

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is Kenneth Howard Palmer
Address P.O. Box #2 Summerland Calif
(street and number)
Santa Barbara Cal 93067
City State Zip Code

Telephone: residence 805-7220647 cell _____

Email _____ Age 61

I have lived at the above residence since Born Here. I have lived in the Santa Barbara area between the years _____ to _____.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Land and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

total 5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 100 times per year during the years 60s to 80s.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

Claming, surfing, driftwood, Buildforts

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there _____

Frequently ☒ _____

Occasionally _____

Rarely _____

Never _____

Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 2 to 4 people over a typical period of _____ (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes ☒

No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

EXHIBIT 9

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

no

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

Signs + fences came + went

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

Fencing started in late 80s

it became more difficult to access Beach

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

I think animals need access to creek as well

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at Summerland, California, on 3-10, 2014.
(City or County where signed)

Ken Palmer
(Signature)



Name & Date: *K. D. Miller*

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

I. My name is Anthony de Groot

Address 622 San Marino Dr.
(street and number)
Santa Barbara CA 93111
City State Zip Code

Telephone: residence 805-683-0810 cell 805-708-0787

Email magicwednesdays@yahoo.com Age 50

I have lived at the above residence since 2002. I have lived in the Santa Barbara area between the years 1963 to present.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Lane and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately AVG 6/YR times per year during the years 1978 to 1989.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

Fishing

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there _____

Frequently _____

Occasionally ✓ _____

Rarely _____

Never _____

Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 2 people over a typical period of 5 hours (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes ✓

No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

None

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

None

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

In the beginning there were no signs. Later when the razor wire came out there was a no trespassing sign.

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

None

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

Fencing did arrive. It was razor wire and impossible to get around. I was very upset and thought it was illegal to install it. As I rode my bike w/ my surfboard I had to turn around + go back to Summerland.

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at Santa Barbara, California, on March 27, 2014.
(City or County where signed)

Anthony de Groot
(Signature)



Name & Date:

Anthony de Proot

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is CAROLE J. IVERSON
Address P.O. Box 312
(street and number)
Summerland CA 93067
City State Zip Code

Telephone: residence 805 969-0981 cell —

Email redtara@cox.net Age —

I have lived at the above residence since 1979. I have lived in the Santa Barbara area between the years 1979 to 2014.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Land and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 10-12 times per year during the years 1979 to 1989. 3-4 x per yr btwn 1989-1999

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

I used it to access the beach and saw others doing the same

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there _____

Frequently _____

Occasionally ☒ _____

Rarely _____

Never _____

Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 0 to 4 or 5 people over a typical period of 2 hrs (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes ☒

No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

none

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

none

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

none

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

none

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

Once the barrier was erected in the creek, I used the trail much less, especially because of the barbed wire that was atop the barrier. The barrier had a gate that seemed to be open much of the rainy season.

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at Santa Barbara, California, on March 20, 2014.
(City or County where signed)



(Signature)



Name & Date: *Carol J. Iverson 3/20/14*

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is MARA TUCKER

Address 659 PICACHO LANE

Santa Barbara (street and number) Ca. 93108
City State Zip Code

Telephone: residence _____ cell 805-680-4200

Email OTISSHREDS@yahoo.com Age 60

I have lived at the above residence since 2007. I have lived in the Santa Barbara area between the years 1976 to present.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Lane and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 5 times per year during the years 1978 to 1988.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

NUDE BEACH

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there

Frequently _____

Occasionally _____

Rarely _____

Never _____

Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 3 people over a typical period of 1 hr. (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes /

No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

historically accessible NONE - never occurred to ask

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

true NONE

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

true NONE

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

NONE

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

I seen the above and was denied
Access At certain months

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at Santa Barbara, California, on March 25, 2014.
(City or County where signed)

Marcel V. Chen
(Signature)



Name & Date: *Maria Mcken*

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is John Shields

Address 7100 Gobernador Cyn
(street and number)
Carpinteria CA 93013
City State Zip Code

Telephone: residence 805-453-3006 cell _____

Email js Shields001@gmail.com Age 38

I have lived at the above residence since 2008. I have lived in the Santa Barbara area between the years 1975 to 2014.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Land and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 12 times per year during the years 1988 to 2008.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area) beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

Nudists Naturists

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there

Frequently

Occasionally

Rarely

Never

Other (describe)

X 1/2 the time I was there I had someone with me.

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 2-10 people over a typical period of 4 hrs (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes X

No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

NO

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

NO

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

Wasn't paying attention or looking for it.

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

NO

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

During winter gate was open in creek for water flow also under over and around it.


15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

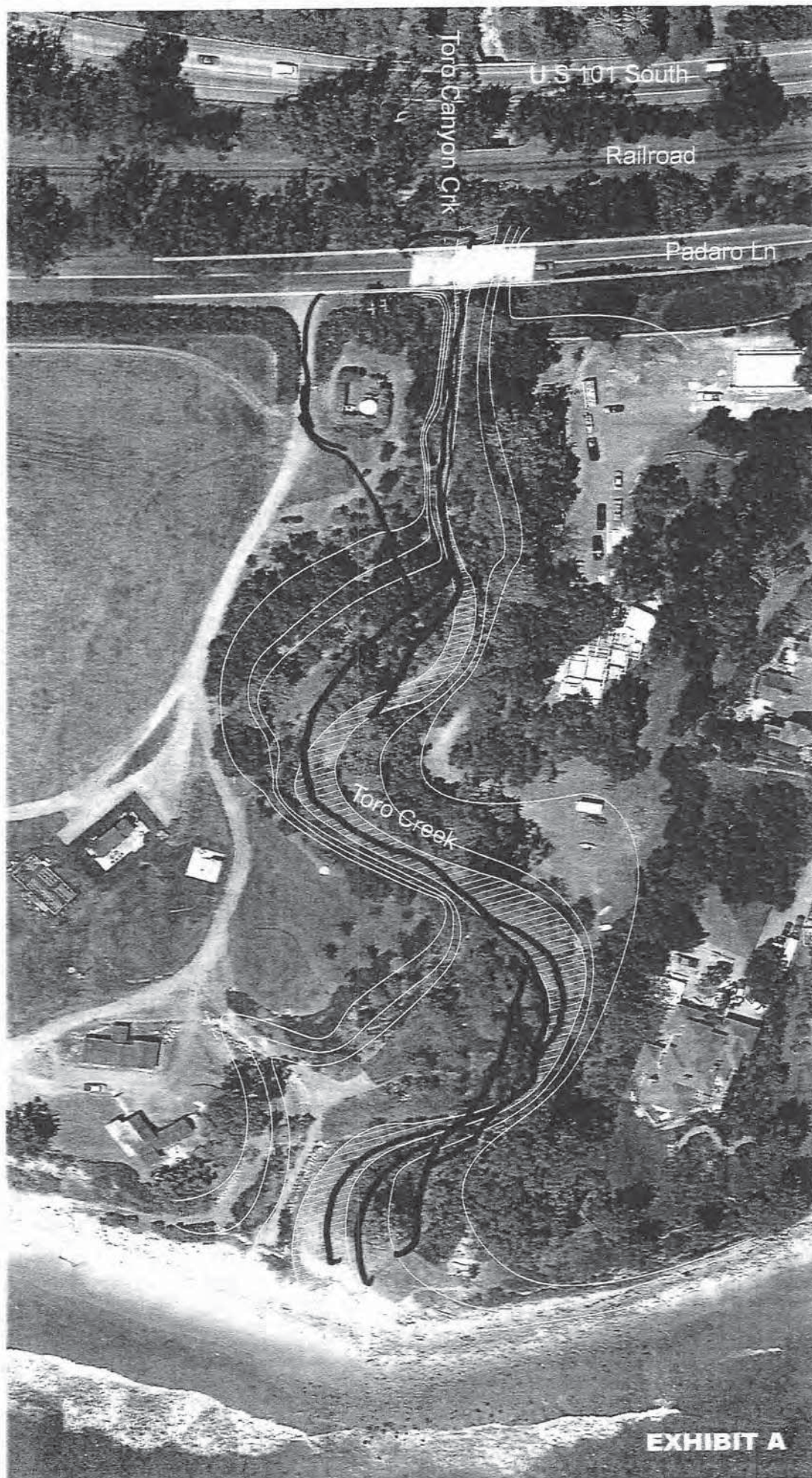
Also used road on north side of creek

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at Summerland, California, on 4-27, 2014.
(City or County where signed)


(Signature)



Name & Date:

Tahm Shields

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is REEVE WOOLPERT

Address P.O. BOX 312
(street and number)
SUMMERLAND CA 93067
City State Zip Code

Telephone: residence 805-969-0981 cell _____

Email REOTARA@COX.NET Age 68

I have lived at the above residence since 1973. I have lived in the Santa Barbara area between the years 1973 to 2014.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Lane and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 20 times per year during the years 1975 to 1990. 1990 - 2006 4-6/yr

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

NUDE SUNBATHING

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there

Frequently X

Occasionally X

Rarely _____

Never _____

Other (describe) _____

I WAS OFTEN ACCOMPANIED BY MY WIFE.

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 0 - 8 people over a typical period of 3 HOURS (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes X

No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

NONE

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

NONE

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

STARTING IN THE LATE 80'S SIGNS BEGAN TO APPEAR.
THERE WAS A "NO NUDDY" SIGN HANGING FROM THE BLUFFS NEAR
THE CREEK MOUTH. A "NO TRESPASSING" "PRIVATE BEACH" WAS AT THE

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

NONE

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

AROUND 1988-1989 A STEEL GATE & CONCRETE POSTS WERE
BUILT IN THE CREEK NEAR PADARO LANE. RAZOR WIRE^{WIRE} RAN ACROSS THE TOP
OF IT AND ALONG NEARBY LOW SANDSTONE WALLS. THE GATE WAS
USUALLY OPEN DURING THE WINTER & EARLY SPRING.

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

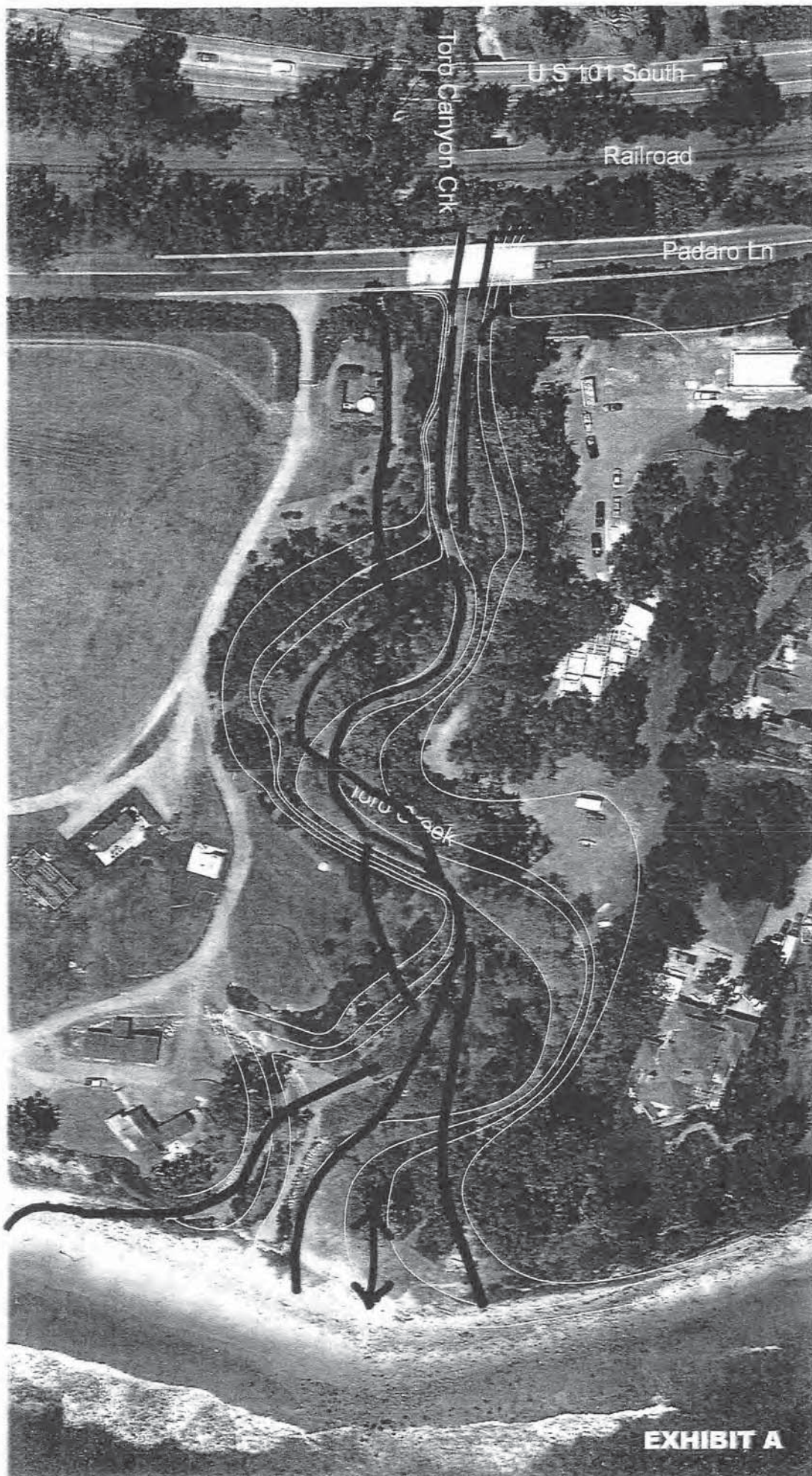
A CHAIN LINK FENCE WAS BUILT ACROSS THE CREEK MOUTH
BUT SOON WASHED OUT DURING A FLOOD

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at SUMMERLAND, California, on MARCH 13, 2014.
(City or County where signed)

(Signature)



Name & Date: REEVE WOOLPERT 3/13/2014

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

I. My name is ROBIN DONALDSON
Address 20 CEDAR LN
SANTA BARBARA CA 93108
(street and number)
City State Zip Code
Telephone: residence 805 682-7110 cell 805 510-8988
Email ROBIN@SANDARC.COM Age 56

I have lived at the above residence since 2004. I have lived in the Santa Barbara area between the years 1976 to 2014.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Lane and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 5 times per year during the years 1976 to 1979.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

SURFING / WALKING

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there

Frequently

Occasionally ☒

Rarely

Never

Other (describe)

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 1-3 people over a typical period of _____ (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes

No ☒

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

I FIGURED IT MIGHT BE PRIVATE LAND
BUT WAS NEVER STOPPED OR SAW SIGNS.

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

NONE

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

NONE

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

NONE

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

DO NOT RECALL ANY FENCE

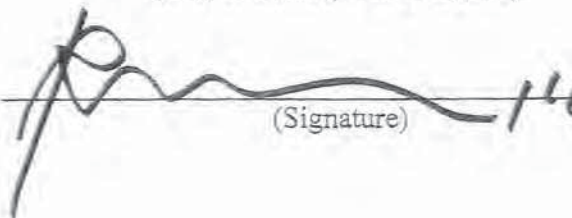
15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

I WAS INTRODUCED TO THIS TRAIL
BY OTHER FRIEND WHO SURFED THE
AREA.

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at S. BARMANA CA, California, on 3/19, 2014.
(City or County where signed)


(Signature)



Name & Date:

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is Mark Hinton
Address 2155 Oretgattill Rd. #3
(street and number)
Summerland Calif. 93067-692
City State Zip Code

Telephone: residence 805-570-9750 cell Same

Email Mark.Hinton@cox.net Age 52

I have lived at the above residence since 2002. I have lived in the Santa Barbara area between the years 1978 to now.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Land and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately _____ times per year during the years 1978 to 1989.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there _____

Frequently _____

Occasionally _____

Rarely _____

Never _____

Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 1-2 people over a typical period of _____ (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes ☒ No ☐

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (*if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability*):

NEVER

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (*if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability*):

NEVER

13. I have never been requested to leave Lower Toro Creek by any person except as follows (*if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability*):

NEVER

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (*if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability*):

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (*please use back for further comments*):

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at San Diego, California, on 2-25-, 2014.
(City or County where signed)

(Signature)



EXHIBIT A

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is HANS VAN KOPPEN
Address 206 Greenwell Av
SUMMERLAND CA 93067
City State Zip Code
Telephone: residence 805-895-9909 cell 805-565-9939
Email HANSVK@COX.NET Age 59

I have lived at the above residence since 1991. I have lived in the Santa Barbara area between the years 1968 to 2014.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Land and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 12 times per year during the years 1975 to 2019.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there _____
Frequently _____
Occasionally _____
Rarely ✓ _____
Never _____
Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 1 people over a typical period of 5 mins (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes ✓ No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

NONE

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

NONE

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

NONE

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

NONE

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

Creek HAS BEEN Fenced - Sometimes ITS open
NOT SURE OF THE DATES

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at Summitland, California, on 3-26, 2014.
(City or County where signed)

(Signature)



Name & Date:

HANS VAN Noype

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

I. My name is STEVEN ALLABACK

Address 2388 SHELBY ST.

(street and number)

SUMMITLAND CA 93061
City State Zip Code

Telephone: residence _____ cell 805 403 4848

Email TEVEALL@ENGLISH.UCSB.EDU Age 75

I have lived at the above residence since 1999. I have lived in the Santa Barbara area between the years 1956 to PRESENT.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Land and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 50-75 times per year during the years 1970 to 1995.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toru Canyon Creek between Padaro Lane and the ocean included:

MY CHILDREN & I DUG FOR COCKLES (SMALL CLAMS)
IN THE ROCK AT LOW TIDE WHERE THE CREEK MET THE OCEAN

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there _____

Frequently _____

Occasionally _____

Rarely _____

Never _____

Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 0-1 people over a typical period of 2 HRS (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes _____ No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

NONE

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

NONE

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

NONE

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

NONE

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

NONE

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

I WAS BETWEEN 1956 AND 1966 WHEN A USSS
STUDENT, I ALSO VISITED THE AREA TO SURF AND TO
DIVE, MOSTLY THE LATTER - AND I USED THE SAME TRAIL
DOWN TO THE BEACH.

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at SUMMERLAND, California, on 2/23, 2014.
(City or County where signed)

HA Curren

(Signature)



DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is PHIL MCKENNA

Address 321 EAST MISSION ST.

(street and number)

SANTA BARBARA

City

CA

State

93101

Zip Code

Telephone: residence 805-569-1026 cell

Email mckennapj@cox.net Age 67

I have lived at the above residence since 1974. I have lived in the Santa Barbara area between the years 1964 to PRESENT.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Lane and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 3 times per year during the years 1972 to 1975.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there

Frequently

Occasionally ✓

Rarely

Never

Other (describe)

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 1-2 people over a typical period of 2-5 min (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes No

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

NONE

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

NONE

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

NONE

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

NONE

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

NONE

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

There was a fence A Chain Link Fence TO FOLLOW FROM
PADARO LANE TO THE OCEAN

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at SANTA BARBARA, California, on March 2, 2014.
(City or County where signed)



(Signature)



DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is Tom Henderson
Address 2365 Emerson ST
Summerland (street and number) Ca 93067
City State Zip Code
Telephone: residence 805 969 4189 cell 805 252 4083
Email LTHenderson@gmail.com Age 65

I have lived at the above residence since 1985. I have lived in the Santa Barbara area between the years 1963 to Present.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Land and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 12 to 15 times per year times per year during the years 1974 to 1995 (more) 1974 - mid 80's

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle mid 80's what you did on this area): beach access, dog walking, jogging, walking, bird watching or other mid 90's nature appreciation, meditation, exploring, viewing the ocean and beach surfing. several times per year

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

hiking, surfing, exploring

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there _____

Frequently _____

Occasionally ✓ _____

Rarely _____

Never _____

Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 1-3 people over a typical period of 1-3 hr (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes ✓

No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

no

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

no

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

possibly in mid 80's

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

no

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

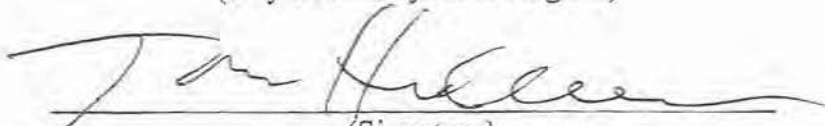
I think there was a fence in the creek some time in the late 80's but it was open in the winter

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at Sumnerland, California, on Mar 22, 2014.
(City or County where signed)


(Signature)



Name & Date:

Tom Henderson

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is James D Dale
Address PO Box 690 / 2522 Shelby St
(street and number)
SUMMERLAND, CA 93067
City State Zip Code

Telephone: residence 805 565-3220 cell 677-3274

Email goptoad@gmail.com Age 70

I have lived at the above residence since 1997. I have lived in the Santa Barbara area between the years 1961 to present.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Lane and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 2-3 times per year during the years 1960's to late '80's.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toru Canyon Creek between Padaro Lane and the ocean included:

note sunbathing

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there often
Frequently _____
Occasionally _____
Rarely _____
Never _____
Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 2-4 people over a typical period of 2-3 hours (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes ✓ No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

none

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

none

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

None

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

no

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

I remember the razor wire that was put there in the '80's!

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

This area was and is a popular surfing area. I have seen cars, surfer cars with racks parked near the TORO

CREEK BRIDGE.

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at Santa Barbara City, California, on March 25, 2014.
(City or County where signed)

James A. Dale
(Signature)



Name & Date:

7 T 1111

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is HENRY J. WEEDON III
Address 2270 VARLEY ST.
(street and number)
SUMNERLAND CA. 93067
City State Zip Code

Telephone: residence 969-1655 cell _____

Email _____ Age 70

I have lived at the above residence since 1973. I have lived in the Santa Barbara area between the years 1973 to PRESENT.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Land and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A".

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 12 times per year during the years 73 to 96.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, jogging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toru Canyon Creek between Padaro Lane and the ocean included:

LOBSTER TRAP RETRIVAL BEACH COMBING

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there _____

Frequently _____

Occasionally ✓ _____

Rarely _____

Never _____

Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) SEVERAL people over a typical period of _____ (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes ✓ No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained): NONE

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

NONE

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

NONE

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

NONE

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):

NONE TIL LATE 80'S 90'S
WHICH WE IGNORED

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

SURFS UP MORE PEOPLE

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at SUMNERLAND, California, on 2-23-14, 2014.
(City or County where signed)

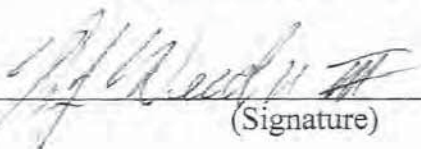

(Signature)



EXHIBIT A

Name & Date: *UT 16152011 III 2-23-14*

DECLARATION OF PUBLIC USE OF LOWER TORO CANYON CREEK AND BEACH

The undersigned declares:

1. My name is DAVID TAGLES

Address 3KJY380 CA SUMMERLAND
(street and number)
HOMELESS

City _____ State _____ Zip Code _____

Telephone: residence _____ cell 708-3340

Email _____ Age 62

I have lived at the above residence since 2000. I have lived in the Santa Barbara area between the years 1951 to 2014.

2. I understand that this declaration is part of an investigation by interested members of the public to determine the extent to which the general public has used portions of lower Toro Canyon Creek between Padaro Lane and the ocean.

3. I am familiar with Lower Toro Creek and know it to be the land between Padaro Lane and the Pacific Ocean depicted on the aerial photograph attached hereto as Exhibit "A".

4. I have indicated trails, access route(s) and/or portions(s) of Lower Toro Creek which I have visited and personally used by marking and/or shading these area(s) on Exhibit "A". 1972-1990/12-2

5. I have visited and used the area(s) I have indicated on Exhibit "A" approximately 1990-2000/12, times per year during the years 1972 to 2000.

6. The purpose(s) for which I used Lower Toro Creek during this period was (were): (circle what you did on this area): beach access, dog walking, logging, walking, bird watching or other nature appreciation, meditation, exploring, viewing the ocean and beach, surfing.

Other activities I engaged in and/or saw other people doing in the area along Toro Canyon Creek between Padaro Lane and the ocean included:

ENJOYING WILDLIFE & TRAIL

7. Observations of other people using Lower Toro Creek between Padaro Lane and the ocean: I have seen other members of the general public along Lower Toro Creek (Check which apply):

Whenever I was there _____

Frequently _____

Occasionally X _____

Rarely _____

Never _____

Other (describe) _____

8. On the occasions when I saw other persons on Lower Toro Creek, I usually saw approximately (give number or range) 2-3 people over a typical period of 2-3 HOURS (give the amount of time you typically observed that number of people).

9. I always use(d) Lower Toro Creek between Padaro Lane and the ocean "as if it were a public park, public land or public trail."

Yes X No _____

10. I never made a request from any person for permission to enter and use Lower Toro Creek except as follows (if no request was made, state "none"; if use was by permission, please identify or describe to the best of your ability the person from whom permission was gained):

NONE

11. I have never been informed by any person claiming to be the owner of the property or their representative that my right to enter and/or use this area was based on permission received from the owner or their representatives, or that any such permission could be revoked, except as follows (if never so informed, state "none"; if so informed, please identify or describe the person making statement and the date or dates of such statements to the best of your ability):

NEVER / NONE

12. I have never seen any "No trespassing" or equivalent sign posted on this area nor or any sign stating that the land was private property or that permission to enter the land was revocable, except as follows (if no such sign ever seen, state "none"; if signs were seen, please identify the date, location and message of each sign to the best of your ability):

STARTING MID TO LATE 80'S SIGNS BEGAN TO APPEAR
I RECALL A GATE IN THE LATE 80'S ACROSS CREEK NEAR
PADARO LANE & A BROKEN DOWN FENCE NEAR CREEK MOUTH.

13. I have never been requested to leave Lower Toro Creek by any person except as follows (if never asked, state "none"; if asked, please state the date, by whom you were asked to leave and the reason you were asked to leave, if any was given, to the best of your ability):

NO

14. I have never seen any fence or other barrier enclosing, surrounding, or blocking access to any part of Lower Toro Creek between Padaro Lane and the ocean except as follows (if none ever seen, state "none"; otherwise please identify type of fence, its location and date(s) on which you encountered the fence or barrier to the best of your ability):


SEE # 12

15. Additional facts or comments or clarifications I wish to state (if any) are as follows (please use back for further comments):

I have read and understand the foregoing declaration in its entirety and the contents thereof are true of my own knowledge.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed at SUMMERLAND, California, on 3/26/, 2014.
(City or County where signed)


(Signature)



Name & Date:

[Handwritten signature]

