

BRIEF OF AMICI CURIAE¹

INTRODUCTION

The public’s right to access tidelands is deeply ingrained in California law. For more than a century, California’s Constitution and courts have unambiguously affirmed that the State holds all land below the mean high tide line in an inalienable trust for the public. Yet private development remains an ever-present threat to public coastal access. In the 1970s, Californians passed a voter initiative forcing the Legislature to protect public access against efforts to transform public beaches into private playgrounds for privileged elites. The resulting landmark legislation, known as the California Coastal Act, demands unobstructed public access to and along California’s coastline, as well as public hearings before the State makes any decisions affecting this central right. Over time, the Legislature has strengthened the Coastal Act in response to the same threat of private encroachment that prompted its creation by, among other things, requiring equitable access to beaches in compliance with anti-discrimination laws and creating a plan to force access on one of the largest remaining obstructions to coastal access: Hollister Ranch.

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