



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Board of Supervisors



Date: March 24, 2014

Board Meeting Date: April 8, 2014

Special Notice / Hearing: None

Vote Required: Majority

To: Honorable Board of Supervisors

From: Supervisor Don Horsley

Subject: Support of Senate Bill 968 (Hill) Public lands: Martin's Beach property, access road

RECOMMENDATION:

Adopt a Resolution in support of Senate Bill 968 (Hill) Public lands: Martin's Beach property, access road.

BACKGROUND:

Existing law establishes the State Lands Commission with jurisdiction over various state lands, including coastal lands, and the authority to acquire a right-of-way or easement across private land in certain circumstances.

DISCUSSION:

Senate Bill 968 (Hill) would require the State Lands Commission to consult and, if necessary, enter into negotiations with a private property owner to purchase all or a portion of the property for a public access road to Martin's Beach. If a purchase cannot be negotiated by January 1, 2016, the legislation would direct the State Lands Commission to acquire the road for public access using their eminent domain authority.

Martin's Beach is a coastal gem hidden away south of Half Moon Bay in unincorporated San Mateo County. Visited by local families and vacationers for generations, the beach offers a scenic escape, as well as ideal conditions for swimming and surfing. For more than a century, the Martin's Beach access road—the sole terrestrial access to the beach—had been owned by a family that charged visitors \$5 for access and parking at the beach. In 2008, the 53-acre parcel and access road were purchased by a wealthy venture capitalist who erected a gate to block the public from walking or driving to Martin's Beach. Efforts by numerous parties to negotiate with the property owner or even discuss the potential for addressing the access closure have been unsuccessful. Martin's Beach has also been the subject of two separate lawsuits filed in San Mateo

County Superior Court. The first, based on Constitutional claims, is on appeal. The second, based on Coastal Act policies, has not yet been heard by the trial court.

According to the author, the public and local residents have been deprived of this natural treasure for long enough as the State Constitution provides the public with equal rights to access to the beach. The legislation is needed to try and provide a pathway for compromise as the landowner has been unresponsive to other compromise efforts. There is no better or more appropriate use of eminent domain since the State's

The legislation is supported by a growing list of organizations, including in part the Surfrider Foundation, the Committee for Green Foothills and the California Coastal Commission. There is no registered opposition to the proposal.

County Counsel has reviewed the Resolution as to form.

Approval of this Resolution contributes to the Shared Vision 2025 of an Environmentally Conscious Community by ensuring that everyone has access to the County's natural resources.

PERFORMANCE MEASURE(S):

Measure	FY 2012-13 Actual	FY 2013-14 Projected
Federal/State Measures analyzed and acted on	57	100

FISCAL IMPACT:

This measure has no fiscal impact on the County.