

ATTACHMENT 5

Exemption from Planning Commission Report for Acquisitions, Dispositions, and Abandonments pursuant to Government Code Section 65402(a)

**EXEMPTION FROM PLANNING COMMISSION REPORT FOR ACQUISITIONS, DISPOSITIONS AND
ABANDONMENTS PURSUANT TO G.C. §65402(a)**

DESCRIPTION:

As part of storm damage emergency road repair on Redwood Drive in February 2015, the County obtained Right of Entry from property owners Wallan and Johnson for the purpose of installing anchors at the top of the bluff to secure draped wire mesh over the wall of the cliff to prevent falling debris entering the roadway. The right of entry document can be used to make emergency repairs, but after the repairs are made, the county is required to follow established federal and state procedures for the acquisition of right of way. At the time the Right of Entry was signed, the owners expressed verbal interest in trading the required new right of way for some excess right of way along Redwood Drive. The Wallan and Johnson an Right of Way exchange parcel have a similar highest and best use and are roughly equivalent in value. The two parcels are located on the same side of Redwood Drive, adjacent to each other; their size, access, utility availability, topography and parcel shape are similar. The same comparable sales and adjustments would be used for each parcel. Therefore, no consideration is offered for the property exchange.

DATE OF REFERRAL: July 11, 2017

Resolution #72-69 provides for the Planning Director to certify general plan conformance for acquisition, disposition or abandonment for street widening or alignment projects of a "minor" nature. Projects subject to the provisions of Resolution #72-69 would not need to be submitted to the Planning Commission for report pursuant to Government Code Section 65402(a).

Factors to be considered when determining if the abandonment qualifies for an exemption:

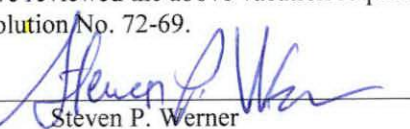
Yes No

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Was the right of way or property acquired for a use other than street widening or alignment? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the street or alley open on the ground (i.e., constructed)? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the street or alley identified in the circulation element of the General Plan? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the street or alley used, or intended to be used, or adaptable for use as a part of the trails system? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | If the street or alley provides the principal access to a parcel, would the parcel be without legal access once the abandonment is complete (e.g., via easement or private right of way)? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (If coastal) Would vacation have an effect or potential effect on public access to the shoreline or other coastal resources, or create a division of land meeting the definition of development under the Coastal Act? |

If all the answers to the above questions are "no", then the abandonment may be handled as an exemption. Projects which include "yes" responses will be evaluated by the Director on a case by case basis, and may be referred to the Planning Commission.

RECOMMENDATION

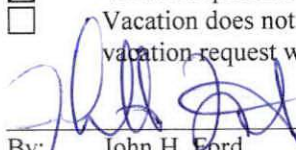
I have reviewed the above vacation request and find that it ☒ meets ☐ does not meet the criteria for an exemption pursuant to Resolution No. 72-69.

By: 
Steven P. Werner
Supervising Planner

7-11-2017
Date

DETERMINATION

- ☒ Vacation qualifies for the exemption pursuant to Resolution No. 72-69
☐ Vacation does not qualify for exemption and is subject to review and report pursuant to C.G.C. Section 65402(a); the vacation request will be scheduled for Planning Commission review

By: 
John H. Ford
Director of Planning and Building

7/11/2017
Date

ATTACHMENT 6
Notice of Exemption

HUMBOLDT COUNTY

NOTICE OF EXEMPTION

To: Humboldt County Clerk/Recorder
825 5th Street, 5th Floor
Eureka, CA 95501
707-445-7593



From: Humboldt County Public Works
1106 Second St.
Eureka, CA 95501
707-445-7741

Project Title: Vacation of a Portion of Redwood Drive County Right-of-Way Between Garberville and Redway

Project Location - Specific: APN 223-311-041

Township 4SS, Range 3E Sections 13, 14, and 24 HB&M on the Bald Hills USGS 7.5 quadrangle

GPS Coordinates: Latitude 40.112097°

Longitude -123.794068°

Description of Nature, Purpose, and Beneficiaries of Project:

The project is a summary vacation of an area approximately 2.72 acres in size along Redwood Drive that is currently impassable County right-of-way. The proposed right-of-way area will be exchanged with the private landowner for property along the "bluffs" on Redwood Drive that the County required for a 2015 emergency repair project. The vacation is being process under Summary Vacation procedures per Streets and Highways Code Sec. 8331.

Name of Public Agency Approving Project: Humboldt County Public Works Department

Name of Person or Agency Carrying Out Project: Humboldt County Public Works Department

Exempt Status: *Categorical Exemption:* Section(s) 15305

Type(s): Minor Alterations in Land Use Limitations

Reason why project is exempt:

The project qualifies as a Class five categorical exemption project under the California Environmental Quality Act, consisting of minor alteration in land use limitations, which do not result in any changes in land use or density.

Contact Person: Deb Vining

Email: dvining@co.humboldt.ca.us

Telephone: 707-445-7205

Andrew Bundschuh

Digitally signed by Andrew Bundschuh
DN: cn=Andrew Bundschuh, o=Humboldt County Public Works,
ou=Natural Resources Division,
email=abundschuh@co.humboldt.ca.us, c=US
Date: 2017.05.03 15:47:40 -0700

Signature of Humboldt County Representative

Andrew Bundschuh

Printed Name

Title Environmental Permitting & Compliance Manager **Date Signed** May 3, 2017



FILED
County of Humboldt
Kelly E. Sanders
County Clerk
12-2017-033
05/05/2017
sc

ATTACHMENT 7

Response Letters from Verizon/Frontier Communications, Garberville Sanitary District, and PG&E



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

ADMINISTRATION	445-7481	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	PARKS	445-7651
ENGINEERING	445-7377	ROADS & EQUIP. MAINT.	445-7421
FACILITY MAINTENANCE	445-7493		

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388

LAND USE 445-7205

April 26, 2017

Dennis Harman
Verizon
PO Box 1218
Weaverville, CA 96093-1218

**RE: PROPOSED VACATION OF EXCESS ROAD RIGHT OF WAY ADJACENT TO
REDWOOD DRIVE BETWEEN REDWAY AND GARBERVILLE**


The Department of Public Works is preparing documents for the vacation of a portion of excess right of way between Redway and Garberville on Redwood Drive. The area is located north of Blue Star Gas on the east side of Redwood Drive as described and shown on the attached legal description and map.

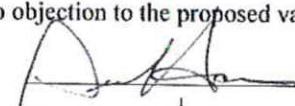
Please review the attached map and advise the Department if Verizon has any facilities that would be affected by the proposed vacation. The vacation begins at the top of the embankment.

- If Verizon has facilities that need a public utility easement to be reserved, please advise me of location and the width of the easement necessary. I will then have the easement prepared. I will follow up with you to ensure that the proposed public utility easement will be acceptable to you.
- If Verizon has *no facilities* that would be affected by the proposed vacation then please execute the acknowledgment below indicating that Verizon does not object to the proposed vacation. You may return the acknowledgement by mail; fax to 707.445.7388; or by e-mail to dvining@co.humboldt.ca.us.

If you need additional information or have any questions, please feel free to call me at 707-268-3768.

Sincerely,


Deborah Vining
Sr. Right of Way Agent
Land Use Division
3033 "H" Street, Room 16
Eureka, CA 95501

ACKNOWLEDGMENT of no objection to the proposed vacation	
By:	
Print name:	Dennis Harman
Title:	SRWG
Date:	7/19/17



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388

LAND USE 445-7205

April 26, 2017

Garberville Sanitary District
919 Redwood Drive
Garberville, CA 95542

**RE: PROPOSED VACATION OF EXCESS ROAD RIGHT OF WAY ADJACENT TO
REDWOOD DRIVE BETWEEN REDWAY AND GARBERVILLE**

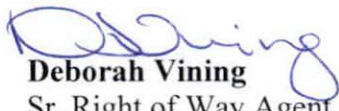
The Department of Public Works is preparing documents for the vacation of a portion of excess right of way between Redway and Garberville on Redwood Drive. The area is located north of Blue Star Gas on the east side of Redwood Drive as described and shown on the attached legal description and map.

Please review the attached map and advise the Department if Garberville Sanitary District has any facilities that would be affected by the proposed vacation. The vacation area begins at the top of the embankment.


- If Garberville Sanitary District has facilities that need a public utility easement to be reserved, please advise me of location and the width of the easement necessary. I will then have the easement prepared. I will follow up with you to ensure that the proposed public utility easement will be acceptable to you.
- If Garberville Sanitary District District has **no facilities** that would be affected by the proposed vacation then please execute the acknowledgment below indicating that Garberville Sanitary District does not object to the proposed vacation. You may return the acknowledgement by mail; fax to 707.445.7388; or by e-mail to dvining@co.humboldt.ca.us.

If you need additional information or if you have any questions, please feel free to call me at 707.445.7205.

Sincerely,


Deborah Vining
Sr. Right of Way Agent
Land Use Division
3033 "H" Street, Room 16
Eureka, CA 95501

ACKNOWLEDGMENT
of no objection to the proposed vacation

By: 
Print name: Ralph Emerson
Title: General Manager
Date: 5/10/17



ARCATA-EUREKA AIRPORT TERMINAL
McKENLEYVILLE
FAX 839-3596

AVIATION

839-5401

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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445-7493

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388

LAND USE

445-7205

April 26, 2017

Denise Young
PG&E
2555 Myrtle Avenue
Eureka CA 95501

**RE: PROPOSED VACATION OF EXCESS ROAD RIGHT OF WAY ADJACENT TO
REDWOOD DRIVE BETWEEN REDWAY AND GARBERVILLE**


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Please review the attached map and advise the Department if PG&E has any facilities that would be affected by the proposed vacation. The vacation begins at the top of the embankment.

- If PG&E has facilities that need a public utility easement to be reserved, please advise me of location and the width of the easement necessary. I will then have the easement prepared. I will follow up with you to ensure that the proposed public utility easement will be acceptable to you.
- If PG&E has *no facilities* that would be affected by the proposed vacation then please execute the acknowledgment below indicating that PG&E does not object to the proposed vacation. You may return the acknowledgement by mail; fax to 707.445.7388; or by e-mail to dvining@co.humboldt.ca.us.

If you need additional information or if you have any questions, please feel free to call me at 707.268.3768.

Sincerely,


Deborah Vining
Sr. Right of Way Agent
Land Use Division
3033 "H" Street, Room 16
Eureka, CA. 95501

ACKNOWLEDGMENT
of no objection to the proposed vacation

By:

Print name:

Title:

Date:



DENISE YOUNG

Land Agent

7-12-2017