

Martins Beach trial leads to the coast

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The judge, lawyers and courtroom hoi polloi in the trial to regain public access to Martins Beach sacrificed courtroom drama Thursday for a spectacular sunny morning tromping around the sandy shore and admiring the aqua blue ocean and dramatic coastal scenery.

The Surfrider Foundation has accused billionaire property owner Vinod Khosla of flouting the California Coastal Act by blocking the only road into Martins Beach, a 53-acre haven along the coastal cliffs about 6 miles south of Half Moon Bay.

Judge Barbara Mallach wanted to see for herself what all the fuss was about, so she convened court on Thursday at Martins Beach itself, where property manager Steven Baugher led the San Mateo County courtroom contingent on a tour of the disputed property. What they found was an idyllic sun-drenched community of leased cottages, a brilliant white sandy beach, a signature shark fin-shaped rock surrounded by spectacular cliffs, two defiant surfers and a fisherman.

"There are not enough public beaches left. The ocean should be everybody's," said surfer Danson Drummer, 37, of Mill Valley, who, with his buddy Morgan Williams had walked past the closed gate to get to the beach and exited the water shortly after the jurist and her subjects had passed. "All we're asking is that they just leave access so we can get to the beach and the water. Nobody owns the water and the waves."

Bill White, a 39-year-old fisherman from Daly City who was visiting a friend in one of the cabins, said he enjoys the solitude - as well as the abundant lingcod - but still thinks others should be allowed to enjoy the beach.

"It's beautiful and there's hardly anyone here," he said, a little taken aback by the sudden onslaught of lollygagging lawyers. "I think there should be public access at least to the beach. All they got to do is give rights to come down the road."

Attorneys

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Practice Areas

Environmental Law

Land Use and Coastal Public Access

MARTINS BEACH TRIAL LEADS TO THE COAST

Khosla, the co-founder of Sun Microsystems, is accused of violating the California Coastal Act by closing the gate on the access road, painting over a billboard welcoming visitors, hiring guards and putting up signs telling beachgoers to "keep out."

The closure of Martins Beach created a furor among surfers, beach lovers, politicians and environmentalists, who claim Khosla's actions are an assault on long-standing rules in California protecting public access to the coast.

At stake, they say, is the 1972 California Coastal Zone Conservation Initiative, which created the 12-member California Coastal Commission, and the California Coastal Act, passed in 1976, which prohibits homes or developments from blocking public access to beaches and makes the entire coast, including all beach property below the mean high tide line, public property.

The attorneys for Surfrider, which filed the lawsuit last year, insist that Khosla's actions constitute development under the Coastal Act because they change how the public uses the beach. Fundamental changes like that require a permit from the Coastal Commission, which was never obtained... *(To read the entire article, please click [HERE](#))*