

Date of Hearing: April 8, 2024

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 1937 (Berman) – As Amended March 18, 2024

SUBJECT: State parks: Pedro Point

SUMMARY: Requires the California Department of Transportation (Caltrans) to sell and transfer surplus state property in the City of Pacifica to the Department of Parks and Recreation (DPR) for conversion to state park purposes. Specifically, **this bill:**

- 1) Lists findings and declarations regarding the duty to provide access to coastal lands for all Californians under Article X of the California Constitution and the Coastal Act of 1976.
- 2) Requires DPR to include the property in the Pedro Point neighborhood in the City of Pacifica in the management of the Pacific State Beach for park purposes that are consistent with the City of Pacifica Certified Local Coastal Program, when Caltrans sells the “Disney Lot” to DPR.
- 3) Requires Caltrans to declare that the Pedro Point excess property identified in Director’s Deed DD–028801–01–01, also known as the Disney Lot, is surplus state property acquired by the expenditure of tax revenues and located in the coastal zone, as defined by the state constitution.
- 4) Requires Caltrans to sell or transfer the Disney Lot to DPR for state park purposes as defined by the state constitution.
- 5) States the sale and transfer of the “Disney Lot” serves a public purpose.
- 6) Provides that a special statute is necessary because of the unique circumstances of the city of Pacifica.

EXISTING LAW:

- 1) Permits the sale or transfer of surplus state property located in a coastal zone and is acquired with the use of motor vehicle-related tax revenue at or above the acquisition cost paid by the State to acquire the property, to DPR for state park purposes, or to the Department of Fish and Game for the protection and preservation of fish and wildlife habitat, or to the Wildlife Conservation Board for purposes of the Wildlife Conservation Law of 1947, or to the State Coastal Conservancy for the preservation of agricultural lands. (California Constitution (CONS) Article XIX 10)
- 2) Defines “Coastal zone” as the land and water area of the State of California from the Oregon border to the border of the Republic of Mexico, as specified. (Public Resources Code (PRC) 30103)

- 3) Grants Caltrans full possession and control of all state highways and all property and rights in property acquired for state highway purposes. (Streets and Highways Code (SHC) Section 90)
- 4) Allows Caltrans, whenever it determines that any real property acquired by the state for highway purposes is no longer necessary, may sell, contract to sell, sell by the trust deed, or exchange the real property in the manner and upon terms, standards, and conditions established by the California Transportation Commission (CTC). (SHC Section 118)
- 5) Requires Caltrans to offer to sell or exchange excess real property, meaning all land and improvements situated outside of the calculated highway right-of-way lines not needed or used for highway or other public purposes, within one year from the date that it is determined to be excess. (SHC Section 118)

FISCAL EFFECT: Unknown

COMMENTS: Pacifica State Beach is a popular tourist destination, a wide crescent-shaped beach located off State Route 1 (SR 1). The northern gateway to part of the California Coastal Trail runs discontinuously between the state's northern and southern border. Parking demands of beach-goers to Pacific State Beach and the California Coastal Trail exceed available parking and as a result, visitors park on nearby residential streets, straining local communities and causing beachgoers to make the dangerous SR 1 crossing.

To address these problems, and increase public access to the Coastal Trail, the city of Pacifica would like to acquire an excess Caltrans parcel [Director's Deed (DD-028801), also known as the "Disney Lot"] in the Pedro Point area to create, in the near-term, additional public beach parking associated with Pacifica State Beach located approximately 800 feet to the northeast and, in the longer-term, to use as Coastal Trail trailhead parking once the Coastal Trail is constructed into and through the Pedro Point Headlands. The property will serve as parking for Pacifica State Beach and will eventually serve as Coastal Trail trailhead parking once the Coastal Trail is constructed into and through the Pedro Point Headlands.

Current law requires that if Caltrans were to sell the land to the city of Pacifica, it would be sold at or above the fair market price of \$756,050. Pacifica was unable to afford the land at this price.

This bill proposes a process that would allow DPR to acquire the land at Caltrans' original acquisition cost, for state park purposes. The mechanism proposed in this bill for the transfer of this property is based on SB 792 (Sher) Chapter 390, Statutes of 2004 which allowed for Caltrans to sell and transfer property in the Martini Creek Bypass Alignment to DPR. In addition to increasing the safety of beachgoers in the area and reducing parking on local streets, the acquisition and future use as Coastal Trail trailhead parking would support prior state expenditures of \$304,535 awarded to the city of Pacifica through the Habitat Conservation Fund (HCF) grant to partially fund the acquisition of five acres in the Pedro Point Headlands for the future Coastal Trail alignment. The parcel acquired with HCF funds is located approximately 300 feet south of the Caltrans parcel in question.

According to the author, “California has longstanding goals of helping more people access and enjoy the coastal outdoors, and sustaining local economies along the length of California’s coast and around San Francisco Bay. This bill supports those goals by expanding public access to Pacifica State Beach in the near-term, and in the longer term increasing public access to the Coastal Trail.

AB 1937 facilitates the transfer of an excess Caltrans property to the California Department of Parks and Recreation, and eventually to the City of Pacifica to redevelop it for public use. The property will serve as parking for Pacifica State Beach and will eventually serve as Coastal Trail trailhead parking, once the Coastal Trail is constructed into and through the Pedro Point Headlands. The lot will reduce the need for beachgoers to make the dangerous Highway 1 crossing and will ensure that more people can access California’s beautiful state beaches.”

In support, the City of Pacifica writes, “AB 1937 would expand coastal access around Pacifica State Beach and support a future California Coastal Trail (CCT) extension in Pacifica. It would also reinforce prior State investments in the Pedro Point area such as a Habitat Conservation Fund grant that helped the City acquire a five-acre parcel in the Pedro Point Headlands to create a continuous publicly-owned connection between Devil’s Slide Trail to the south and Pacifica State Beach to the north.”

Previous legislation. AB 612 (Berman) of 2023 would have required Caltrans to sell and transfer property, as specified, to DPR for conversion to state park purposes. *This bill was held in the Assembly Appropriations Committee.*

SB 231 (McGuire) Chapter 289, Statutes of 2021 authorized Caltrans to transfer the Blues Beach property located in the unincorporated community of Westport in the County of Mendocino.

SB 792 (Sher) Chapter 390, Statutes of 2004 directed Caltrans to sell land associated with the Devil’s Slide bypass to the Department of Parks and Recreation.

REGISTERED SUPPORT / OPPOSITION:

Support

City of Pacifica

Opposition

None on file

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