

From: Barbara Davenport <bardavenport@gmail.com>
Sent: Wednesday, May 10, 2023 7:05 PM
To: Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; Bohn, Rex
Cc: COB
Subject: RE: Van Duzen Public River Access/Fisher Road

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

May 10, 2023

Barbara Davenport
11 Glendale Dr. McKinleyville, CA

Dear Humboldt County Board of Supervisors,

I am a 45 year resident of Humboldt and have been an outdoor enthusiast enjoying our rivers, forests, mountains, and beaches throughout this time. I am a strong advocate for public lands and public access points to navigable waterways for recreational use. I strongly believe that key public trailheads and access points are an integral part of a healthy and prosperous community.

On April 18th, the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

Please support the advice of the board, so that public access at this key point can be maintained. Thank you for your consideration and for taking the long term needs of the public and greater community into account.

sincerely,

--
Barbara Davenport, Broker-Associate

BR# 00000000, CR# 00000000
Cell: 707/442-3304, Office: 707/442-3304
The Land Man Office
Eureka, CA 95501

I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

Lynne A. Ladwig and John Ladwig

Letter to the Humboldt County Board of Supervisors

RE: FISHER ROAD

Bruce R. Cann
Eureka, CA 95503


bcann@live.com

Chairman Madrone and members of the Board:

My name is Bruce Cann and I live in Eureka. Thank you for the opportunity to comment on the previously proposed vacation of a portion of Fisher Road in Hydesville.

This letter represents myself as a community member only. It does NOT represent the views of the Humboldt County Fish & Game Advisory Commission.

This letter includes my comments on the most recent Staff Report (File #: 22-1574) for the Supervisor's meeting on 12/20/2022 (which never occurred due to the earthquake), as well some suggestions/comments.

I suggest the Board vote in favor of expending funds directed toward ensuring the public's right to continue using Fisher Road to access the navigable Van Duzen River. This should be done by obtaining **deeded** access along Fisher Road. **As stated on page 3 of the Staff Report, "Because the county is maintaining a public road, the county is obligated to perfect a public right of way for what it is maintaining."**

The next bullet on page 3 states "The county is not obligated to assert an implied common law dedication for the remainder of Fisher Road beyond where the county maintained road ends." In my own personal opinion, the County is obligated to extend the dedication to the navigable Van Duzen River which would be consistent with California's Public Trust Doctrine. In *Bess vs. County of Humboldt (1992)*, Footnote No. 3 explains that Civil Code sections 813 and 1009 were altered by statute in 1972 and that both permissive use and road maintenance were required for an implied dedication. But prior to 1972 only permissive use over a least a 5-year period was the rule. The Staff Report and submitted letters state that public use of Fisher Road prior to 1972 occurred on a regular basis for many years. The county should therefore assert an implied dedication of public use along the road's previous location which includes the gravel bar and river.

On page 3, under No. 2, the last bullet discusses restoration of the portion of road that washed out and the enormous cost it would entail to repair it. I agree, so why not work with the Patton's to obtain a deeded trail easement from the K-Rail Site to the gravel bar. The trail already exists...no maintenance required.

I suggest that the Board consider closing Fisher Road at night south of the white gate. By physically closing the road at night, most if not all the problems the Patton's mentioned related to littering and drug use would disappear. The Patton's could be in charge of opening and shutting the gate. The county would be in charge of the lock and keys. All appropriate emergency organizations would be issued a numbered key.

Thank you for the opportunity to comment on this issue.

Sincerely,

/s/ Bruce R. Cann

From: Jessica <jlhiowa2@yahoo.com>
Sent: Wednesday, May 10, 2023 8:43 AM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB
Cc: kuderwood@humtrails.org
Subject: Public access to Fisher Road and the Van Duzen River

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Please secure continued public access to Fisher Road and the Van Duzen River.

As someone who enjoys spending time outdoors walking and viewing nature with friends, it's important to me that our amazing natural beauty of Humboldt County is protected.

The Van Duzen River is both navigable and designated as "Wild and Scenic." There is a long history of public use of Fisher Road and the river bar below it. The "vacating" of the road would eliminate the public's right to access and use of this river.

I support the Board pursuing a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the County vacate the road. I also support the Board pursuing a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

Thank you,
Jessica

From: Alicia Hamann <alicia@eelriver.org>
Sent: Tuesday, May 9, 2023 9:12 PM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB
Subject: Support Letter for Protecting Public Access at Fisher Road
Attachments: Fisher Road Sign-on Letter for Humboldt BOS 5.16.pdf

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

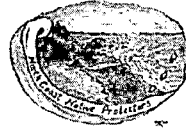
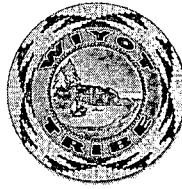
Greetings,

Please find attached a support letter from a diverse coalition for maintaining public access on Fisher Road.

Thank you,
Alicia

Alicia Hamann (*she/her*)
Executive Director

Friends of the Eel River
500 W. 4th St. Arcata, CA 95518
Office: (707) 798-6345
Cell: (707) 798-6345
eelriver.org



May 9, 2023

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Members of the Humboldt County Board of Supervisors
Email: rbohn@co.humboldt.ca.us, smadrone@co.humboldt.ca.us,
narroyo@co.humboldt.ca.us, mike.wilson@co.humboldt.ca.us
mbushnell@co.humboldt.ca.us, Clerk of the Board via email cob@co.humboldt.ca.us.

RE: Supporting Public Access on Fisher Road

Dear Chair Madrone and Supervisors,

On April 18th the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern about the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic."

The proposed vacation would have eliminated the public's right to access and use the Van Duzen River from Fisher Road. Established historical use of this public road to access the river dates back to at least the 1930s. Because the Van Duzen River is a navigable waterway, the public has the right to use the river and the river bed up to the high-water mark for navigational, fishing, recreational, and other purposes. As established by the County's defense of public access rights in the 1992 case Bess v. County of Humboldt (3 Cal. App. 4th 1547), "a right-of-way to a river extends to the river throughout any changes in the river's course".

The undersigned organizations appreciate the efforts of the Humboldt Fish and Game Commission and strongly support maintaining public access to the Van Duzen via Fisher Road. Fisher Road has been in the public domain for nearly a century, and is a rare point of public access to both the Van Duzen river and the future Great Redwood Trail.

Thirty years ago Humboldt County fought and won in court to protect public river access at Odd Fellows Park Road, about a mile east of Fisher Road. We hope that today your board will make a similar decision.

Thank you for your consideration.

Yours sincerely,

Karen Underwood
Advocacy Committee Chair
Humboldt Trails Council

Alicia Hamann
Executive Director
Friends of the Eel River

Colin Fiske
Executive Director
Coalition for Responsible Transportation Priorities

Carole Polasek
Public Lands Chair
Back Country Horsemen – Redwood Unit

Adam Canter
Director
Wiyot Tribe Natural Resources Department

Kenny Priest
Owner
Fishing the North Coast

James Stone
Executive Board President
Nor-Cal Guides and Sportsmen's Association

Tom Wheeler
Executive Director
Environmental Protection Information Center

Leslie Castellano

Ruthie Maloney
Director

North Coast Native Protectors Tribal Marine Collaborative

Scott Harding
Stewardship Associate
American Whitewater

From: Steve Jones <jones.jones@sbcglobal.net>
Sent: Tuesday, May 9, 2023 8:44 PM
To: Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; Bohn, Rex
Cc: COB
Subject: River Access – Van Duzen River via Fisher Road

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Lynn and Steve Jones

Arcata CA 95521

Humboldt County Board of Supervisors:

On April 18 th the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

We strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you,
Lynn and Steve Jones

~~Gaming, Tracy~~

From: Mary Abbott <mba531@outlook.com>
Sent: Tuesday, May 9, 2023 8:06 PM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB
Subject: Great Redwood Trail - access @ Fisher Road

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Mary Abbott
~~408-415-1152~~
Sebastopol, CA 95472

4-9-23

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors
Email: rbohn@co.humboldt.ca.us, smadrone@co.humboldt.ca.us, narroyo@co.humboldt.ca.us,
mike.wilson@co.humboldt.ca.us
mbushnell@co.humboldt.ca.us, cob@co.humboldt.ca.us,

RE: River Access – Van Duzen River via Fisher Road

Dear Chair Madrone and Supervisors,

I support preserving public access to the Van Duzen River and future Great Redwood Trail at Fisher Road.

On April 18th the Humboldt County Fish and Game Commission voted to send a letter to your board noting their concern about recent attempts to vacate the southern portion of Fisher Road. The Commission also recommends that the County preserve public access to the Van Duzen River, a navigable waterway designated as Wild and Scenic.

Historical use of this public road to access the river dates back to at least the 1930s. Because the Van Duzen River is a navigable waterway, the public has the right to use the river and the river bed up to the high-water mark for navigational, fishing, recreational, and other purposes.

Please follow the recommendation of the County's Fish and Game Commission and continue to protect the public domain.

Thank you for your consideration,

Mary Abbott

~~408-415-1152~~

~~CONFIDENTIAL~~

From: Chuck Dresel <cdresel@mac.com>
Sent: Tuesday, May 9, 2023 3:43 PM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB
Subject: River Access – Van Duzen River via Fisher Road

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Chair Madrone and Supervisors,

I support preserving public access to the Van Duzen River and the future Great Redwood Trail at Fisher Road. I am an avid cyclist and am anxiously awaiting the arrival of the Great Redwood Trail. Maintaining public access at Fisher Road will enhance that incredible project.

On April 18th the Humboldt County Fish and Game Commission voted to send a letter to your board noting their concern about recent attempts to vacate the southern portion of Fisher Road. The Commission also recommends that the County preserve public access to the Van Duzen River, a navigable waterway designated as Wild and Scenic.

Historical use of this public road to access the river dates back to at least the 1930s. Because the Van Duzen River is a navigable waterway, the public has the right to use the river and the river bed up to the high-water mark for navigational, fishing, recreational, and other purposes.

Please follow the recommendation of the County's Fish and Game Commission and continue to protect the public domain.

Thank you for your consideration,

Chuck Dresel

~~CONFIDENTIAL~~

Napa, CA 94558

FROM: Don Coombe
Carlotta, CA

RECEIVED
MAY 09 2023
BOARD OF SUPERVISORS

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors
Email: rbohn@co.humboldt.ca.us, smadrone@co.humboldt.ca.us,
narroyo@co.humboldt.ca.us, mike.wilson@co.humboldt.ca.us
mbushnell@co.humboldt.ca.us, Clerk of the Board via email cob@co.humboldt.ca.us.

RE: River Access - Van Duzen River via Fisher Road

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The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

Don Coombe

FROM: *Lesley Vodon*
~~*Lesley Vodon*~~
Fortuna, Ca. 95540

RECEIVED
MAY 09 11
BOARD OF SUPERVISORS

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors
Email: rbohn@co.humboldt.ca.us, smadrone@co.humboldt.ca.us,
narroyo@co.humboldt.ca.us, mike.wilson@co.humboldt.ca.us
mbushnell@co.humboldt.ca.us, Clerk of the Board via email cob@co.humboldt.ca.us.

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ad-
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I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

Lesley Vodon

I have enjoyed access to the river for 15 years!! I'd hate to lose that option

DRAFT LETTER to Board Members

RECEIVED
MAY 09 2023
BOARD OF SUPERVISORS

Your name Donna Esposito
St or PO address ~~PO. [scribble]~~
City, State, Zip ~~[scribble] [scribble] [scribble]~~
May 7
(Date) Carlotta

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors
Email: rbohn@co.humboldt.ca.us, smadrone@co.humboldt.ca.us,
narroyo@co.humboldt.ca.us, mike.wilson@co.humboldt.ca.us
mbushnell@co.humboldt.ca.us, Clerk of the Board via email cob@co.humboldt.ca.us,

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I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

(Your Name) Donna Esposito

RECEIVED

MAY 09 2023

BOARD OF SUPERVISORS

FROM
J'Anne Kausen
~~XXXXXXXXXXXXXXXXXXXX~~
Fortuna, CA 95546

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors
Email: rbohn@co.humboldt.ca.us, smadrone@co.humboldt.ca.us,
narroyo@co.humboldt.ca.us, mike.wilson@co.humboldt.ca.us
mbushnell@co.humboldt.ca.us, Clerk of the Board via email cob@co.humboldt.ca.us,

RE: River Access - Van Duzen River via Fisher Road

On April 18th the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

J'Anne Kausen

From: Karen Underwood <kju1910@gmail.com>
Sent: Tuesday, May 9, 2023 10:10 AM
Subject: Letter to BOS re: River Access-V.D. River via Fisher Road
Attachments: BOS letter- Road-River Access - HTC 5.16.23.docx

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Supervisors,
Please see the attached letter that Humboldt Trails Council is sending to you in regards to an item that will be on your May 16, 2023 agenda. We are writing in support of the letter the Humboldt County Fish and Game Advisory Commission sent to you after their April 18th meeting.
Thank you,
Karen Underwood
Humboldt Trails Council



Humboldt Trails Council
Post Office Box 7164
Eureka, CA 95502
humtrails.org

May 9, 2023

TO: Board members of the Humboldt County Board of Supervisors

Email: rbohn@co.humboldt.ca.us, smadrone@co.humboldt.ca.us, ybass@co.humboldt.ca.us,
mike.wilson@co.humboldt.ca.us
mbushnell@co.humboldt.ca.us
Clerk of the Board via email cob@co.humboldt.ca.us,

RE: River Access – Van Duzen River via Fisher Road

The Humboldt Trails Council (HTC) would like to give input on the April 18th letter the board received from the Humboldt County Fish and Game Advisory Commission. The commission unanimously approved this letter advising the board of their concern regarding the recent attempt to vacate the southern portion of Fisher Road in Hydesville, and recommended securing public access on the road and to the river. We support their recommendation.

HTC is very interested in maintaining public access on Fisher Road and to the Van Duzen River. The Carlotta spur of the Great Redwood Trail passes through the property in question, and access to the river for the trail users is highly desirable. In general, there is little access for the public to the river along the first 12 miles of Highway 36; this is not the time to drop this one. Strong evidence of the public using this road to access the river exists, including county records that document maintenance of the road as far back as 1934.

The proposed vacation would have eliminated the public's right to access and use the Van Duzen River from Fisher Road. The public has the right to use the river and the river bed up to the high-water mark for navigational, fishing, recreational, and other purposes. This was established by the County's defense of public access rights in the 1992 case Bess v. County of Humboldt (3 Cal. App. 4th 1547), "a right-of-way to a river extends to the river throughout any changes in the river's course".

We urge you to secure and formalize continued public access to Fisher Road and the Van Duzen River. Thank you for your consideration of this issue.

Karen Underwood (s)
Karen Underwood
Advocacy Chair

From: NageonDeLestang, Simone@SCC <Simone.NageonDeLestang@scc.ca.gov>
Sent: Monday, May 8, 2023 4:15 PM
To: COB
Cc: Gear, Karyn@SCC; Elizabeth Coleman; Morris, Louisa@SCC; Madrone, Steve
Subject: GRTA Comment on Vacation of Fisher Road
Attachments: Resolution 2022-10 Resolution in Opposition of the County of Humboldts Proposed Vacation of a Portio.pdf

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hello –
On December 19, 2022, the Great Redwood Trail Agency passed the following resolution related to the vacation of Fisher Road. The topic was originally agendized for December 20, 2022 but the meeting did not occur due to the earthquake. We understand that this topic will be in front of the Board on May 16th and would like this to be included in the packet for consideration by the Supervisors.

Thank you,
Simone

Simone Nageon de Lestang
Project Development Analyst II | North Coast
~~1555 Broadway Street, 10th Floor~~
Oakland, CA 94612
Simone.NageondeLestang@scc.ca.gov

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RESOLUTION
of the
Board of Directors
of
GREAT REDWOOD TRAIL AGENCY

Resolution No. 2022-10

IN THE MATTER OF: Resolution No. 2022-10 Resolution in Opposition to the County of Humboldt's Proposed Vacation of a Portion of Fisher Road, Adjacent to the Carlotta Spur, in Unincorporated Humboldt County
--

WHEREAS, GREAT REDWOOD TRAIL AGENCY ("GRTA") owns a certain real property interest in the County of Humboldt generally known as the Carlotta Branch of its right of way;

and

WHEREAS, the County of Humboldt is considering a request to vacate an implied dedication of a portion of Fisher Road, located in unincorporated Humboldt County, in a location that currently provides a legal right of access to the right of way; and

WHEREAS, it is in the interest of the GRTA to maintain legal and physical access to all points along its right of way, including but not limited to the portion of the Carlotta Branch currently legally accessible via the terminal segment of Fisher Road; and

WHEREAS, GRTA has not had sufficient notice of the pending action to vacate the implied dedication to properly act to protect rights of access to the GRTA property by GRTA or third parties,

1 **NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE**
2 **GREAT REDWOOD TRAIL AGENCY** as follows:

- 3
4 1. GRTA hereby states its opposition to the application to vacate implied dedication of
5 the terminus of Fisher Road in unincorporated Humboldt County, as contrary to its
6 interest as owner of real property directly impacted by such vacation, and contrary to
7 the public interest in maintaining maximal public access to the Great Redwood Trail
8 to be constructed upon GRTA's right of way, including at or near the terminus of
9 Fisher Road.
- 10
11 2. GRTA further states its opposition to the County's currently agendized item
12 recommending the Board of Supervisors grant the application to vacate on the basis
13 that it may be contrary to the California Environmental Quality Act. GRTA
14 specifically asserts that the vacation of a road can reasonably be construed as a
15 project, and can reasonably cause environmental impacts, particularly as it relates to
16 the potential impacts of the rerouted traffic that results or may result from such
17 vacation.
- 18
19 3. Based on the forgoing, GRTA hereby requests that the County of Humboldt deny the
20 request to vacate the implied dedication of Fisher Road as contrary to the substantive
21 interest of the GRTA and the public as it relates to the GRTA right of way.
- 22
23 4. To the extent that the County of Humboldt determines that vacation of the implied
24 dedication is warranted, or may be warranted, GRTA requests the Board of
25 Supervisors of the County of Humboldt nonetheless delay the approval of the request
26 to vacate (1) until GRTA has had sufficient opportunity to work with the requesting
27 landowner to formally secure GRTA's legal access to its own parcel via Fisher Road,
and (2) until further analysis of the vacation project is completed under CEQA.

1 Introduced and adopted this 19th day of December 2022, at a meeting of the Board of Directors
2 of Great Redwood Trail Agency by the following vote:

3 AYES: 8- Madrone, Hunerlach, Haschak, Mulheren, Bagby, Hagele, Campbell, and Chair Hart
4 NOES: 0
5 ABSENT: 1- Connolly

Caryl Hart

GRTA Chair Hart

6 ATTEST:

7 *Karyn Gear*

8 GRTA Interim Executive Director

9 Karyn Gear

10

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From: Jim Rizza <vinnrizza13@gmail.com>
Sent: Monday, May 8, 2023 11:18 AM
To: COB
Subject: Van Duzen Access

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Good Morning,

I am writing regarding continued access to the public for Fisher Road to the Van Duzen River. I was a teacher at Hydesville School for over 30 years and know that area well. It is a beautiful stretch of river that should be left available to people throughout the county.

Closing access to people who enjoy solitude and exposure to natural settings is something that Humboldt County should not be doing.
Keep the access open.

Thank you,
Jim Rizza

~~_____~~

From: Valerie Rose <polkaqueen@gmail.com>
Sent: Friday, May 5, 2023 3:35 PM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle
Cc: COB
Subject: Please Maintain Public Access to the Van Duzen River via Fisher Road

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Supervisors,

I am writing because I am concerned that the Board is considering a request to vacate the southern portion of Fisher Rd in Hydesville. Vacating this road and barring public access would be a gross mistake.

The Van Duzen is an important public trust resource both because it is navigable and designated "Wild and Scenic." Furthermore, there is a long history of public access to the river using this road. The Great Redwood Trail passes through the surrounding ranchlands, and Fisher Road is the closest access from here to the Van Duzen River.

I respectfully request that the Board of Supervisors direct the county to pursue a "deeded" public right-of-way for this southern portion of Fisher Rd in Hydesville, so that the public's access to this important resource would be more secure. Obtaining a prescriptive right-of-way from the end of the deeded right-of-way to the river would then give permanent legal access.

I understand that the Humboldt County Fish and Game Commission made these recommendations to the Board on May 18. I urge you to act on their recommendations.

Thank you,
Valerie Gizinski

~~_____~~
Arcata, 95521
~~_____~~

From: Ellen/Nathan Weiss/Copple <coppleweiss@sbcglobal.net>
Sent: Friday, May 5, 2023 6:05 PM
To: COB
Subject: Fisher Road

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Nathan Copple and Ellen Weiss

~~██████████~~
Arcata, CA 95521

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors

RE: River Access - Van Duzen River via Fisher Road

Hello, we are a couple of active walkers, runners, swimmers, birders, and bicyclists who would like to keep public access open along Fisher Road. We certainly support creation of a trail along the Carlotta Branch of the Great Redwood Trail.

On April 18th, the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Sincerely,

Nathan Copple and Ellen Weiss

~~Redacted~~

From: bella waters <bellawaters@gmail.com>
Sent: Saturday, May 6, 2023 6:59 AM
To: Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle
Cc: COB
Subject: River Access - Van Duzen River via Fisher Road

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Bella Waters

~~Redacted~~

Arcata, CA 95521

May 6, 2023

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors
Cc: Clerk of the Board

RE: *River Access - Van Duzen River via Fisher Road*

On April 18th, the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as “Wild and Scenic.” There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public’s right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a “deeded” public right-of-way instead of the current status as an “implied common law dedication right-of-way.” This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

As an avid river explorer, walker and bicyclist, I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

Bella Waters

From: Carol Mayes <cmayes711@gmail.com>
Sent: Saturday, May 6, 2023 3:04 PM
To: COB
Subject: allow public access to Van Duzen river via Fisher Road
Attachments: Letter to Board of Supervisors.pdf

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Please see attached letter in support of a public right of way for access to the Van Duzen River via Fisher Road
Sincerely

Carol Mayes

Carol Mayes

~~415-438-2474~~

Eureka, Ca 95503

May 6, 2023

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors
Email: rbohn@co.humboldt.ca.us, smadrone@co.humboldt.ca.us,
narroyo@co.humboldt.ca.us, mike.wilson@co.humboldt.ca.us
mbushnell@co.humboldt.ca.us, Clerk of the Board via email cob@co.humboldt.ca.us.

RE: River Access – Van Duzen River via Fisher Road

On April 18th the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

Carol Mayes

~~CONFIDENTIAL~~

From: Ranada Laughlin <ranadariodell@att.net>
Sent: Saturday, May 6, 2023 4:42 PM
To: rbohn@co.humboldt.ca.u; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB
Subject: Fisher Road, Van Duzen River Access

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Humboldt County Board of
Supervisors,

5/6/2023

re: River Access off Fisher Road

Heritage, Public Trust and Vision

Please follow Humboldt County Fish and Game Commission's suggestion of a "deeded" Right of Way to the Van Duzen River off Fisher Road in Hydesville. As noted in their April 2023 letter to the Board of Supervisors, Van Duzen is a Navigable Waterway and has "Wild and Scenic" designation. This is a heritage issue, and an opportunity to demonstrate responsible land stewardship: people before us have enjoyed the use of this access point; future generations should also be allowed the opportunity.

Trust in governance relies on decision making that doesn't favor the few over the many. As the pandemic has shown us, outdoor recreation is a vital component to our well-being. In my own community of Rio Dell (also in District 2), access to the Eel River has been embraced as a way of bringing community together. As a hiker and a bird watcher I appreciate river access not only for myself but also for anglers and other trail users.

Thank you for your service and respectful consideration of the long term benefits of deeded Right of Way access to the Van Duzen River off Fisher Road.

Sincerely,

Ranada Laughlin

Ranada Laughlin
~~CONFIDENTIAL~~
Rio Dell, CA 95562

~~Confidential~~

From: David Rosenstein <drosey36@gmail.com>
Sent: Saturday, May 6, 2023 6:00 PM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB
Subject: RE: River Access – Van Duzen River via Fisher Road

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

May 6, 2023

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

RE: River Access – Van Duzen River via Fisher Road

I live in Trinity County but come over the coast frequently during the hot weather of summer and access the river via Fisher Road.

I strongly support protecting public access on this road to the river.

The commission recommendation should be adopted: please pursue a “deeded” public right of way instead of the “implied” designation that current exists.

Thank you for protecting the public right to use our river!!

David Rosenstein
~~Confidential~~
Hyampom, CA 96046

PS: I also *strongly support* the development of a trail on the Carlotta branch of the Great Redwood Trail!!

~~Michael Morris~~

From: michael morris <lilmorris2000@yahoo.com>
Sent: Sunday, May 7, 2023 9:38 AM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB
Subject: River Access - Van Duzen River via Fisher Road
Attachments: Fisher Road Letter to HCBoS.rtf

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Michael H. Morris

~~Michael Morris~~

Eureka, CA 95503

5/7/2023

Humboldt County Board of Supervisors

825 Fifth St.

Eureka, CA 95501

RE: River Access - Van Duzen River via Fisher Road

I have lived in Humboldt County since 1977. I am now retired and plan to live out the rest of my days in this beautiful area. I enjoy fishing, kayaking, hiking, and birding among other hobbies. I have been accessing the Van Duzen River for decades to fish. I find it absurd and insulting that a private individual can take over control of a public road and close it off to use by county citizens. As far as I'm concerned the proper response would be for the County to seize the Patton family property at the end of Fisher Road through eminent domain and create a riverside park for all to enjoy. This would certainly attract fishermen and tourists to the area and provide permanent access to this public waterway.

On April 18th, the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to

provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

Michael H. Morris

ps copy of letter attached.MHM

Michael H. Morris

~~509 928 16~~

Eureka, CA 95503

5/7/2023

Humboldt County Board of Supervisors

825 Fifth St.

Eureka, CA 95501

RE: River Access - Van Duzen River via Fisher Road

I have lived in Humboldt County since 1977. I am now retired and plan to live out the rest of my days in this beautiful area. I enjoy fishing, kayaking, hiking, and birding among other hobbies. I have been accessing the Van Duzen River for decades to fish. I find it absurd and insulting that a private individual can take over control of a public road and close it off to use by county citizens. As far as I'm concerned the proper response would be for the County to seize the Patton family property at the end of Fisher Road through eminent domain and create a riverside park for all to enjoy. This would certainly attract fishermen and tourists to the area and provide permanent access to this public waterway.

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The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

Michael H. Morris

~~CONFIDENTIAL~~

From: Jessica Frisk <jessyfrisk@gmail.com>
Sent: Sunday, May 7, 2023 9:58 AM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB
Subject: River Access - Van Duzen River via Fisher Road

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Jessica Frisk
~~CONFIDENTIAL~~
Eureka, Ca. 95593

May, 7, 2023

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors
Email: rbohn@co.humboldt.ca.us, smadrone@co.humboldt.ca.us, narroyo@co.humboldt.ca.us, mike.wilson@co.humboldt.ca.us,
mbushnell@co.humboldt.ca.us, Clerk of the Board via email cob@co.humboldt.ca.us.

RE: *River Access - Van Duzen River via Fisher Road*

On April 18th, the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

~~CONFIDENTIAL~~

From: L Farnham <laurelfarnham@gmail.com>
Sent: Sunday, May 7, 2023 10:50 AM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Bushnell, Michelle; COB
Subject: Securing public access to Fisher Road and the Van Duzen

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Laurel Farnham

~~CONFIDENTIAL~~

Fortuna CA 95540

May 7, 2023

Humboldt County Board of Supervisors

825 5th Street

Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors

RE: *River Access - Van Duzen River via Fisher Road*

On April 18th the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of this board.

My family has used this road numerous times to access the river. We live in Supervisor Bushnell's district and have a cabin at the Golden Gate development so the Van Duzen is especially important to us.

In addition, my husband and I support the development of a trail on the Carlotta Branch of the Great Redwood Trail. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

~~Topic Title~~

From: p farnham <pfarnham2002@yahoo.com>
Sent: Sunday, May 7, 2023 10:55 AM
To: Bohn, Rex; Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB
Subject: Fisher Road Abandonment?
Attachments: Fisher Road access letter.pdf

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Please find my attached letter supporting the **continuing public access** to the Van Duzen River at Fisher Road, Hydesville.
Thank You,
Paul Farnham

May 7, 2023

Dear Board of Supervisors,

I am writing to express my strong support for full public access to the Van Duzen River from Fisher Road in Hydesville. As a resident of this community, I believe that allowing residents and visitors to enjoy this natural resource is not only beneficial for the community's health and well-being, but it also supports local businesses and tourism.

The Van Duzen River is a vital natural resource that provides habitat for numerous species of fish, birds, and other wildlife. Additionally, it offers recreational opportunities such as swimming, fishing, kayaking, and hiking. However, limited public access to the river has hindered these opportunities for many years.

I believe that providing full public access to the Van Duzen River from Fisher Road would be a major step forward in promoting the health and well-being of our community. Increased access to the river would not only support local businesses that rely on tourism, but it would also provide a much-needed outlet for community members to enjoy the outdoors and engage in physical activity.

Furthermore, public access helps to promote environmental stewardship. The road has been used by the public for many years – I can personally attest to using it for 50 years- and is a right of way that should NOT be abandoned. There are legal foundations for right of ways that are founded on the public's use over long periods of time and Fisher Road has been used as access to the river for at least a century. I learned of it from old timers in 1972 who had been fishing out there for years. Anything that the County can do to encourage outdoor recreational activity should be expanded, not restricted. In this case, the property rights of individuals do not override the continuing use of an established right of way that was known to them when they purchased the property.

In conclusion, I urge you to support full public access to the Van Duzen River from Fisher Road . Doing so would be a major step forward in promoting the health and well-being of our community, supporting local businesses, and fostering environmental stewardship.

Thank you for your consideration.

Sincerely,

Paul Farnham

~~525-242-0211~~
Carlotta ,CA

pfarnham2002@yahoo.com

~~525-242-0211~~

~~Outgoing~~

From: Ken Burton <shrikethree@gmail.com>
Sent: Friday, May 5, 2023 8:26 AM
To: Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; COB; Bohn, Rex
Subject: Fisher Road vacation

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

On April 18, the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of its concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. The commission referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of the commission. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

Kenneth Burton (Humboldt Trails Council board member and author of *Hiking Humboldt*, vol. 1)
~~709-840-0298~~
McKinleyville 95519

~~CONFIDENTIAL~~

From: Kay Burgess <houseofburgess125@gmail.com>
Sent: Friday, May 5, 2023 8:06 AM
To: Madrone, Steve; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle; Bohn, Rex; COB
Subject: Fisher Rd & River Access
Attachments: MKayBurgess - Fisher Rd.docx

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Please find my letter related to this subject attached.

M. Kay Burgess

~~000-877-2222~~

Fortuna, CA 95540

District Two, Humboldt County

5/5/23

Humboldt County Board of Supervisors

825 5th Street

Eureka, CA 95501

RE: River Access – Van Duzen River via Fisher Road

I am a user of Fisher Road and have been using it since the 1940's. I have used the road for walking and now generally access the Van Duzen River at the end of Fisher Road by car. It is one of the most memorable locations from my childhood as I have been a frequent visitor to the Fishers ranch. My parents once lived on that property. I previously sent a letter further detailing my connections to this part of Humboldt County. I would not oppose this beautiful area being included on the Great Redwood Trail route, but only if vehicle access is concurrently maintained for public use. I strongly favor making access to the river at the end of Fisher Road a permanent public right by codifying public access legally and permanently.

On April 18th the Humboldt County Fish and Game Commission approved a letter to send to the Humboldt County Board of Supervisors advising the board of their concern in the recent attempt to vacate the southern portion of Fisher Road in Hydesville. The commission points out that the Van Duzen River is both navigable and designated as "Wild and Scenic." There is a lengthy history of public use on this road and to the river bar below it. The vacation would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The commission recommends that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way." This will eliminate future attempts to have the county vacate the road. Furthermore, the commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river.

I strongly support the advice of this board. This road has been in the public domain for many decades. We do not need to lose another access point to the river.

Thank you for your consideration.

Yours sincerely,

M. Kay Burgess



From: cemone@reninet.com
Sent: Thursday, May 4, 2023 10:19 AM
To: Madrone, Steve; Bohn, Rex; Arroyo, Natalie; Wilson, Mike; Bushnell, Michelle
Cc: COB
Subject: RE: River Access – Van Duzen River via Fisher Road

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Carol Moné



Trinidad, CA 95570

5/4/2023

Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

TO: Board members of the Humboldt County Board of Supervisors

The Humboldt County Fish and Game Commission pointed out in an April 18th letter to the BOS that the Van Duzen River is both navigable and designated as "Wild and Scenic." They advised the board of their concern about the recent attempt to vacate the southern portion of Fisher Road in Hydesville. There is a lengthy history of public use on this road and to the river bar below it. Vacating would have eliminated the public's right to access and use of this navigable river. They referenced the public trust doctrine.

The recommendation that the board pursue a "deeded" public right-of-way instead of the current status as an "implied common law dedication right-of-way" would eliminate future attempts to have the county vacate the road. The commission also recommends that the Board of Supervisors pursue a prescriptive right-of-way to provide the public with permanent legal access from the end of the deeded right-of-way to the river. **I strongly support the advice of the commission.** This road has been in the public domain for many decades. We do not need to lose another access point to the river. I support the Carlotta Branch of the Great Redwood Trail. The greater good of the community should prevail over perceived inconvenience by private property owners.

When we lived in Fortuna, years ago, this access was important to us. But we have had similar issues in Trinidad with the Martin Creek trail which was closed for years due to private property owner's perception that access to water by "regular people" were some sort of menace. Fortunately, that problem was resolved and the trail now is managed by the Trinidad Coastal Land Trust.

Thank you for your consideration.

Sincerely,