

# Surfers sue over blocked beach access

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For a century, Martin's Beach has been a fishing and surf-lovers haven along the San Mateo County coast.

Fishermen, tourists, sunbathers and families always paid a small fee to visit the 200-acre crescent-shaped beach, with a distinctive pyramid-shaped rock and what surfers say are sweet waves.

The historically good vibe was ruined, however, when the landowner blocked the only road, provoking an ugly battle that could turn the picturesque enclave into a test case for public coastal access in California.

A group of surfers known as the Surfrider Foundation filed a lawsuit Tuesday accusing the owners of Martin's Beach of violating what they say is the public's "historic rights to public beach access."

They claim the landowner, Martin's Beach LLC, painted over billboards advertising the beach to the public, erected locked gates in front of Martin's Beach Road, hired armed guards to keep people out and did it all without permits, in violation of the California Coastal Act.

"The heart of our case is that the law under the Coastal Act requires you to get a permit if you do anything to change the use or change the intensity of use at a coastal area or beach," said Mark Massara, the lawyer for the Surfrider Foundation, who is working with former Rep. Pete McCloskey and the law firm of Cotchett, Pitre & McCarthy, on the case. "What we're dealing with at Martin's is a century of public access only recently interrupted by these development activities."

## Land is sold

The lawsuit is the latest blow in a long-running battle that is as complicated as it is turbulent. It started in 2008, when the limited liability company paid \$37.5 million for the 53-acre beach, which

## Attorneys

Paul N. "Pete" McCloskey, Jr.

## Practice Areas

Environmental Law

Land Use and Coastal Public Access

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includes 45 leased cabins along the coastal cliffs, about 6 miles south of Half Moon Bay.

The money man behind the deal has not been revealed, but the plaintiffs have said, and several sources close to the deal have acknowledged, that it is Vinod Khosla, a 57-year-old billionaire venture capitalist who co-founded Sun Microsystems and is famous for his backing of bold, eco-friendly projects. Khosla could not be reached for comment.

Prior to the sale, the beach had been owned for more than 100 years by the Deeney family, which set up the first cabin in 1918 and continued building through the 1950s. The Deeneys also built a store and began charging visitors for access and parking.

Martin's Beach was popular among clammers and fishermen and a popular destination for family outings. Many of the cabins are under long-term leases that expire in 2021, according to the lawsuit... *(To read the entire article, please click [HERE](#))*