

**CALIFORNIA COASTAL COMMISSION**

NORTH CENTRAL COAST DISTRICT OFFICE  
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February 28, 2017

Kristin L. Schober  
Caltrans, Right-of-Way Local Programs, MS 11A  
P. O. Box 23440  
Oakland, CA 94623-0440

**RE: Proposed Transfer of Caltrans Excess Right-of-Way, Montara**

Dear Ms. Schober:

Steve Monowitz, Community Development Director for San Mateo County, recently forwarded to the California Coastal Commission's North Central Coast District Office, a copy of a letter dated February 23, 2017 to you regarding the proposed transfer of California Department of Transportation (Caltrans) Excess Lands in Montara, California. In addition, Kate White, Deputy Secretary of Environmental Policy and Housing Coordination for the California State Transportation Agency, contacted Dan Carl, District Director for the Central and North Central Coastal Districts of the Commission regarding this transfer.

The Montara Water and Sanitary District (MWSD) is currently pursuing the acquisition of excess right-of-way land from Caltrans. The potential transfer of land from Caltrans to MWSD has generally been discussed with Commission staff in the past. We have conveyed to the County, Caltrans and MWSD that such a transaction requires that the land transfer is done consistent with the specific requirements of San Mateo County's Local Coastal Program (LCP). With respect to receiving a request to consider such a transfer of land from Caltrans to MWSD, neither party has submitted a formal request to the Commission's North Central Coast District for our review or approval.

San Mateo County LCP Policy 11.33 identifies the land proposed for transfer as the "Devil's Slide Bypass Alignment" (Adopted Alignment) and applies a Linear Park and Trail Plan (LPTP) Overlay requirement to this area. The LPTP Overlay requires the preparation of a Specific Plan for all properties currently located within the Adopted Alignment. Caltrans is required to prepare a Specific Plan consistent with LCP Policy 11.33, cited in part, below:

**11.33 Use of CalTrans' Devil's Slide Bypass Alignment within Montara**

- a. A Linear Park and Trail Plan (LPTP) Overlay is applied over the original Devil's Slide Bypass Alignment, also known as the "Adopted Alignment," between the National Park Service – Golden Gate National Recreation Area property known as

Rancho Del Tierra and Highway 1, including the Peninsula Open Space Trust (POST) ownership south and east of Sunshine Valley Road. (The "Adopted Alignment" right-of-way area is also called out as the Midcoast Foothills Trail in the 2001 County Parks Plan.) The LPTP Overlay requires the preparation of a Specific Plan for all properties currently within the "Adopted Alignment."

- b. Except for park, open space, trail or habitat protection and restoration purposes, the County shall not permit any requests for subdivisions, lot line adjustments, conditional or unconditional certificates of compliance, or coastal development permits within the "Adopted Alignment" area until the LPTP Overlay Specific Plan is adopted by the County and effectively certified by the Coastal Commission through an LCP Amendment. The underlying zoning remains RM-CZ, R-1/S-17 and PAD within the LPTP Overlay area until such a Specific Plan is effectively certified by the Commission. Notwithstanding the provisions of any R-1 categorical exclusions, all overlay provisions will apply to the "Adopted Alignment" area. Further, until such time that a Specific Plan is effectively certified by the Coastal Commission, all uses within the LPTP Overlay area will be treated as conditional uses, except that linear park uses shall be considered the principally permitted use for purposes under the Coastal Act. Any proposed transfer of title to the State Department of Transportation ("Department") property within the adopted alignment will proceed after the Department, County and Commission jointly determine that there is no conflict with the proposed LPTP Overlay Specific Plan as specified below.
- c. The County will work with CalTrans and other affected agencies in a manner consistent with applicable State and Federal laws and regulations to complete a LPTP Overlay Specific Plan for the Devil's Slide Bypass "Adopted Alignment." The County, CalTrans and other affected agencies shall collectively provide whatever information they have readily available to complete the requirements of the Specific Plan described below and shall collectively seek whatever additional effort or resources may be necessary to complete the plan as soon as feasible...

The County LCP explicitly requires a joint County, Caltrans, and Coastal Commission agreement with respect to the Specific Plan for the Adopted Alignment, before proceeding with a potential land transfer. Any land transfer agreement would need to provide enforceable parameters to ensure that the LCP's Specific Plan requirements that currently accrue to Caltrans are equally taken on by any potential, new owner, such as MWSD. We are amenable to helping in this process; however it is important that the proposed land transfer agreement addresses and satisfactorily resolves the requirements for the Specific Plan required in the LCP. We don't believe that the framework for such an agreement would need to be particularly complicated or difficult. The provisions of LCP Policy 11.33 clearly dictate the Specific Plan's required elements.

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Please forward any draft agreements to us for review and input, as soon as possible. We are happy to prioritize our review in order to facilitate this process. Please feel free to contact Renée Ananda of my staff at 415-904-5292 or if you like, please contact me in writing, by telephone at 415-904-5290, or e-mail me at [nancy.cave@coastal.ca.gov](mailto:nancy.cave@coastal.ca.gov). We look forward to coordinating with you further regarding this proposal.

Sincerely,



Nancy Cave, District Manager  
North Central Coast District

CC: Clemens Heldmaier, Montara Water & Sanitary District  
Kate White, California State Transportation Agency  
Steve Monowitz, San Mateo County  
Michael Schaller, San Mateo County  
Tami Grove, Coastal Commission  
Renée Ananda, Coastal Commission