



April 4, 2025

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

To: Members of the Humboldt County Board of Supervisors

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narroyo@co.humboldt.ca.us, mike.wilson@co.humboldt.ca.us,
bushnell@co.humboldt.ca.us, Clerk of the Board via email damico@co.humboldt.ca.us

RE: Protect Public Access to the Van Duzen River on Fisher Road

Dear Chair Bushnell and Supervisors,

We are writing to extend our appreciation to the County for supporting and protecting the public's right to access rivers. The public has a right-of-way to access the Van Duzen River via Fisher Road. Humboldt County citizens have had the continuous use of the river access off Fisher Road over the last century.

Our understanding is that the County offered the property owners, the Pattons, a deal which would have allowed for the Pattons to shut the gate that they had illegally put up across a County Road, but would still allow hikers through the gate, with visible signage to that effect.

The Pattons claim that, because they own the land south of the County's portion of Fisher Road to the Van Duzen River, they have the right to bar public access to the river via the roadway. That would be true if there were not an existing public right-of-way to the river. However, as the court held in the County's defense of public access rights to the same Van Duzen River 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 Pattons see the question at hand entirely as a property rights issue. We do not agree. Rather, it is an important part of your role as County Supervisors to maintain public access to the public domain. We are grateful for your persistence.

We understand that while the Pattons have not accepted your offer, discussions are ongoing. We encourage you to continue to seek a fair resolution that protects both public

access to the Van Duzen at Fisher Road and the principle of public access to our waterways. The clear rule established in *Bess v Humboldt* must be upheld.

Finally, as you may recall, we helped collect documentation from a handful of Humboldt County residents who used Fisher Road to access the Van Duzen River prior to March 4, 1972. Of course, people who used Fisher Road more than fifty years ago are no longer young. One person who provided a statement in the summer of 2024 has since passed away. Thus, while we appreciate and encourage your efforts to negotiate a fair resolution, we also urge you to maintain an appropriate sense of the urgency of this matter.

Public access matters to your constituents, we appreciate your action on this important matter.

Yours sincerely,

Alicia Hamann
Executive Director
Friends of the Eel River

Karen Underwood
Advocacy Committee Chair
Humboldt Trails Council