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CALIFORNIA COASTAL COMMISSION REACHES FINAL SETTLEMENT AGREEMENT IN PARKER WEDDING AND CAMPGROUND CLOSURE

LONG BEACH, Calif. (June 14, 2013)—The California Coastal Commission unanimously approved a final settlement agreement to resolve a series of Coastal Act violations at the Ventana Campground in Big Sur, stemming in part from the June 1 wedding of Sean Parker and Alexandra Lenas. The settlement includes payments of $2.5 million, which will be used by the State Coastal Conservancy and local non-profit or public organizations to enhance public access in the Big Sur area, such as creating new hiking trails, easement purchases, and funding programs to make it possible for inner city youth and other underserved communities to reach and explore the coast. The Coastal Commission itself will not receive any of the settlement monies.

“Any time we can settle a violation and avoid litigation, we consider that a good outcome,” said California Coastal Commission Chairperson Mary Shallenberger. “Unlike other state regulatory agencies, the Commission doesn’t have the legal authority to fine violators so we must rely on settlement agreements like this to restore damaged resources and fund mitigation efforts.”

Mr. Parker leased the campground from the Ventana Inn and Spa in November 2012, and began building and assembling numerous structures on the site in March, including rock walls, stairways, a stone bridge, a faux cottage and pond, a stone archway and a dance floor. Any new development in the Coastal Zone requires a coastal development permit, consistent with Coastal Act policies that protect coastal resources and public access. By the time the Commission staff was notified, most of the construction was complete. Coastal Commission staff determined that the structures should be removed as soon as possible, but that no further damage to the site was likely to occur from allowing the wedding to proceed.

“Our issue was with the development, not the event,” said Lisa Haage, the Commission’s Chief of Enforcement. “If we had thought the wedding itself was going to cause additional harm to the forest, we would have stopped it. But we determined that allowing guests to attend a wedding at a public campground was not going to harm coastal resources. Instead, we focused on how best to restore the site, and brought this to the Commission as quickly as possible. We think this is a good outcome because it protects the redwoods, restores the site and provides public access benefits that the public will enjoy for generations.”
However, the Commission staff’s investigation revealed an equally troubling, if less obvious, Coastal Act violation: the fact that the campground had been illegally closed for the last six years. As mitigation for a 1982 Coastal permit to expand the luxury hotel, the Inn had agreed to continue to operate the campground in order to provide affordable overnight accommodations, since this is a major concern in the Big Sur area. In spite of this requirement, the Ventana Inn closed the campground in 2007 due to water quality concerns, without notifying or obtaining permission from the Commission, offering a plan to re-open, or providing an alternative to replace the campground.

“Closing the campground for six years had a significant impact on public access and recreation,” said Coastal Commission Executive Director Charles Lester. “Big Sur is an extremely popular destination for visitors, and competition for campsites is always high. The campground was an important part of the original permit and was essential for the Commission to be able to approve the luxury hotel expansion under the Coastal Act. Reopening the campground as soon as possible, and providing other public benefits like new trails, public access information and signs can at least partially mitigate for the campground closure.”

The settlement agreement ensures that all of the structures will be removed as quickly as possible, in a manner that avoids any damage to the forest habitat, and any necessary restoration of the area. The water quality issues at the Ventana Campground will be corrected and the campground re-opened for public use no later than October 2014. The agreements also require campground improvements, new public trails, public access signs and information, removal of invasive plants, as well as funding for conservation and public access projects in the Big Sur area. In addition, it provides for the development of an online video and/or mobile app designed to educate users about access rights and conservation issues.

“This issue has generated more media attention for the Coastal Commission than anything I can remember in my 40 years of working with the program,” said Mary Shallenberger. “And the takeaway message is loud and clear. Nobody should be above the law when it comes to protecting the coast and public access. The public expects us to do more, not less, to carry out the Coastal Act.”

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