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AB-1937 State parks: Pedro Point. (2023-2024)

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Assembly Bill No. 1937

CHAPTER 365

An act to add Section 104.23 to the Streets and Highways Code, relating to state property.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1937, Berman. State parks: Pedro Point.

Existing law vests the Department of Transportation with full possession and control of state highways and associated property. Existing law authorizes the department to dispose of property that is no longer needed for highway purposes on terms, standards, and conditions established by the California Transportation Commission. The California Constitution authorizes the Legislature, by statute, with respect to surplus state property located in the coastal zone and acquired with certain vehicle- and fuel-related revenues, to authorize the transfer of that property to the Department of Parks and Recreation, the Department of Fish and Wildlife, the Wildlife Conservation Board, or the State Coastal Conservancy for specified purposes for a consideration at least equal to the property's purchase price.

This bill would require the Department of Transportation to transfer certain surplus state property it owns in the City of Pacifica to the Department of Parks and Recreation for state park purposes. The bill would, for purposes of this transfer, require the value of the property to be the price paid by the Department of Transportation for the original acquisition of the property, not adjusted for inflation. The bill would make various findings and declarations in that regard.

This bill would make legislative findings and declarations as to the necessity of a special statute for the surplus state property in the City of Pacifica.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Public access to and along the coast of California is protected under Article X of the California Constitution and the California Coastal Act of 1976.

(b) The California Coastal Trail (CCT) is an official state trail and completion of the CCT is an integral part of the state's responsibility to provide public coastal access for all in perpetuity. The CCT, when completed, will provide a continuous, interconnected public trail system spanning over 1,230 miles from the state's border with Oregon to its border with the United Mexican States.

(c) In the City of Pacifica, the CCT provides a scenic corridor with views of the coast and State Route 1, and is popular for a variety of recreational pursuits, including hiking and biking.

(d) The Director of the Department of Transportation has created Director's Deed DD-028801-01-01 to describe certain state-owned land located immediately adjacent to an approximately 2,000-foot gap in the CCT within the City of Pacifica located between the southern end of Pacifica State Beach and publicly owned lands in the Pedro Point Headlands to the south. The City of Pacifica, in partnership with other public agencies, plans to make improvements to close this gap in the CCT. Furthermore, on fair weather days, the Pacifica State Beach parking lots at the north end of the CCT gap become full and parking frequently spills over into nearby residential streets, causing adverse impacts on local neighborhoods.

(e) The Department of Transportation has determined that the property identified in Director's Deed DD-028801-01-01, located in the City of Pacifica, is surplus state property. The property is located immediately adjacent to CCT trail improvements that would close the identified gap in the CCT within the City of Pacifica. The department's determination presents an opportunity to support development of a CCT trailhead parking lot that will expand public access to the CCT once improvements are made to eliminate the trail gap. The State Coastal Conservancy completed a feasibility study in 2019-20 and found the property identified in Director's Deed DD-028801-01-01 to be an ideal location for CCT trailhead parking.

(f) The property identified in Director's Deed DD-028801-01-01, located in the City of Pacifica, is surplus state property located within the coastal zone, as defined in Section 30103 of the Public Resources Code, as that zone was described on January 1, 1977, and subject to Section 10 of Article XIX of the California Constitution. It is, therefore, fitting and proper, and in furtherance of the public interest, that the Department of Transportation transfer jurisdiction of the property identified in Director's Deed DD-028801-01-01 to the Department of Parks and Recreation pursuant to Section 14673 of the Government Code for the purpose of adding the property to the Pacifica State Beach for park purposes and use as a future trailhead parking lot to the CCT.

SEC. 2. It is the intent of the Legislature that, after the Department of Transportation transfers the property in the Pedro Point neighborhood of the City of Pacifica, which property is identified in Director's Deed DD-028801-01-01 and is also known as the "Disney Lot," to the Department of Parks and Recreation for conversion to state park purposes pursuant to Section 104.23 of the Streets and Highways Code, the Department of Parks and Recreation shall include this area in the management of Pacifica State Beach for park purposes that are consistent with the City of Pacifica Certified Local Coastal Program.

SEC. 3. Section 104.23 is added to the Streets and Highways Code, to read:

104.23. (a) Notwithstanding any other law, the department shall 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, pursuant to Section 10 of Article XIX of the California Constitution. The department shall provide for the transfer of this property to the Department of Parks and Recreation for state park purposes as provided under Section 10 of Article XIX of the California Constitution.

(b) The transfer of the property required by this section serves a public purpose.

(c) For purposes of the transfer required by this section, the value of the property shall be the price paid by the department for the original acquisition of the property. The original acquisition price shall not be adjusted for inflation.

SEC. 4. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances set forth in Section 1 of this act relating to facilitating expansion of public access to Pacifica State Beach and the California Coastal Trail.