



COMMITTEE FOR
GREEN FOOTHILLS

June 23, 2017

Board of Directors
Montara Water and Sanitary District
8888 Cabrillo Highway
Montara, CA 94037

Re: Caltrans Devil's Slide Bypass Right-of-Way, Montara, CA

Dear Directors,

Committee for Green Foothills (CGF) understands that Montara Water and Sanitary District ("MWSD") is pursuing the acquisition of excess Devil's Slide Bypass right-of-way land, also known as the "Adopted Alignment," from Caltrans.

CGF has a long-standing interest in these lands, dating back to our successful litigation, along with Sierra Club and others back in 1972, to stop Caltrans from moving forward with construction of the "Adopted Alignment" bypass of Devil's Slide. Voter approval of Measure T, the Devil's Slide Tunnel Initiative in 1996 was the culmination of many years of advocacy and litigation. The completion of the Devil's Slide Tunnel is the tangible and laudable result of successful collaboration among agencies and citizens following passage of Measure T.

CGF was deeply involved in the development of the San Mateo County Local Coastal Program (LCP) and the Midcoast LCP Update. The latter effort took nearly 13 years from start to finish. One of the thorny issues that was not completely resolved in this process was the appropriate Land Use designation and Zoning for the excess right-of-way lands, as these lands would no longer be necessary for highway transportation purposes once the tunnel was completed. CGF strongly advocated that the area should be designated as Open Space and rezoned as Linear Park and Trail. Caltrans staff was opposed at the time to this redesignation and rezoning.

County Planning, Caltrans, and the Coastal Commission ultimately devised an alternative approach that was acceptable to all parties. The existing Land Use Plan designations and Zoning were retained, and a "Linear Park and Trail Overlay" was placed over the bypass lands.

As stated in the April 15, Memo from Jim Eggemeyer, Community Development Director to the San Mateo County Board of Supervisors (excerpt attached): ***"This overlay prohibits development except for park, open space, trail or habitat protection and restoration until a specific plan for this area has been approved by the County and certified by the Coastal Commission through an LCP Amendment. The purpose of the specific plan is to determine the type, location, and extent of development that can occur within the former right of way area, consistent with the objective of providing parks, trails, and open space and natural resource protection."*** (emphasis added)

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Jim Eggemeyer's Memo further states: ***"This approach... implements the California Coastal Commission's directive to avoid development that could limit public access and recreational uses or that would adversely impact open space and habitat resources, and it furthers the County's objective of developing a plan for the future re-use of the bypass lands prior to designating the entirety of the area as Open Space."***

As further detailed in the February 28, 2017 letter from Nancy Cave, District Manager, North Central District, California Coastal Commission: ***"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."***

CGF wholeheartedly agrees with County Planning's Memo and the Coastal Commission's letter, and urges all interested parties to work together to expedite the important planning for these lands.

CGF is aware that MWSD has already drilled two test boreholes for drinking water wells on the property, and found water resources (per 2/8/2015 letter to Bijan Sartipi, Caltrans, from Clemens Heldmaier, MWSD). CGF does not know whether any Coastal Development Permit was issued by the County for this drilling. A CDP would have analyzed any impacts from the well drilling activity, and whether the drilling would be consistent with the restrictions in the Linear Park and Trail Overlay as well as the Land Use Plan and Zoning Regulations.

I mention this as one possible example of an activity preceding appropriate planning for the area and underscores the requirement that planning of these lands must be done prior to transfer or sale to an appropriate public agency.

On behalf of CGF, I recommend that MWSD urge Caltrans as the landowner and San Mateo County as the responsible planning agency to initiate the specific plan process for this property, in concert with the Coastal Commission. MWSD should be also involved as well as interested public. Perhaps grant funding can be provided by the Coastal Conservancy, or other funding source(s).

Please keep CGF informed as to progress on this essential planning. We look forward to working with all interested parties during the public planning process required by LCP Policy 11.33 prior to any land transfer or sale.

Sincerely,



Lennie Roberts, San Mateo County Legislative Advocate

cc: Clemens Heldmeier, MWSD General Manager
Don Horsley, President and San Mateo County Board of Supervisors
Bijan Sartipi, District 4 Director, Caltrans
Kristin Schober, Caltrans Right of Way Local Programs
Steve Monowitz, Community Development Director, San Mateo County
Joe LaClair, Planning Services Manager, San Mateo County Planning
Sarah Birkeland, Interim Director, San Mateo County Parks
Steve Abbors, General Manager, MROSD
Sam Schuchat, Executive Director, California Coastal Conservancy
Nancy Cave, District Manager, North Central District, California Coastal Commission
Tami Grove, Statewide Development and Transportation Program Manager, California Coastal Commission