

Assembly Bill No. 434

CHAPTER 136

An act to amend Section 253.2 of the Streets and Highways Code, relating to resources, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 31, 2001. Filed with
Secretary of State July 31, 2001.]

LEGISLATIVE COUNSEL'S DIGEST

AB 434, Keeley. Route 1: Hatton Canyon.

(1) Existing law includes within the California freeway and expressway system, among other routes, Route 1 from Carmel to the west city limits of Santa Cruz.

This bill would instead include Route 1 from the north limits of Carmel to the west city limits of Santa Cruz within the California freeway and expressway system.

(2) Prior Budget Acts have appropriated funds for the acquisition and transfer of park and open-space lands by state agencies, and have prescribed procedures for the acquisition and transfer of those lands.

This bill would make various legislative findings and declarations relating to the sale of specified property within Hatton Canyon near the City of Carmel-by-the-Sea in Monterey County, located in the coastal zone, as specified, by the Department of Transportation for the purpose of creating or adding to a state park.

The bill would specify that the existing Hatton Canyon right-of-way for the realignment of Route 1 from Carmel Valley Road to the Pacific Grove Interchange of Routes 1 and 68, as part of Route 1 since before 1977, and owned by the Department of Transportation, is located within the coastal zone, and would provide that this provision does not constitute a change in, but is declaratory of, existing law. The bill would require the Department of Transportation to declare the Hatton Canyon right-of-way property surplus state property.

The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 253.2 of the Streets and Highways Code is amended to read:



253.2. The California freeway and expressway system shall also include:

Route 1 from:

- (a) Los Angeles-Ventura county line to Route 101 near El Rio.
- (b) Route 101 near Las Cruces to Route 227 south of Oceano.
- (c) Route 101 near San Luis Obispo to San Simeon.
- (d) The north limits of Carmel to the west city limits of Santa Cruz.
- (e) The Higgins-Purisima Road to Route 280 south of San Francisco.
- (f) Route 280 to the San Francisco county line.
- (g) Route 101 near the southerly end of Marin Peninsula to the vicinity of Valley Ford.
- (h) Route 128 near the mouth of the Navarro River to Route 101 near Leggett.

Route 2 from Glendale Boulevard in Los Angeles County to Route 210.

Route 3 from Route 299 near Weaverville to Route 5 near Yreka.

Route 4 from:

- (a) Route 80 in Hercules to Route 99 near Stockton.
- (b) Route 99 near Stockton to Route 65.

Route 12 from:

- (a) Route 1 near Valley Ford to Route 101 at Santa Rosa.
- (b) Route 101 near Santa Rosa to Melita Road near Santa Rosa.
- (c) Route 29 in the vicinity of Napa to Route 80 near Cordelia.
- (d) Route 80 near Fairfield to Route 99 near Lodi via Rio Vista.
- (e) Route 99 near Lodi to Route 88 near Lockeford.
- (f) Route 88 near Clements to Route 49 near San Andreas.

Route 13 from:

- (a) Route 61 near the Oakland International Airport to Route 24.
- (b) Route 80 to Route 61 near Emeryville.

Route 16 from:

- (a) Route 505 to Route 5 near Woodland.
- (b) Route 50 near Perkins to Route 49 near Drytown.

Route 17 from:

- (a) Route 1 near Santa Cruz to Granite Creek Road near Scott's Valley.
 - (b) The south city limits of Los Gatos to Route 280 in San Jose.
- Route 20 from Route 101 to Route 80 near Emigrant Gap.

SEC. 2. (a) The Legislature finds and declares all of the following:

- (1) The Hatton Canyon is a scenic and environmentally sensitive area, comprised of undeveloped land that includes one of the few genetically pure Monterey Pine forests left in the world, significant coastal habitat and recreation areas, as well as diverse wildlife.



(2) With the Department of Transportation's determination that a freeway bypass in the Hatton Canyon is not currently viable, the property located in Hatton Canyon 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 9 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 sell its ownership interest in the Hatton Canyon for the purpose of creating or adding to a state park.

(b) The appropriation in Schedule (2) 80.97.030(BX) of Item 3760-302-0005 of Section 2.00 of the Budget Act of 2000 and the appropriation of two hundred fifty thousand dollars (\$250,000) in Item 3760-101-0001 of Section 2.00 of the Budget Act of 2001 is for the purchase of the property owned by the Department of Transportation in the Hatton Canyon.

(c) It is the intent of the Legislature that:

(1) The sale of the property in the Hatton Canyon by the Department of Transportation for conversion to a state park not adversely impact any mitigation credits that the Department of Transportation may be entitled to by making this property transfer.

(2) A nonmotorized trail be established that runs through the Hatton Canyon property.

(d) The route adoption, dated January 9, 1956, for the realignment of Route 1 in Hatton Canyon near the City of Carmel-by-the-Sea is hereby rescinded. Accordingly, the Legislature finds and declares that the freeway agreement, dated April 8, 1997, related to that realignment is a nullity.

(e) The existing Hatton Canyon right-of-way for the realignment of Route 1 from Carmel Valley Road to the Pacific Grove Interchange of Route 1 and 68, as part of Route 1 since before 1977, and owned by the Department of Transportation, is located within the coastal zone. This subdivision does not constitute a change in, but is declaratory of, existing law.

(f) The Department of Transportation shall declare the Hatton Canyon right-of-way property surplus state property.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:



In order to preserve the public peace, health, and safety and provide additional park resources as soon as possible, it is necessary that this act take effect immediately.

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