

Midcoast Community Council

An elected Municipal Advisory Council to the
San Mateo County Board of Supervisors
Serving 12,000 coastal residents

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10 November 1999

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Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022-1404

Re: Resolution on MROSD Policy on Eminent Domain for the Coast

Dear Honorable Board Members:

The Midcoast Community Council has been following the discussions and deliberations of the Coastal Advisory Committee (CAC) through our elected representative, Mary Hobbs, since the formation of the CAC. At our regularly scheduled meeting on Wednesday, 27 October 1999, the Midcoast Community Council unanimously adopted the attached resolution. We hope that you will be able to consider our perspective during your consideration of the eminent domain question at this evening's Board meeting.

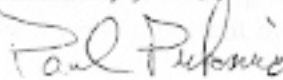
Standing Committees

Parks and Recreation
Mary Hobbs, Chair

Planning and Zoning
Ric Lehman, Chair

Public Works
Joe Gore, Chair

Sincerely yours,



Paul Perkovic, Chair

cc: Rich Gordon, Chair, CAC

Resolution of the Midcoast Community Council (MCC) to the MidPeninsula Regional Open Space District (MROSD) regarding the use of eminent domain

The Midcoast Community Council urges the MROSD Board to hold the Coastal Advisory Committee (CAC) to completion of its original mission by requiring that the CAC bring the requested package of recommendations to your Board before you vote on their recommendations.

The Midcoast Community Council acknowledges that there may be a benefit to the Midcoast for the MROSD to retain limited powers of eminent domain:

There are significant properties in the hills and along the coast that are privately owned, that are a *de facto* open space on the Midcoast. Public ownership with public access on these properties is a high priority for the residents of the Midcoast for the MROSD upon its expansion to the coast. The fact remains that eminent domain and the possibility with eminent domain of friendly condemnation, may be an important tool in achieving this goal.

The Midcoast Community Council acknowledges that there may be a benefit to the Midcoast for the MROSD to agree to remove eminent domain from the powers of the District:

A significant number of landowners and residents on the coast oppose the retention of the power of eminent domain and have pledged to support the expansion of the District to the coast and to support the passage of a funding tax on the coast if eminent domain is permanently removed. This would be a very important base of support for the expansion of the District to the Coast.

The Midcoast Community Council requests that the Coastal Advisory Committee complete the work that was delegated to it by the MROSD Board:

1. Land acquisition, focusing on alternative methods of preservation such as purchase of conservation easements;
2. The policy of eminent domain;
3. The policy of agricultural use, focusing on ways and means of preserving agricultural use on the coast, such as purchase of development rights or agricultural conservation easements;
4. Other policies as identified in the future.

Only when those recommendations have been made will the Midcoast Community Council be able to weigh the pros and cons of retaining eminent domain powers. We will reconsider this issue when the CAC has completed its package of recommendations.