

AMENDED IN ASSEMBLY JANUARY 4, 2006

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1679

Introduced by Assembly Member Mullin

February 22, 2005

~~An act to amend Section 8875.1 of the Government Code, relating to building standards. An act to add Section 118.8 to the Streets and Highways Code, relating to state highway property.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1679, as amended, Mullin. ~~Building standards: hazard buildings. Department of Transportation: property transfer.~~

Existing law provides that the Department of Transportation has full possession and control of state highways and associated property. Existing law governs the disposal of excess property not needed for highway purposes.

This bill would require the department to transfer certain property in San Mateo County originally acquired for the State Highway Route 1 "Devil's Slide" Bypass to the Montara Water and Sanitary District to be used for water resource, recreational, and open space purposes, upon terms, standards, and conditions approved by the California Transportation Commission and the California Coastal Commission. The bill would make various legislative findings and declarations in that regard.

~~Existing law establishes a program for mitigation of potentially hazardous buildings, as defined, within all cities, both general and chartered, and all counties and those portions of a county that are located within a designated seismic zone to identify all potentially hazardous buildings.~~

~~This bill would correct an obsolete reference.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

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

1 SECTION 1. Section 118.8 is added to the Streets and
2 Highways Code, to read:
3 118.8. (a) The Legislature finds and declares all of the
4 following:
5 (1) Under Section 6512.7 of the Health and Safety Code, the
6 Montara Sanitary District was conditionally authorized to
7 exercise the powers of a county water district.
8 (2) The Montara Sanitary District, subsequently renamed the
9 Montara Water and Sanitary District, satisfied the conditions
10 necessary to exercise the powers of a county water district,
11 including the condition that the electors authorize the district to
12 exercise those powers.
13 (3) In 2003, the district acquired the privately owned water
14 system that served the residents and businesses located within the
15 district’s boundaries with funds provided by a general obligation
16 bond measure approved by more than 80 percent of the electors
17 voting on the measure.
18 (4) Sources of water within or available to the district are
19 critically limited and the district has necessarily continued a
20 moratorium on water service connections initially recommended
21 in 1976 by the State Department of Health Services and
22 thereafter imposed as an operating condition by the Public
23 Utilities Commission upon the privately owned water system.
24 (5) The department acquired property for the rerouting of a
25 portion of State Highway Route 1 to bypass the area commonly
26 known as the “Devil’s Slide” area in San Mateo County.
27 (6) A portion of the property that lies entirely within the
28 boundaries of the district is not required nor intended to be used
29 for highway purposes or any other purpose within the authority
30 of the department and is surplus property.
31 (7) Preliminary hydrological review indicates that this portion
32 of the property may include one or more aquifers or access to
33 one or more aquifers that would provide a significant source of
34 water to the district.

1 (8) Conveyance of the property described in paragraph (6)
2 from the department to the district, with usage limited to water
3 resource, recreational, and open space uses would advance the
4 state purposes of addressing the serious scarcity of water in the
5 state and the need to provide and maintain recreational and open
6 space lands.

7 (b) The department, on terms, standards, and conditions
8 approved by the commission and the California Coastal
9 Commission, shall transfer, to the Montara Water and Sanitary
10 District, the property located within the boundaries of the district
11 in San Mateo County that was acquired for the construction of a
12 proposed rerouting of State Highway Route 1 for a bypass of that
13 area commonly known as the “Devil’s Slide” area and that is no
14 longer required or intended to be used for that purpose or use.
15 The property transferred to the district shall be used for water
16 resource, recreational, and open space purposes.

17 ~~SECTION 1. Section 8875.1 of the Government Code is~~
18 ~~amended to read:~~

19 ~~8875.1. A program is hereby established within all cities,~~
20 ~~both general law and chartered, and all counties and portions~~
21 ~~thereof located within seismic zone 4, as defined and illustrated~~
22 ~~in Chapter 2-23 of Part 2 of Title 24 of the California Code of~~
23 ~~Regulations, to identify all potentially hazardous buildings and to~~
24 ~~establish a program for mitigation of identified potentially~~
25 ~~hazardous buildings.~~