



Humboldt County Fish & Game Advisory Commission  
Post Office Box 922  
Ferndale, CA 95536

Phone: 707-786-4902  
Email: [nkaytis4@gmail.com](mailto:nkaytis4@gmail.com)

AGENDA ITEM 9(a)

April 18, 2023

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

Re: River and coastal access

Dear Chairman Madrone and Members of the Board:

The purpose of Humboldt County Fish and Game Advisory Commission is to serve in an advisory capacity to the Board of Supervisors in all matters concerning fish and wildlife within the County of Humboldt. At the commission's last meeting on March 21, 2023, members discussed the need to retain public access to our navigable rivers and coastal areas as they provide Humboldt County residents with outstanding opportunities to hunt and fish.

Of particular concern is the recent attempt to vacate the southern portion of Fisher Road in Hydesville. This very popular county-maintained public road leads to the Van Duzen River, which is both navigable and designated by the State and federal government as "Wild and Scenic." For over 80 years, the public has enjoyed fishing, hunting, swimming, picnicking, hiking, and wildlife viewing along this stretch of the river.

Vacating this public road would have turned it into a private driveway and eliminated the public's right to access and use this navigable river. California's Constitution of 1879, laws, and judicial decisions have established public rights to access the state's navigable waters, as well as tidelands, submerged lands, streams, lakes, bays, and estuaries. These resources are held in "public trust" for current and future generations. The public trust doctrine was established to ensure that government officials protect these sovereign lands for the use and enjoyment of the public, free from the obstruction and interference of private landowners.

In order to prevent further attempts by private parties at preventing future public access and use of Fisher Road, the commission recommends that the Board of Supervisors pursue a "deeded" public right-of-way (ROW) along this road instead of its current status as an "implied common law dedication ROW." Once a deed is obtained and documented in the County Recorder's Office, the potential for vacating the road would be virtually eliminated. The commission also recommends that the Board of Supervisors pursue a prescriptive ROW, if necessary, to provide the public with permanent legal access from the end of the deeded ROW to the river.

Thank you for the opportunity to express our viewpoint on this important matter. Our rivers, coastal areas, and other bodies of water throughout the region are very important



Humboldt County Fish & Game Advisory Commission  
Post Office Box 922  
Ferndale, CA 95536

Phone: 707-786-4902  
Email: [nkaytis4@gmail.com](mailto:nkaytis4@gmail.com)

to the residents of Humboldt County. Appropriate and continued public access to these treasures should be a priority consistent with public trust principals.

Sincerely,

A handwritten signature in cursive script that reads "John Clark". The signature is written in dark ink and is positioned below the word "Sincerely,".

John Clark, Chair  
Humboldt County Fish and Game Advisory Commission  
Sincerely,

File: Correspondence  
Hunting and Fishing Access