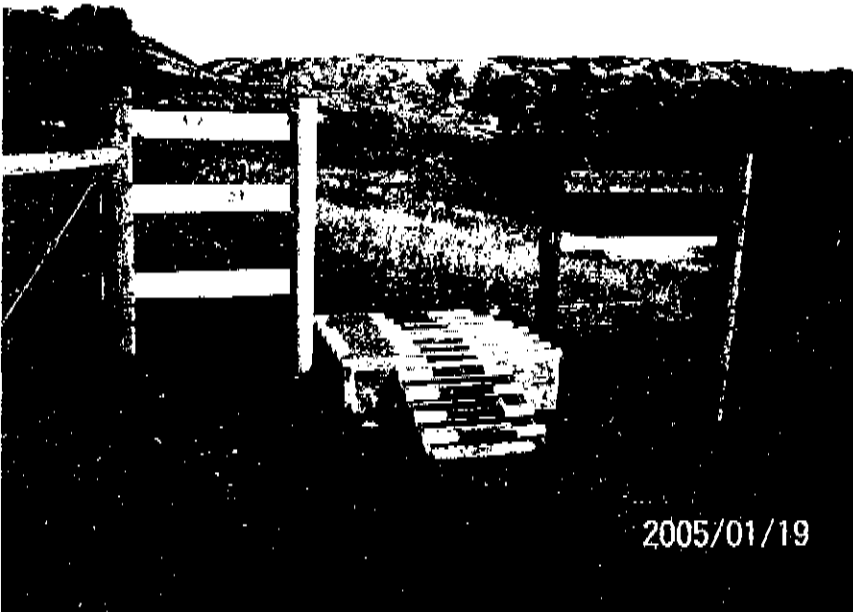
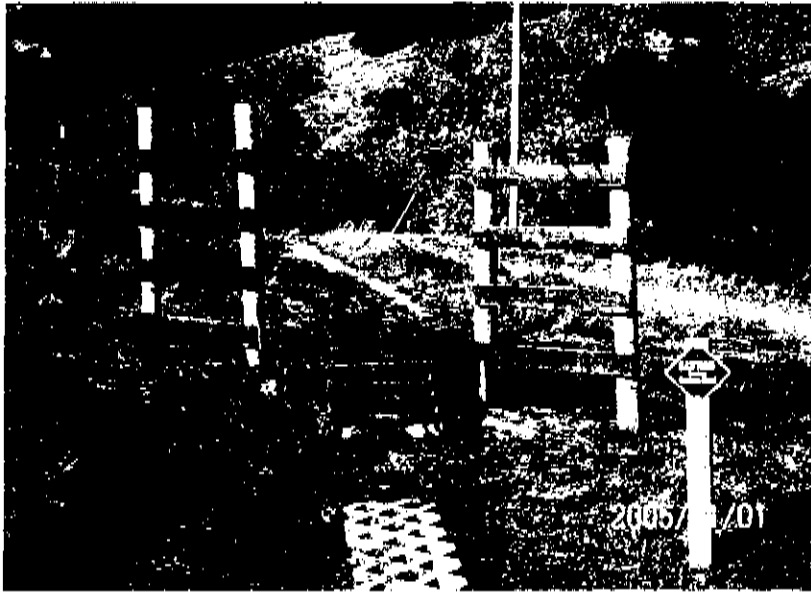
The experience of our organization has over the last 10 years, on the whole, been positive because recreational trails and cattle grazing have proven to be compatible. We receive few complaints from trail-users about our grazing operation, with an average 5 annually, typically based on general interest, resource damage or concerns for the health of the cattle and horses. Problems caused to our lessees by trail-users typically include Dogs off leash and occasional gates being left open. We have never had a lessee complain about cattle losing weight or experienced any significant conflicts or negative impacts on grazing operations.

We employ a couple trail management strategies to educate the public and to ensure compatible use. Signs, mini cattle guards, rotation of grazing between pastures, and rangers in the field to answer questions if needed.

Sincerely yours,

Doug Carscaden  
Ranger Service Supervisor  
City of San Luis Obispo





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6/12/14

Santa Barbara County Trails Council  
P O Box 22352  
Santa Barbara, CA 93121  
[www.sbtrails.org](http://www.sbtrails.org)

Re: Santa Barbara County Trails Council--Public Trails/Grazing

Dear Mr. Otis Calef,

Point Reyes National Seashore was established in 1962 by President John F. Kennedy "In order to save and preserve, for purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped." This public land was purchased in fee out of private land and then leased back to the ranchers of dairy and beef operations, who are essentially still here today.

Today, over 2.5 million visitors come to Point Reyes National Seashore annually and the dairy and beef operations are still in production. Of the approximately 150 miles of hiking trails, only a couple go through grazed lands. Trails such as Bull Point and Bolinas Ridge can have grazing and hiking taking place simultaneously and we have never had any interactions that could have caused disruption to the beef operations at those locations.

John A. Dell'Osso  
Chief of Interpretation and Resource Education  
Point Reyes National Seashore  
Point Reyes Station, CA 94956  
415-464-5135  
[john\\_a\\_dell'osso@nps.gov](mailto:john_a_dell'osso@nps.gov)

Commemorating 50 years of Point Reyes National Seashore

The National Park Service cares for special places saved by the American people so that all may experience our heritage.

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File Code: 2200/2300

Date: June 27, 2014

Santa Barbara County Trails Council  
P O Box 22352  
Santa Barbara, CA 93121  
[www.sbtrails.org](http://www.sbtrails.org)

Re: Compatibility of Cattle Grazing and Recreational Trails

Dear Planners:

My name is Kirsten Pasero. I am a Rangeland Management Specialist for the Eagle Lake Ranger District on the Lassen National Forest in Susanville, California. I also oversee the recreation program for the Eagle Lake Ranger District. I have 25 years of experience with land management agencies, both Forest Service and Bureau of Land Management. I have worked in locations with a variety of recreational trails including wilderness, non-wilderness, equestrian and Off-Highway-Vehicle (OHV) trails that were within permitted grazing areas. The Lassen National Forest manages approximately 410,000 acres of suitable grazing land with 18 Term Grazing Permits that authorize grazing on one or more of the 50 active grazing allotments. Each permit varies in the number of livestock authorized based on the carrying capacity of the allotment area. Allotments range in size from 8,000 acres to 150,000 acres in size and may be grazed by 50 to nearly 1,000 livestock (cow/calf pairs) for 3-4 months annually. There are nearly 500 miles of developed trails on the Lassen National Forest, consisting of 30 miles of National Recreation Trails, 125 miles of the Pacific Crest Trail, and 325 miles of other trails. These trails are multiple use for walking, hiking, biking, and equestrian use. Most are cross-country trails and traverse grazing areas that are not separated from trail-users, except for few of the recreation trails in campground areas where livestock are not permitted.

The experience of the Lassen National Forest has on the whole, been positive because recreational trails and cattle grazing have proven to be compatible. We receive few complaints from trail-users about our grazing operation, with an average 3-4 annually, typically based on hikers/bikers not knowing how to act around livestock, fear of livestock, or harassing livestock when encountered. Problems caused to our permittees by trail-users typically include failure to leave gates as they are found (open/closed). We have never had a permittee complain about cattle losing weight or experienced any significant conflicts or negative impacts on grazing operations associated with trail users.

We employ several trail management strategies to educate the public and to ensure compatible use. To help trail users access trails crossed by fences, we often use walk-through gate designs that allow easy passing but still control livestock. Signs, such as *Please Close Gate* or *Leave Gate as Found* are used on metal or wire gates.

Sincerely yours,

*/s/ Kirsten R. Pasero*

KIRSTEN R. PASERO  
Rangeland Management Specialist



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5/30/2014

**Ben Munger**  
Ranch Manager | Midland School  
5100 Figueroa Mountain Road  
Los Olivos, California 93441

Santa Barbara County Planning Commission  
123 East Anapamu Street  
Santa Barbara CA, 93101

**Re: Compatibility of Cattle Grazing and  
Recreational Trails—Midland School**

Dear Commissioners,

I am the ranch manager for Midland School and have acted in that capacity for over 15 years. For more than 75 years Midland School has had a cattle lease on the school's approximately 3,000 acres of property in the Santa Ynez Valley and the foothills of the San Rafael Mountains. During this time, the school has had many grazing leases and different grazing operators and some level of recreational trail use by students and members of the community. Over the last two or three decades, such recreation trail use has increased while grazing has continued. Most recently, the school, in cooperation with the Santa Barbara County Trails Council, improved approximately ten miles of unfenced trails through our grazing lands; some of these trails actually follow historic cattle trails.

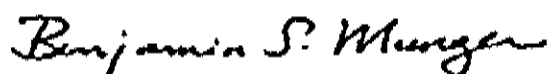
There are usually 150 cow calf pairs or 200 stockers on our ranch during the grazing season depending on the lessee. Students have access to all of the property and walk, ride horses, or bicycles along all of our trails. Our cross country team and other trail runners exercise on our trails. The school's property is also open to the public, provided they fill out a hiking or horse riding permit. Our trails experience moderate to high levels of public use particularly on weekends and depending on the time of year. All of our trails are unfenced and students and the public recreate where there are cattle, often in close proximity to grazing cattle, including calves.

We have never had a cow, calf, steer, or bull injured during at least the last 25 years besides a driver on Figueroa Mountain Road forcing a steer into a cattle guard because the steer was on the road. Figueroa Mountain Road is open range above the county bridge and cattle can be on the road legally between the bridge and the National Forest boundary. Yes, in spite of the sometimes heavy use of this road by cars, bikes and nature lovers, particularly in spring or during winter snows, only minimal problems have occurred with our open range cattle.

Midlands Schools experience with cattle grazing and trails being compatible uses is positive. There is very little trash at these public access points and there has never been an instance of animals eating or being sickened by a plastic bag. The public are respectful of our ranch rules and help us by identifying things like water troughs that are empty or damaged fences. There has not been an incident of gates being left open where cattle have gotten on the road—most of the time it is our fences that are in need of repair that allows cattle on to sections of Figueroa Mountain Road that are not open range. Because all of our trails are unfenced, trail users and cattle are frequently in close proximity, without serious negative consequences.

None of our lessees have complained about cattle losing weight because of stress caused by people walking or riding by them. There have been no incidences of people harassing livestock or complaining about livestock to the land owner. Folks are genuinely appreciative of having a place to recreate and value the experience just as it is—a mixture of wildland and ranchland. We hope that Midland School can provide a positive example of coexistence of recreational trail use with cattle grazing.

Sincerely,



**Ben Munger**  
Ranch Manager  
Midland School



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June 25, 2014

Santa Barbara County Trails Council  
P O Box 22352  
Santa Barbara, CA 93121  
[www.sbtrails.org](http://www.sbtrails.org)

Re: Compatibility of Cattle Grazing and Recreational Trails

Dear Planners:

My name is Aaron Lazanoff. I have been a manager for the past the 7 years of lands that have public access. Our agency manages approximately 4000 acres of grazing land. Our grazing land typically supports 250 cow/calf pairs. There are trails throughout some of our grazing lands. The trails that we do have are not separated from the pastureland.

My experience over the past 7 years with grazing and public trails has presented many challenges, but these uses can sometimes be compatible. Problems caused by trail-users typically include failure to close gates, littering, erosion, unauthorized new trail creation, and dogs. Overall, cattle health is not significantly affected.

We employ several trail management strategies to educate the public and to ensure compatible use. These strategies include signs and self-closing gates.

Sincerely,

Aaron Lazanoff  
Beef Operations Manager  
Animal Science Department  
Cal Poly State University

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## Agriculture and Trails Questionnaire

Research and outreach performed by the Santa Barbara County Trails Council indicates that grazing is compatible with appropriate public access and trails. Numerous organizations and land management groups throughout California that currently have ongoing public access through grazing lands were contacted. To date, all organizations contacted have reported negligible issues between the public and grazing operations.

Organization	Average Acres	Miles of Trails	Types of Livestock	Number of Trail Encounters	Incidents Reported
City of San Luis Obispo	700 total	9 miles	Cow/calf, stocker	15	0 – human interaction; 5x year dogs harass livestock <sup>a</sup>
East Bay Municipal Utilities District	112,000 acres	1,200 miles	Cow/calf	30+	>1 per year <sup>b</sup>
Point Reyes National Seashore	71,000	150 miles	Cow/calf, dairy	50+	>1 per year <sup>c</sup>
Los Padres National Forest	5,000 with grazing, 1.7 mil total	1,200 miles	Cow/calf, stocker, horses	100+	>1 per year <sup>d</sup>
East Bay Regional Parks Department	21,945 with year-round grazing	1,200 miles	Cow/calf (~5,000 annually)	40+	>1 per year <sup>e</sup>
Midland School	2,860		150 cow/calf pairs or 200 stockers	75+	1 incident with car, other than that never
Contra Costa Water District	20,000	63	3,000 sheep, 1500 head of cattle	13	1 ever
Bureau of Land Management - Ukiah Field Office	1132	1	cattle	9	never
Lake Berryessa Running Deer Ranch, Napa County		100 miles			
PG&E – Point Buchon Trail and Pecho Coast Trail		3.4		6	
Solano Land Trust	22,161	Varies from property to property, about 15 each	Cow/calf, stocker, sheep	Up to 25	1 incident ever
Lassen National Forest	20,000	10	Cow/calf		Gates left open annually, nothing serious
Cleveland National Forest	2500	5 miles	Cow/calf	40	1 minor incident a season

- a) Doug Carscaden, Supervising Park Ranger, City of San Luis Obispo Parks and Recreation Department, 2013.
- b) Mike Silva, Watershed Naturalist, East Bay Municipal Utilities District, 2013.
- c) Dylan Voeller, Rangeland Technician, Point Reyes National Seashore, 2013.
- d) Gary Montgomery, Forest and Rangeland Specialist, Los Padres National Forest, 2013.
- e) David Amme, Vegetation Program Manager, East Bay Regional Parks Department
- f) Ben Munger, Ranch Manager, Midland School

## City of San Luis Obispo

- 1. Name:** Doug Carscaden
- 2. Position:** Supervising Park Ranger
- 3. Contact:** dcarscad@slocity.org or 805-781-7302
- 4. How long have livestock and trails coexisted?** Livestock and trails have co-existed ever since SLO acquired these properties, Bishop Peak has had livestock since they got the land 15 years ago, there are 4 open spaces with cows that each have different cattle leases, 2 of these spaces do not have cattle in the winter so the trails do not become trampled, other properties were acquired in 2000 and 2006 and have had cattle since then, the next door neighbor to Reservoir Canyon has water rights for their cattle for the past 60-70 years, kept the ranch on the Johnson Ranch property
- 5. What type of grazing operation (cow/calf or stocker)?** Both, some places have stockers if they are there for a short intense amount of time, some places request cattle ranchers to provide older cows so they are used to people more, roping steers in for a month sometimes if they are not going to use the land, never had a bull in the breeding season but have had everything else.
- 6. ~How many cattle are grazed in the vicinity of the trail(s)?** 10-25 for each open space depending on the size and amount of vegetation
- 7. Approx. length of trails across grazing lands?**
- 8. Is the trail: fenced or open range?** About 9.1 miles, trail is fenced, some of the open spaces have multiple pastures in the land and are rotationally grazed
- 9. Have major issues occurred between trail users and livestock? If yes, the how often/many? Annually?** The only problem is when people let their dogs off leash and harass the livestock, cows usually graze out where there are not trails so there are no reports of people being hurt, reports of dog harassment 5-10 times a year
- 10. What do incidents usually consist of? Injuries?** N/A
- 11. How many incidents have occurred in the last 10 years? In the last year?** N/A
- 12. What trail management methods are implemented related to ag (fences, gates, signs)?** Fences to keep cows out of riparian areas, cattle guards, spring gates, drive through gates, signs that cows will be in the area
- 13. Are the trails multiple use (bike, hike, horse, etc.)?** Two of the open spaces are multi-use for hiking and biking, one is mostly hiking with a short horse segment, one is solely hiking

## East Bay Municipal Utilities District

1. **Name:** Mark Silva
2. **Position:** Watershed Naturalist
3. **Contact:** silva eb ud.co or 510-287-2035.
4. **How long have livestock and trails coexisted?** Since the start of the trails system and at least as long as he's been working there, at least 30 years.
5. **What type of grazing operation (cow/calf or stocker)?** Cow/Calf.
6. **~How many cattle are grazed in the vicinity of the trail(s)?** Number of cattle changes by leases, anywhere from 250-300 head down to 30 at any given time.
7. **Approx. length of trails across grazing lands?** Approximately 50 miles total – area is both fenced and open range. There are cross fences but there are some areas with big gaps.
8. **Is the trail: fenced or open range?** About 9.1 miles, trail is fenced, some of the open spaces have multiple pastures in the and are rotationally grazed
9. **Have major issues occurred between trail users and livestock? If yes, the how often/many? Annually?** Approximately zero annually. Approximately 8-10 years ago there was a person concerned about getting charged, but nothing happened and that was the only complaint.
10. **What do incidents usually consist of? Injuries?** N/A
11. **How many incidents have occurred in the last 10 years? In the last year?** 1 in the last 10 years
12. **What trail management methods are implemented related to ag (fences, gates, signs)?** Signs are posted on the trail saying that it is a grazing area and to keep the gates closed, although the gates have springs to self close. Cattle are rotated between pastures to the location of grazing and trails shift.
13. **Are the trails multiple use (bike, hike, horse, etc.)?** Hikers and horses

## Point Reyes National Seashore

1. **Name:** Dylan Voeller
2. **Position:** Rangeland Technician
3. **Contact:** 415-464-5216 or Daisy Arao at 415-464-5127
4. **How long have livestock and trails coexisted?** Since the National Seashore was created probably since the 1960s.
5. **What type of grazing operation (cow/calf or stocker)?** Cow/Calf and dairy.
6. **~How many cattle are grazed in the vicinity of the trail(s)?** Unknown.
7. **Approx. length of trails across grazing lands?** Unknown
8. **Is the trail: fenced or open range?** Open Range
9. **Have major issues occurred between trail users and livestock? If yes, the how often/many? Annually?** There are very few. There was one issue with an off-leash dog harassing a calf. That's the only incident.
10. **What do incidents usually consist of? Injuries?** N/A
11. **How many incidents have occurred in the last 10 years? In the last year? 1**  
in the last 10 years
12. **What trail management methods are implemented related to ag (fences, gates, signs)?** There are gates and signs. Gates on pedestrian trails are spring loaded to close automatically. We're installing equestrian gates so they don't have to get off their horses. We have some fencing to keep cattle off of steep slopes and environmentally sensitive areas.
13. **Are the trails multiple use (bike, hike, horse, etc.)?** Most are multiple use.

## United States Forest Service – Los Padres National Forest

1. **Name:** Gary Montgomery
2. **Position:** Forest and Rangeland Specialist
3. **Contact:** gdmontgoery.fs.fed.us. 805-925-9538 ext. 215
4. **How long have livestock and trails coexisted?** Likely for generations; however, grazing allotments were established in 1906.
5. **What type of grazing operation (cow/calf or stocker)?** Cow/Calf and horses.
6. **~How many cattle are grazed in the vicinity of the trail(s)?** Approximately 5,000; however, the amount of cattle depends on the size and location of the allotment.
7. **Approx. length of trails across grazing lands?** Most allotments have trails in the .
8. **Is the trail: fenced or open range?** Open Range
9. **Have major issues occurred between trail users and livestock? If yes, the how often/many? Annually?** Very few. We have not had any reports of dogs harassing cattle in the last few years.
10. **What do incidents usually consist of? Injuries?** N/A
11. **How many incidents have occurred in the last 10 years? In the last year?** N/A
12. **What trail management methods are implemented related to ag (fences, gates, signs)?** Most places are just open land. Some areas have a sign up saying that cattle are razi but that's mostly for vehicle travel like on Fire Road Mountain. Usually the trails do't have signs/fences/gates.
13. **Are the trails multiple use (bike, hike, horse, etc.)?** Most are multiple use. Some are hiking only, most are hiking/equestrian; however some are or OHV only.



## East Bay Regional Parks Department

<http://www.ebparks.org/stewardship/grazing>

1. **Name:** David A. [redacted]
2. **Position:** Vegetation Program Manager
3. **Contact:** 888-327-2757 ext. 2344 or [da\[redacted\]@ebparks.org](mailto:da[redacted]@ebparks.org)
4. **How long have livestock and trails coexisted?** Over 20 years
5. **What type of grazing operation (cow/calf or stocker)?** Cow/Calf that are rotated seasonal.
6. **~How many cattle are grazed in the vicinity of the trail(s)?** We graze/lease a a few thousand acres, so that's hard to estimate. The East Bay Regional Parks Department is one of the largest grazing organizations in California.
7. **Approx. length of trails across grazing lands?** Some allotments have 15-20 miles of trails. Total length is unknown.
8. **Is the trail: fenced or open range?** Open Range
9. **Have major issues occurred between trail users and livestock? If yes, the how often/many? Annually?** Very few. Two-three times per year there will be issues with people having their dogs off leash and the dog will take off after the cow.
10. **What do incidents usually consist of? Injuries?** N/A
11. **How many incidents have occurred in the last 10 years? In the last year?** N/A
12. **What trail management methods are implemented related to ag (fences, gates, signs)?** There are gates to keep the cattle in. There are signs posted at trailheads stating that cattle are grazing on the land and give people an idea of what to do and how to react to cattle if someone is on a trail. These signs tell people not to approach the cattle, don't get between a cow and a calf, and to keep dogs under control or on a leash.
13. **Are the trails multiple use (bike, hike, horse, etc.)?** Most are multiple use.

### EBRPD - Parks that have Grazing

Park	Acreage	Miles of Trails
Briones	6,117	
Garin/Dry Creek	1,200	20
Las Trajes	5,342	
Sunol	6,859	
Wildcat	2,427	
<b>TOTAL</b>		

\*\*List can be expanded with parks that have seasonal grazing, but some are with goats and sheep (<http://www.ebparks.org/stewardship/grazing/parks>).

## Bureau of Land Management Ukiah office

1. **Name:** Briana Halstead ; **Position:** Natural Resource Specialist
2. **How long have livestock and trails coexisted on your property?** Trails livestock have coexisted on the Stornetta Public Lands near Point Arena, CA since 2004 when the SPL's were acquired from private landowners. It has been under an Interim Management Plan since then, where hiking and minimal recreation use is allowed, but no major infrastructure or management has taken place as of yet.
3. **What type of grazing operation (cow/calf or stocker)?** Cattle
4. **~How many cattle are grazed in the vicinity of the trail(s)?** Spread over the entire allotment (1132 acres) at any given time, the rancher typically runs about 50-60 cattle. Depending on the year, however, and the moisture and amount of forage- there could be as few as 15-20 or as many as 120 out there. The main "trail" (see map) where there are no constructed trails yet, only user-created trails) runs along the coastal bluff, so although they are there, the amount of cattle near or actually on this trail is likely small.
5. **Approx. length of trails across grazing lands?** ~1 mi
6. **Is the trail: fenced or open range?**—The trail itself is not fenced off (from the livestock), however it is within a large pasture, so you could consider it fenced, I guess.
7. **Have major issues occurred between trail users and livestock?** None that I am aware of.  
If yes, the how often/ many? Annually? N/A
8. **What do incidents usually consist of? Injuries?** N/A
9. **~How many incidents have occurred in the last 10 years? In the last year?**  
N/A
10. **What trail management methods are implemented related to ag (fences, gates, signs)?** All trail/public access points are equestrian "ates" which are always open and accessible to pedestrians, but not large enough for livestock to get through.
11. **Are the trails multiple use (bike, hike, horse, etc.)?** The Stornetta Public Lands have deed restrictions that disallows motorized mechanical vehicles- including equestrian. So the SPL is open to hikers only at this time.
12. **Would you be willing to answer additional questions in the future?** Y / N
13. **Best Contact Info (phone/email):** bhalstead@blm.gov

## Solano Land Trust

1. **Name:** Sue Wickham ; **Position:** Project Manager
2. **How many acres does your organization manage?** 22,161 acres (broken up in different properties)
3. **How long have livestock and trails coexisted on your property?** Up to 25 years on some properties
4. **What type of grazing operation (cow/calf or stocker)?** Stockers and cow calf, sheep on one property
5. **~How many cattle are grazed in the vicinity of the trail(s)?** depends, as many as 1000, some cows love to be near the trails
6. **Approx. length of trails across grazing lands?** 13 miles, 15 miles (they have different properties with different trail lengths)
7. Is the trail: fenced or **open range?**
8. **Have major issues occurred between trail users and livestock?** No
9. **What do incidents usually consist of? Injuries?** 1 incident with runners. There was a race on the property near the cows, some of the cows ran too and knocked a guy over.
10. **~How many incidents have occurred in the last 10 years? In the last year?** 1 incident ever, described above
11. **What trail management methods are implemented related to ag (fences, gates, signs)?** signs on gates, separate hiker gate, after wet season they smooth trails (because of hoof prints)
12. **Are the trails multiple use (bike, hike, horse, etc.)?** Yes (except the property with sheep), no dogs
13. **Would you be willing to answer additional questions in the future?** Y / N
14. **Best Contact Info (phone/email):** sue@solanolandtrust.org; (707) 432-0150 ext. 207

## Cleveland National Forest

1. **Name:** Lance Criley; **Position:** Rangeland Management Specialist
2. **What is the acreage of the area with trails and grazing (approximation is fine)?** Several different areas on the forest. Highest recreational use are with grazing is 2500 acres.
3. **How long have livestock and trails coexisted on your property?** 40 years
4. **What type of grazing operation (cow/calf or stocker)?** Cow/calf
5. **~How many cattle are grazed in the vicinity of the trail(s)?** 150 pairs
6. **Approx. length of trails across grazing lands? 5 miles Is the trail: fenced or open range?** Trail has gates where it enters grazed areas.
7. **Have major issues occurred between trail users and livestock?** We have had some users frightened by cattle, and one fake charge by a bull. No injuries. Going the other way, we have many problems with people letting dogs chase cattle and with mountain bikers cutting fence at gates so they do not need to dismount. **If yes, the how many annually?** I receive at most one call a season from hikers about cattle.
8. **What do incidents usually consist of? Injuries?** No injuries.
9. **~How many incidents have occurred in the last 10 years? In the last year?**
10. **What trail management methods are implemented related to ag (fences, gates, signs)?** We have installed interpretive signs at some trailheads about cattle and have installed "mountain bike cattle guards" to try to reduce instances of fence cutting.
11. **Are the trails multiple use (bike, hike, horse, etc.)?** YES
12. **Would you be willing to answer additional questions in the future?** Yes
13. **Best Contact Info (phone/email):** Lance Criley, 619-445-6235 ext. 3457  
lcriley@fs.fed.us

## Lassen National Forest

1. **Name:** KC Pasero ; **Position:** Rangeland Mgmt. Specialist, USFS
2. **How long have livestock and trails coexisted on your property?** Most trails are long existing within our grazing allotments. It varies within areas depending on whether there are recreation areas or wilderness areas. The PCT crosses a portion of the Forest.
3. **What type of grazing operation (cow/calf or stocker)?** Most operations are cow/calf on the Forest.
4. **How many cattle are grazed in the vicinity of the trail(s)?** Varies. Sometimes could be several hundred.
5. **Approx. length of trails across grazing lands? Varies Is the trail: fenced or open range?** Open range.
6. **Have major issues occurred between trail users and livestock?** Sometimes but not necessarily major. Usually associated with hikers or bikers not knowing how to act around livestock, fear of livestock, or harassing livestock when encountered. Sometimes, issues with gates not being left as they are found. Often try to provide pass through gates for trail users that still control livestock.
7. **If yes, the how often/many? Annually?** No major issues. See above.
8. **What do incidents usually consist of? Injuries?** See 6 above.
9. **How many incidents have occurred in the last 10 years? In the last year?** Gates left open, annually. No injuries or serious incidents.
10. **What trail management methods are implemented related to ag (fences, gates, signs)?** Gates, usually trail-user friendly, and signs such as "lease close to gate".
11. **Are the trails multiple use (bike, hike, horse, etc.)?** Yes, all of those mentioned.
12. **Would you be willing to answer additional questions in the future?** Y / N
13. **Best Contact Info (phone/email):** kpasero@fs.fed.us

## Contra Costa Water District

1. **Name:** Mark Swisher; **Position:** Watershed Resources Specialist with Contra Costa Water District
2. **What is the total acreage of the grazing area (approximation is fine)?**  
20,000
3. **How long have livestock and trails coexisted on your property? Since about**  
2000
4. **What type of grazing operation (cow/calf or stocker)?** Sheep, cow/calf, and stocker
5. **~How many cattle are grazed in the vicinity of the trail(s)?** At the peak of the growing season we can have up to 1,500 head of cattle and 3,000 sheep
6. **Approx. length of trails across grazing lands?** 53 miles of unfenced trails
7. **Have major issues occurred between trail users and livestock?** Internal gates are regularly left open which can be problematic when trying to segregate groups of animals. Hikers uneducated about livestock sometimes are intimidated by curious stock following the trail. There was one instance a few years back when a hiker was charged by a sick cow.
8. **What do incidents usually consist of? Injuries?** Only the one mentioned in number 7 but the injuries were minor and the hiker was more concerned about the condition of the sick cow.
9. **~How many incidents have occurred in the last 10 years? In the last year?**  
See response to 7 and 8.
10. **What trail management methods are implemented related to ag (fences, gates, signs)?** Self closing pedestrian gates are used along the trails and all are signed requesting that trail users ensure gates close behind the user. Fences are configured to limit trail crossings.
11. **Are the trails multiple use (bike, hike, horse, etc.)?** Yes, about 13 miles are multiple use but the rest are for hikers only.
12. **Would you be willing to answer additional questions in the future?** Sure.
13. **Best Contact Info (phone/email):**

Mark Swisher  
Watershed Resources Specialist  
Contra Costa Water District  
mswisher@ccwater.co  
USPS Mail: P.O. Box H20, Concord, CA 94524  
shipping: 100 Walnut Boulevard, Brentwood, CA 94513  
office: 925/240-2363  
cell: 925/890-1552  
fax: 925/513-2084

## PG&E Pecho Coast and Buchon Point Trails

1. **Name:** Sally Krenn     **Position:** Terrestrial Biologist
2. **What is the total acreage of the grazing area (approximation is fine)?**  
2000 acres for the Point Buchon Trail and 3000 for the Pecho Coast Trail
3. **How long have livestock and trails coexisted on your property?**  
Since the late 1900's
4. **What type of grazing operation (cow/calf or stocker)?**  
Point Buchon Trail - Cow/calf; goats and sheep ; Pecho Coast Trail - cow/calf and stocker
5. **~How many cattle are grazed in the vicinity of the trail(s)?** Point Buchon - 140 to 160 cow/calf; goats 200/kidding 350; sheep 100/la bing 200.
6. **Approx. length of trails across grazing lands?** Point Buchon 3.75 miles/Pecho Coast Trail - 2 miles
7. **Is the trail: fenced or open range?** Point Buchon - rotational grazing program / hikers do hike through paddocks (people passes are installed) - Pecho - primarily open range
8. **Have major issues occurred between trail users and livestock?** No - only minor occur approximately 2 times/week ; hikers will ask where the cows are as they are afraid of the .
9. **What do incidents usually consist of? Injuries?** None
10. **~How many incidents have occurred in the last 10 years? In the last year?**  
None
11. **What trail management methods are implemented related to ag (fences, gates, signs)?** Our fences on the Point Buchon trail are electrified. Single wire for cows/ mesh fencing for goats/sheep. We post signs and create people passes for the hikers. We also have an interpretive sign that describes our grazing program (attached). Pecho coast trail has barbed wire fencing with people passes and this is a docent led hike; so the docents inform the hikers that they will be hiking on a cattle ranch.
12. **Are the trails multiple use (bike, hike, horse, etc.)?** Only hiking
13. **Would you be willing to answer additional questions in the future?** Yes
14. **Best Contact Info (phone/email):** sxk2\_pge.co 805-801-0288



SANTA BARBARA COUNTY  
**Trails Council**

August 27, 2015

Ms. Janet Wolf, Chair  
Santa Barbara County Board of Supervisors  
105 East Anapamu Street  
Santa Barbara, CA 93101

Subject: Las Varas Ranch Development Project

Dear Chair Wolf and Board Members:

The Santa Barbara Trails Council (Trails Council) is a broad based trails advocacy group consisting of hikers, runners, equestrians, mountain bikers and other trail users. The Trails Council was formed in 1967 to advocate for planning and construction of new trails and to help organize work parties to maintain existing trails. Over the last 48 years, the Trails Council has worked cooperatively with the County on planning for, improving and maintaining the County's trail system and hopes that the County will maintain its historic commitment to providing a high quality trails system.

Over the last 3 years, the Trails Council has submitted substantial correspondence, studies and analysis to both the County Planning Commission and Board of Supervisors regarding this development project, including almost 1,000 letters, emails and post cards from the public urging acquisition of a nearshore California Coastal Trail and protection of existing coastal access to Edwards Point. This strong show of public support demonstrates public concern over this issue and the importance of coastal access at Las Varas Ranch to the public. This letter follows up on issues raised in our previous letters and we would hope that the Board has reviewed our previous submittals, allowing us to be brief.

The Trails Council strongly prefers to work cooperatively with property owners on trail issues as has occurred on the eastern side of the Gaviota Coast at Paradiso del Mare and other adjacent properties where owners are willingly dedicating nearshore easements for the California Coastal Trail, appropriate coastal access and even providing substantial monetary contributions to assist in trail completion. Unfortunately, as part of the Las Varas Ranch development project, no such cooperation has been forthcoming. Even more important, the project would clearly have significant and unavoidable environmental impacts to several environmental resources as well as public coastal access and have major inconsistencies with adopted State and County policy. Therefore, we respectfully request that the Board support the Planning Commission's denial of this development project and:

1. **Find the project inconsistent with adopted State and County Policy:** Find that the proposed project is inconsistent with Coastal Act Policy 30221 and the County's Parks, Recreation and Trails Maps (PRT Maps), and Local Coastal Plan (LCP) Policies 7-1, 7-3, 7-18 (and Table 3-5) and 7-25 and the State Coastal Conservancy's Guidelines for Completing the California Coastal Trail. The Trails Council has previously submitted substantial evidence and analysis regarding these matters (please refer to our letters of July 27 and September 18, 2014 and attachments to those



letter and supporting studies, including *Recommended Planning Commission Amendments to EIR Impact & Policy Consistency Analysis, Las Varas Ranch* (Trails Council, 9/16/14).

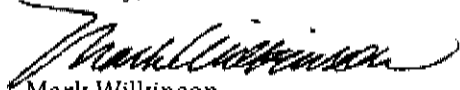
2. **Do not certify the Environmental Impact Report (EIR):** The EIR remains inadequate in a number of key issue areas, including impacts to agriculture, identification of significant land use impacts, analysis of consistency with plans and policies, consistency of trails and grazing and impacts to recreation (among others). We believe that analysis submitted by the Trails Council and others regarding the EIR addresses the issues described above and shows key gaps, oversights or inadequacies of analysis in the EIR. In particular, we recommend that the Board find that the project would have unavoidable and significant impacts to Land Use due to conflicts with adopted policy, to Recreation due to loss of existing and planned access at Edwards Point and to agriculture and grazing due to new large residential estate compounds developed on the Ranch and the County's inability to enforce continued grazing operations. Please also clearly find the substantial evidence exists in the record that trails and grazing are generally compatible uses and in this instance due to potential sensitivity of the heifer operation, fencing and landscape screening alone would provide adequate mitigation. Please refer to the Trails Council letters of July 27 and September 18, 2014, Attachment A and Trails Council studies *Documentation of Existing Public Access at Edwards Point, Las Varas Ranch (9/16/2014)*, *Affects of Tides on Lateral Coastal Access at Las Varas Ranch (Trails Council, 9/18/14)* and the *Las Varas Ranch Analysis of Issues Related to Livestock Grazing Operation (Havlik, 3/24/14)* and the attached surveys of 15 agencies managing hundreds of thousands of acres of grazing and with hundreds of miles of trails that found no significant conflicts with trails and grazing. For your convenience documents are posted here:

<https://sbtrails.org/las-varas-ranch-project-eir-inadequate/>

3. **Deny the proposed project:** Based on the fact that the proposed project has major inconsistencies with adopted State and County policies and the project's unavoidable and significant impacts, deny the proposed project.

We regret that the project has come to this point, however, at this stage; we see no alternative for the County but to deny the request for development. Thank you for considering our comments.

Sincerely,



Mark Wilkinson  
Executive Director

cc. Doreen Farr, 3rd District Supervisor  
Glenn Russell, Director, Planning and Development Department  
Steve Hudson, California Coastal Commission

## Alexander, Jacquelyne

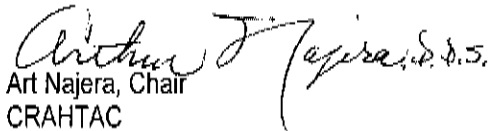
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**From:** Okay <  
**Sent:** Friday, August 28, 2015 11:52 AM  
**To:** sbcob  
**Subject:** FW: Comment Letter Regarding Las Varas Ranch Development  
**Attachments:** CRAHTAC-Las Varas-ltr-August-2015.pdf

Dear Chair Wolf and Supervisors:

Please find attached a letter from CRAHTAC commenting on the Las Varas Ranch Development project. We appreciate the Board considering our comments.

Sincerely,

  
Art Najera, Chair  
CRAHTAC



# C R A H T A C

County Riding and Hiking Trails Advisory Committee

Chair  
Art Najera

August 26, 2015

Vice-Chair  
Archie Mitchell

Ms. Janet Wolf, Chair  
Santa Barbara County Board of Supervisors  
104 E. Anapamu Street  
Santa Barbara, CA 93101

Secretary  
Kevin Snow

1st DISTRICT  
Kalon Kelley  
Art Najera  
Kevin Snow  
Sheila Snow

Subject: Las Varas Ranch Development

Dear Chair Wolf and Supervisors:

2nd DISTRICT  
Jack Bish  
Otis Calef  
Ray Ford  
Dan Gira

The Santa Barbara County Riding and Hiking Trails Advisory Committee (CRAHTAC) is a standing committee appointed by the Board of Supervisors (Board) to advise the County on matters related to the planning for and implementation of recreational trails. CRAHTAC is composed of three or four members from each supervisorial district and is recognized in the County's Local Coastal Plan (LCP) as having a role advising on trail matters. CRAHTAC is writing to provide feedback on the Planning Commission's reconsideration of the Las Varas Ranch Development project.

3rd DISTRICT  
Curt Cragg  
Jim Mills  
Wanda Weir

In our more than 40 years of advising County decision-makers, CRAHTAC has never recommended denial of a planned development project. However, given the potential impacts of the project on existing coastal access to Edwards Point and the unwillingness of the project applicant to address key trail policy issues, we recommend that your Board uphold the County Planning Commission's denial of the Las Varas Ranch development proposal due to its major inconsistencies with adopted County policy and associated environmental impacts. We recommend that the Board find the proposed project inconsistent with adopted policy as follows:

4th DISTRICT  
John McGray  
Archie Mitchell  
Ruth Schuyler

1. Location of the California Coastal Trail (CCT): CRAHTAC firmly believes that County and state policy require the CCT to be as close as physically and aesthetically feasible to the shoreline and that the proposed freeway-side alignment far from the shoreline is inconsistent with the County's Parks, Recreation and Trails Maps (PRT Maps), and Local Coastal Plan (LCP) Policies 7-1, 7-3 and 7-25 and the State Coastal Conservancy's Guidelines for Completing the California Coastal Trail. We remind the Board that trails and nature based recreation are a key asset in Santa Barbara County and are heavily used by residents and visitors alike and are essential to the public's health and welfare.

5th DISTRICT  
Luis Escobar  
Frank Frietas  
Doug Rich  
Barry Stotts

The PRT Maps depict a broad corridor for the CCT along the Gaviota Coast, leaving it up to County decision-makers to determine the appropriate location for the CCT under County policy. We note that LCP Policy 7-1 requires 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.*" CRAHTAC does not consider a freeway-side trail ½ mile from the beach to be "along the shoreline". In addition, LCP Policy 7-3 requires granting of lateral access along the shoreline that allows for passage at high tides; a trail far from the shoreline does not meet the intent of this policy and does not foster public access along the shoreline. Further, the Conservancy's Guidelines for the CCT while directing a nearshore trail location, allow for a braided trail away from the shoreline, for example where physical obstructions such as existing blufftop homes make a nearshore trail physically infeasible. However, that is clearly not the case under the existing setting at Las Varas Ranch where ample room for both new homes and a nearshore CCT exist. Finally, the Board of Supervisors and Planning Commission both endorsed a nearshore location for the CCT as part of the draft Gaviota Coast Plan. We are confident that, led by

STAFF  
Claude Garciacelay  
SB County Parks

Joe Duran  
US Forest Service


Paradiso del Mare, other major parcels in eastern Gaviota undergoing development, including Santa Barbara Ranch, will provide nearshore alignment for the CCT east from Bacara Resort and Spa, leaving Las Varas Ranch a key gap in this system under the proposed project.

The CCT along with the Pacific Crest Trail is one of the two most important trails in the State and the Gaviota Coast is one of the most scenic and important segments of the CCT. A freeway-side trail as offered by the applicant, if ever constructed, will serve almost exclusively long distance road bikers, an important constituency, but not the vast majority of the trail using public who will not utilize such a trail. *For these reasons and the above discussed inconsistencies with County and State policies, we recommend that the Planning Commission find Las Varas Ranch inconsistent with the County's PRT Maps and LCP Policies, 7-1, 7-3 and 7-25.*

2. Access to Edwards Point: County LCP Policy 7-18 states: *"Expanded opportunities for access and recreation shall be provided in the Gaviota Coast planning area. In order to maximize access to the beaches, vertical easements connecting the proposed coastal bicycle trail (linking Santa Barbara and Gaviota) to the beach shall be acquired by a public agency at the following locations: (3) Edwards (near Gato Canyon)."* The applicant's proposed access is far (one mile) from Edwards Point. As a mandatory "shall" policy its implementation is required. This inconsistency is made worse, and significant impacts created, due to the fact that longstanding existing public access is documented at Edwards Point that would be permanently foreclosed through project approval. *Therefore, CRAHTAC recommends that the Planning Commission find that failure to provide required public access at Edwards Point is both a significant impact to existing recreation and that the Las Varas Ranch development would be inconsistent with LCP Policy 7-18.*
  
3. Permanent Loss of a Planned Major Coastal Park: County LCP Policy 7-18 recommends that Edwards Point be acquired by a public agency and Table 3-5 identifies Edwards Point as a planned "Major Coastal Park", one of only two such locations countywide. Indeed, very few such opportunities for new Major Coastal Parks exist in all of Southern and Central California, raising this issue to a matter of statewide importance. Approval of the Las Varas Ranch development project would forever foreclose such acquisition, a major loss to the people of the State. Further, Coastal Act Policy 30221 states *"Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area."* The County's own LCP note that existing state beach parks along the Gaviota Coast are used to capacity and beyond. Clearly, Edwards Point is both highly suitable for recreational use, is planned for acquisition and the demand for such facilities far outstrips supply. *Therefore, CRAHTAC recommends that the Planning Commission find the Las Varas Ranch development project inconsistent with LCP Policy 7-18 and Table 3-5 as well as Coastal Act Policy 30221.*

In closing, we appreciate the Board considering our comments and respectfully request that the Board uphold the Planning Commission's denial of this proposed development project.

Sincerely,

  
Art Najera, Chair  
CRAHTAC

cc. Board of Supervisors  
Glenn Russell, Director, Planning and Development Department

**Alexander, Jacquelyne**

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**From:** Kalon Kelley <kkelley@mcminnyc.com>  
**Sent:** Friday, August 28, 2015 11:44 AM  
**To:** sbcob  
**Subject:** CRAHTAC Comments on BOS hearing Sept 1, 2015 of Las Varas (Item 7)  
**Attachments:** Las Varas - CRAHTAC 9-1-15.pdf

Please see attached comments for BOS Hearing September 1, 2015

Kalon Kelley  
CRAHTAC (1st District Representative)



# C R A H T A C

County Riding and Hiking Trails Advisory Committee

August 26, 2015

Chair  
Art Najera  
  
Vice-Chair  
Archie Mitchell  
  
Secretary  
Kevin Snow

Ms. Janet Wolf, Chair  
Santa Barbara County Board of Supervisors  
104 E. Anapamu Street  
Santa Barbara, CA 93101

1st DISTRICT  
Kalon Kelley  
Sheila Snow  
Kevin Snow  
Art Najera

Subject: Las Varas Ranch Development

Dear Chair Wolf and Supervisors:

2nd DISTRICT  
Otis Calef  
Ray Ford  
Dan Gira  
Jack Bish

The Santa Barbara County Riding and Hiking Trails Advisory Committee (CRAHTAC) is a standing committee appointed by the Board of Supervisors (Board) to advise the County on matters related to the planning for and implementation of recreational trails. CRAHTAC is composed of three or four members from each supervisorial district and is recognized in the County's Local Coastal Plan (LCP) as having a role advising on trail matters. CRAHTAC is writing to provide feedback on the Planning Commission's reconsideration of the Las Varas Ranch Development project.

3rd DISTRICT  
Jennifer Beyer  
Allyson Biskner  
Jim Mills  
Wanda Weir

In our more than 40 years of advising County decision-makers, CRAHTAC has never recommended denial of a planned development project. However, given the potential impacts of the project on existing coastal access to Edwards Point and the unwillingness of the project applicant to address key trail policy issues, we recommend that your Board uphold the County Planning Commission's denial of the Las Varas Ranch development proposal due to its major inconsistencies with adopted County policy and associated environmental impacts. We recommend that the Board find the proposed project inconsistent with adopted policy as follows:

4th DISTRICT  
John McGray  
Archie Mitchell  
Ruth Schuyler

5th DISTRICT  
Frank Frietas  
Barry Stotts  
Doug Rich  
Luis Escobar

1. Location of the California Coastal Trail (CCT): CRAHTAC firmly believes that County and state policy require the CCT to be as close as physically and aesthetically feasible to the shoreline and that the proposed freeway-side alignment far from the shoreline is inconsistent with the County's Parks, Recreation and Trails Maps (PRT Maps), and Local Coastal Plan (LCP) Policies 7-1, 7-3 and 7-25 and the State Coastal Conservancy's Guidelines for Completing the California Coastal Trail. We remind the Board that trails and nature based recreation are a key asset in Santa Barbara County and are heavily used by residents and visitors alike and are essential to the public's health and welfare.

STAFF  
Claude Garciacelay  
SB County Parks  
  
Joe Duran  
Los Padres Forest

The PRT Maps depict a broad corridor for the CCT along the Gaviota Coast, leaving it up to County decision-makers to determine the appropriate location for the CCT under County policy. We note that LCP Policy 7-1 requires 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.” CRAHTAC does not consider a freeway-side trail ½ mile from the beach to be “along the shoreline”. In addition, LCP Policy 7-3 requires granting of lateral access along the shoreline that allows for passage at high tides; a trail far from the shoreline does not meet the intent of this policy and does not foster public access along the shoreline. Further, the Conservancy’s Guidelines for the CCT while directing a nearshore trail location, allow for a braided trail away from the shoreline, for example where physical obstructions such as existing blufftop homes make a nearshore trail physically infeasible. However, that is clearly not the case under the existing setting at Las Varas Ranch where ample room for both new homes and a nearshore CCT exist. Finally, the Board of Supervisors and Planning Commission both endorsed a nearshore location for the CCT as part of the draft Gaviota Coast Plan. We are confident that, led by Paradiso del Mare, other major parcels in eastern Gaviota undergoing development, including Santa Barbara Ranch, will provide nearshore alignment for the CCT east from Bacara Resort and Spa, leaving Las Varas Ranch a key gap in this system under the proposed project.*

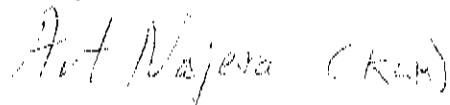
The CCT along with the Pacific Crest Trail is one of the two most important trails in the State and the Gaviota Coast is one of the most scenic and important segments of the CCT. A freeway-side trail as offered by the applicant, if ever constructed, will serve almost exclusively long distance road bikers, an important constituency, but not the vast majority of the trail using public who will not utilize such a trail. *For these reasons and the above discussed inconsistencies with County and State policies, we recommend that the Planning Commission find Las Varas Ranch inconsistent with the County’s PRT Maps and LCP Policies, 7-1, 7-3 and 7-25.*

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*accommodated on the property is already adequately provided for in the area.” The County’s own LCP note that existing state beach parks along the Gaviota Coast are used to capacity and beyond. Clearly, Edwards Point is both highly suitable for recreational use, is planned for acquisition and the demand for such facilities far outstrips supply. Therefore, CRAHTAC recommends that the Planning Commission find the Las Varas Ranch development project inconsistent with LCP Policy 7-18 and Table 3-5 as well as Coastal Act Policy 30221.*

In closing, we appreciate the Board considering our comments and respectfully request that the Board uphold the Planning Commission’s denial of this proposed development project.

Sincerely,

A handwritten signature in cursive script that reads "Art Najera (RM)".

Art Najera, Chair  
CRAHTAC,

cc. Board of Supervisors  
Glenn Russell, Director, Planning and Development Department



**Alexander, Jacquelyne**

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**From:** Ted Travers <  
**Sent:** Friday, August 28, 2015 11:44 AM  
**To:** Board Letters  
**Subject:** Las Varas Ranch Project- Case# 15-00548  
**Attachments:** DOHENY LAS VARAS EDWARDS RANCH -- sample letter talking points\_(12661605\_1)  
(2).DOCX

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Chair Wolf and Honorable Supervisors,

Please find the attached letter regarding the Las Varas Ranch Project- Case #15-00548. I am sending this on behalf of Henry Schulte, President of Dos Pueblos Ranch Holdings LLC.

Thank You

--  
***Ted Travers***  
**Rancho Dos Pueblos**

*805-968-1979 office*  
*805-968-4822 fax*

**LAS VARAS RANCH PROJECT – Case# 15-00548**

Chair Janet Wolf  
Santa Barbara County Board of Supervisors  
105 East Anapamu Street  
Santa Barbara, CA 93101

RE: Las Varas Ranch Project

Dear Chair Wolf and Honorable Supervisors:

I, Henry Schulte have been a resident and property owner on the Gaviota Coast for 41 years and have followed the Gaviota Coast Plan process and have a significant interest in the outcome the Las Varas project. I strongly urge you to vote in favor of the project because the alternative is unthinkable.

**Alternative Paragraphs for Inclusion**

Las Varas Ranch, and its companion property, Edwards Ranch, provide an iconic view of the Gaviota area. Although locals and visitors alike may not know the property name, they clearly recall that beautiful view from Highway 101, down the coastal plain with its scattered orchards and open pasture lands, with pleasure and appreciation.

The Las Varas Ranch project will freeze this view in time, retaining the agricultural and rural character and reducing the existing legal parcels from nine to seven. This project has been in the works for over 10 years and this is the best deal you are going to get – and it's a very good deal for you as stewards of the land and for the public looking for safe, useable public trails and beach access.

You may not be happy that the ranch was divided into separate parcels years ago, and you probably should thank the Doheny family for preserving the agricultural character of this large landholding (over 1700 acres) despite the development frenzy of the 1960's and 70's. Now they are coming to you with a plan for preserving this incredible view into the distant future through restrictive development envelopes, sited to avoid biological, archaeological, historical, and visual resources, a communal grazing operation mandated for a minimum of 50 years in the CC&Rs and in County conditions, a list of over 80 conditions to ensure further resource protection, and an offer to dedicate three public trails and a parking lot to serve the trails! I have never heard of such a generous offer being proposed for any agricultural property in the County, let alone on the Gaviota Coast.

It's going to be tough to find [alternative – I don't believe you have] grounds to deny this project. The EIR, which includes a revision to respond to a long list of issue areas raised by the Board for further analysis, concludes that there are no significant environmental impacts that haven't been mitigated. It wouldn't be reasonable to deny a property owner the right to modify existing lot lines when there are no unmitigable environmental impacts from doing so. The mitigation measures in this case are extensive – almost 90 conditions – and reduce all impact levels to less than significant.

My primary concerns would be impacts to agriculture, biological resources, cultural resources, and aesthetics (particularly the viewsheds for Highway 101, the railroad, and the beach). County staff and the applicant have addressed every one of these:

a. Agriculture -- The property already has a demonstrated successful track record for agricultural productivity and long-term viability. The cross-fencing on the ranch is exceptional and greatly increases the livestock carrying capacity because it allows for exceptional rotational grazing, using the different forage types and microclimates to maximize use of natural feedstock. The CC&Rs and conditions require best management practices in the orchards, communal grazing in the grassland areas, and limitations on the amount of land that a parcel owner can use for personal, non-agricultural uses. The maximum development envelope size isn't allowed to exceed the limit set by the County's Agricultural Preserve Uniform Rules. Very little of the current agricultural land on this ranch can be converted to non-agricultural uses so I don't see any basis for contending that the project impacts or fragments agricultural land. To the contrary, it severely limits the potential for conversion and fragmentation. Two acres of prime soils are impacted by the building envelopes, but the area is just grassland and isn't in prime production so the loss is de minimis. Maybe the owner of that building envelope can plant a nice vegetable garden in the prime soil areas.

b. Biological Resources – the building envelopes have been sited to avoid impacts to biological resources and conditions of approval accepted by the applicant provide further protection and avoidance of biological resources. For example, in the case of the development envelope that includes the existing Doheny home nestled into environmentally sensitive habitat, the envelope is conditioned to prevent further intrusion into the habitat and, if the house is demolished and replaced in the future, it must be moved out of the ESH. Conditions to protect nesting birds and bats, to provide for wildlife corridors, and to allow wildlife to move through fenced areas are part of the project. Above all, though, continuing the communal grazing operation will provide the greatest biological preservation because grazing land makes excellent habitat for a broad range of species, plant and animal. This ranch has diversity of grassland types, native and non-native, as well as a Monarch butterfly roosting area, plenty of trees for

nesting by raptors and other birds, and sensitive plant species, particularly along the coastal bluffs. All of these will be preserved with the project.

c. Cultural Resources -- the ranch also has many cultural sites. The development envelopes, public trails proposed by the applicant, and roads are sited to avoid impacts on archaeological resources. The project also honors the historical buildings that contribute mightily to the rural character of this land. These buildings and their rural situs will be respected with the project. The applicant and County staff have worked hard together to ensure their protection. I support the applicant's proposed development envelope on Parcel 4, which sites the home a substantial distance from the existing historical buildings and closer to Highway 101, nestled behind a knoll to shield it from the Highway 101 viewshed, bringing me to my last major concern -- aesthetics.

d. Aesthetics/Visual Resources -- although the EIR depicts potential new residences as if they were Costco, an actual new house can be designed to conform to the topography and to minimize visual impacts. The conditions include reasonable and effective height limits (15 feet south of Highway 101 and 16 feet north of Highway 101), CBAR review of all new houses, landscaping restrictions that include a certain amount of native planting, and a host of other requirements to ensure that the size, bulk, scale, and appearance of a new house is compatible with the existing rural landscape. The development envelopes along the ocean are set well back from the beach to avoid significant impacts on the viewshed of beach-goers enjoying the generous beach access trails offered by the applicant.

I don't think that your Board can make, with a straight face, the findings required for denial of this project. And I don't think you should deny the project. If this were a new subdivision, my view probably would be very different. But you can't deny or change reality and the reality for this ranch is that it comprises 9 existing legal parcels. And all of the existing parcels are visible from either Highway 101 or the railroad tracks or both. You can't change that. The project would result in a reduction to 7 parcels. That's an improvement over no project. The project includes restrictive development envelopes. That's an improvement over no project. The project provides a structure for the continued communal grazing operation. That's a big improvement over no project. It makes no difference that the project results in one parcel being moved from north of Highway 101 to south of the highway. It will be in the highway viewshed either way.

I've heard and read fear tactics from project opponents, suggesting that the project will result in the ranch being a subdivision of "residential estates." I've seen plenty of residential estates in other parts of California and in Santa Ynez Valley. No one who

wants a residential estate is going to want to own one of these lots because of the development envelope restrictions and the common grazing. Those folks don't want their tires to be splattered with cow manure and they certainly don't want to be told that they get only 2 acres for personal use. A residential estate requires plenty of room for an owner's improvements to spread out and take on a grandiose quality. This project doesn't offer any of that and, yes, owners and their visitors will have to contend with cows and their manure in the road.

The public trails dedication being offered by the applicant should not be passed up. A public parking area right off Highway 101. An easy riparian walking trail from the parking area to the beach, including through an old, historic stone tunnel under the railroad tracks. A public trail that winds through the agricultural operation from the parking area, westerly to hook up to an existing hiking and biking trail off the property, enjoying sweeping panoramic views of the coastline throughout the hike. Passing this up would be a major blunder and would rob the locals and visitors of an unsurpassed opportunity to enjoy a rural agricultural setting and a safe, stable trail. That kind of offer is unprecedented anywhere in the history of Santa Barbara County and particularly on the Gaviota Coast.

I also urge you to adopt the applicant's version of the conditions of approval. There are almost 90 conditions and the applicant is willing accept most of them. There are some exceptions and I concur with the applicant that the County's version of the objectionable ones is incorrect.

a. Trail fencing (Condition 6) -- the applicant is correct is refusing to allow County staff to decide what kind of fencing will be erected between the orchards and the public trails. Trespass, particularly by people and their pets carrying invasive species (plant seeds, fungus, or insects and their eggs), is a serious problem for trails abutting fruit orchards. Agricultural operations present risks of injury to trespassers. No one wants to see anyone hurt or the rancher robbed of valuable produce or lose trees because of invasives. The rancher also has to fear lawsuits because, despite assurances that a landowner is immune from claims by trail users, that immunity is not complete and unconditional and it doesn't shield a landowner from being sued and having to incur defense expenses. The County declines to indemnify landowners with trail easements on their property. The County also is famous for providing virtually no funding for the policing and maintenance of rural trails. Policing doesn't happen at all and the County largely relies on volunteer help for maintenance and repairs.

b. Prohibition on converting grazing land with native vegetation to cultivated farm land (Condition 25.a.) – this is a working ranch and every agricultural operator has to maintain flexibility in husbandry practices in order to stay in business.

c. Eucalyptus grove maintenance (Condition 28) – eucalyptus trees are notorious “self-pruners” -- they drop limbs periodically. They also have shallow roots and fall over in the wind or during heavy rains. They also burn like torches in a wildland fire. The applicant has offered a public trail that will displace the existing ranch road and should not be prohibited from removing eucalyptus trees as necessary to replace the ranch road.

d. Extending the beach trail up into the pasture area at Edwards Point (Condition 82) – the applicant is right to reject this condition, imposed supposedly so people can access Edwards Point at high tide. News flash – you can’t get to Edwards Point during high tide from either end of this ranch, unless you are swimming. The proposed upland trail extension would put the public into the mouth of the biologically sensitive Gato Creek, into a working livestock pasture, and into an area of extremely sensitive biological resources. There’s no excuse for creating this kind of degradation of agricultural land and biological resources. It provides no meaningful benefit to the general public and causes severe detriment to the agricultural operation.

e. Location of Parcel 4 development envelope (Condition 85) – I don’t understand the staff’s position on this. The applicant proposes a development envelope close to Highway 101 to increase the distance between a new residence and the historic buildings and hiding a new house behind a knoll to remove it from the Highway 101 view corridor. Staff wants to place the envelope immediately adjacent to the historic buildings in full view of the railroad viewshed and the Highway 101 viewshed. I’m with the applicant on this one.

f. Timing for the County accepting the Offer of Dedication of the trails and parking area (Condition 90) – I agree with the applicant that the County shouldn’t be able to accept and open the parking area or trails unless and until the applicant is assured that she and her heirs will be able to benefit from the project by being able to build a home south of Highway 101, after all appeals and litigation have been completed and the project is absolutely final. That isn’t an unreasonable request.

## Alexander, Jacquelyne

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**From:** Jim Swoboda  
**Sent:** Friday, August 28, 2015 11:13 AM  
**To:** Board Letters  
**Subject:** Las Varas Ranch Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Chair Janet Wolf and County Supervisors,

The Board of El Capitan Ranchos, a community comprised of 19 distinct properties of about 250 acres and which is almost entirely used for Ag purposes **strongly urges you to vote in favor of the plan for the Gaviota Coast.** Our community has lived and shared this area for more than 35 years and our community borders and overlooks parts of Las Varas Ranch.

The Board supports the project in terms of logical planning and equity for the property owner. We also support the project because it provides practical parking and reasonable beach access while logically eliminating the plan to have a bluff trail from El Capitan Ranch Road to the proposed Las Varas trail. Such a bluff trail is dangerous for hikers and represents risk to the County for its creation, parking safety, littering and maintenance. As a matter of note, our Association and neighbors, in the absence of county maintenance, weekly clean up cans full of litter and garbage left by drivers exiting El Capitan Ranch. We can only anticipate that this burden will only grow significantly if a bluff trail is created.

As neighbors to Las Varas Ranch we are likely most affected by the Las Varas Ranch Project which we support. Our Board urges you to vote in favor of the Project.

Sincerely,

Jim Swoboda  
President, El Capitan Ranchos Association

**Alexander, Jacquelyne**

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**Sent:** Friday, August 28, 2015 10:24 AM  
**To:** sbcob  
**Subject:** Comments on Las Varas Ranch Project - File #15-00548  
**Attachments:** Las Varas #15-00548.pdf

Good Morning:

Attached below are comments being submitted for the Las Varas Ranch Project, File #15-00548 to be distributed to the Board for the 9/1/15 hearing.

Thank you very much

Stanton Giorgi



August 27, 2015

Board of Supervisors, Santa Barbara County

RE: Las Varas Ranch Project (File #15-00548) , Item #7 on 9/1/2015

Dear Madame Chair and Honorable Board Members:

At your September 1, 2015 board meeting, you will be discussing the Las Varas Ranch Project's future. As a fellow agriculturalist and urban farmer, I wish to express my concerns over some of the discussion regarding trails and their security for the property owners. I am a fourth generation farmer in Goleta in what is described by the county as the Eastern Goleta Valley. We have successfully nurtured crops for many years and we did so without the need for fences. There was a time when there was more respect for private property ownership. Unfortunately, that time has passed and we now rely heavily upon fencing in an attempt to eliminate unauthorized access. Not only is the fencing there to reduce theft but also trespassing, vandalism, littering and contact with the products grown.


In 2010, we started the process of fencing our agricultural property to help with the ever increasing issues we were facing. As we can afford to, we are building sections of fencing in the highest traffic areas, and to date, we have completed approximately 65% of all the 6' tall chain link fencing we anticipate needing to reach our goal of protection. At this point, we have seen a large reduction in trash dumping, vandalism and trespass. In the past 2 years, we have not had to remove much trash; far less than the anticipated 3000 pounds that we would usually have during that time period. Vandalism is greatly reduced and we are able to control access to the crops grown as that pertains to theft and the food safety rules that we now operate under.

One of my concerns for the Las Varas Ranch Project has to do with the precedent setting idea of the fencing that would be adequate for public trails adjacent to active farming operations. Fencing, as ugly as it may be, has to be adequate to completely eliminate the possibility of people trespassing into areas they shouldn't. It is not sufficient enough to have a fence that is three to four feet tall and offer no ability to stop someone from scaling it. In the case of the Las Varas Ranch, their concerns not only encompass the issues stated earlier, but also the safety for the cattle that graze in their pastures. Although chain link fencing might not be their choice, a shorter fence is not much of a deterrent for a determined dog who wishes to frolic in the pastures with the cattle. The stress placed on the cattle can be very dangerous and is unnecessary if proper precautions are taken in the fencing design. Without proper fencing, major disruptions in the viability of this agricultural operation could occur, therefore, the applicant should have final say as to how the fence will be designed.

Finally, I want to end this letter by stating my support for the letter written by the Agricultural Advisory Committee dated August 20, 2015. They sum up the rest of my concerns in regards to this project application. I urge you to work with the applicant in finding workable solutions that allow all parties involved to receive some benefit from the applicants' thoughtfulness during this process.

Thank you for your time and consideration of these comments.

Sincerely,

  
Stanton Giorgi  
President, Giorgi Ranches, Inc.

**Alexander, Jacquelyne**

---

**From:** John Manning <  
**Sent:** Friday, August 28, 2015 8:09 AM  
**To:** sbcob  
**Subject:** Recommendation of Denial for Las Varas subdivision

Dear Santa Barbara County Supervisors,

I would respectfully urge denial of the subdivision request for the Las Varas Ranch.

Additionally, I would hope that future development requests for "Gaviota Coast" properties would be cluster proposals carefully placed inland with appropriate densities leaving the coastal plain open for continued ranching operations.

Dividing these ranch lands up into separate secured small parcels would be inconsistent with the County's agricultural, visual, biological and archeological protection policies.

Please deny this current proposal and encourage submission of a plan that could be a model for others.

Sincerely,  
John Manning

Santa Barbara CA 93103

**Alexander, Jacquelyne**

---

**From:** John Manning  
**Sent:** Friday, August 28, 2015 7:56 AM  
**To:** sbcob  
**Subject:** Recommendation of Denial for Las Varas subdivision

Dear Santa Barbara County Supervisors,

I would respectfully urge denial of the subdivision request for the Las Varas Ranch.

Additionally, I would hope that future development requests for "Gaviota Coast" properties would be cluster proposals carefully placed inland with appropriate densities leaving the coastal plain open for continued ranching operations.

Dividing these ranch lands up into separate secured small parcels would be inconsistent with the County's agricultural, visual, biological and archeological protection policies.

Please deny this current proposal and encourage submission of a plan that could be a model for others.

Sincerely,  
John Manning

Santa Barbara CA 93103