

Howard N. Dashiell
DIRECTOR OF TRANSPORTATION

Road Commissioner
County Engineer, RCE 42001
County Surveyor, PLS 7148



FUNCTIONS

Administration & Business Services
Airports
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COUNTY OF MENDOCINO
DEPARTMENT OF TRANSPORTATION

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April 21, 2025

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1010
Ukiah, CA 95482

RE: RESOLUTION OF THE MENDOCINO COUNTY BOARD OF
SUPERVISORS TO SUMMARILY VACATE A PUBLIC ACCESS EASEMENT
ACROSS ASSESSOR'S PARCEL NUMBER 034-050-20 IN THE NORTHEAST
QUARTER OF SECTION 6, TOWNSHIP 22 NORTH, RANGE 10 WEST
(ROUND VALLEY AREA)

Honorable Board Members:

The Director of Transportation has received a request from Timothy & Pia McIsaac (Owner) and the US Forest Service (USFS) for the County to vacate a public access easement across Assessor's Parcel Number (APN) 034-050-20, located in the northeast quarter of Section 6, Township 22N, Range 10W, in Round Valley (location map attached as Attachment A). The Owner wishes to perform a property swap with USFS but this process is hindered by the easement across Owner's property. This easement is not on or near a County road nor a USFS road, nor has it been developed or used for public access.

State statute and Board policy require a report from the Department of Transportation (DOT) on several aspects of the proposed public access vacation, including location of the access to be vacated, whether or not it is part of the County Maintained Road System, DOT's recommendation regarding the proposed vacation action, and any other information DOT deems pertinent to the proceedings. This letter constitutes DOT's report.

In March 1909, the Conklin Bros conveyed the right-of-way to Mendocino County "...as and for a public road and highway and only as long as the same shall continue to be a public road and highway and no longer..." There was no deeded ownership

by the County; therefore, a vacation of this road does not involve any transfer or disposal of property; only an elimination of the public easement.

The public access easement is entirely contained within this parcel and does not touch public access easements on adjacent parcels. All surrounding parcels are owned by USFS. This vacation qualifies for summary vacation.

As discussed in the attached memorandum from Department of Planning and Building Services, the vacation is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) Class 12, and therefore Fish and Game Code Section 711 fees are not required. (CEQA Guidelines, Section 15312) As discussed in the attached memorandum from Department of Planning and Building Services, the project is consistent with the General Plan and there is no plan to expand to or connect to any public roadway, or bike or pedestrian paths. The road is unnecessary for present or prospective public vehicular use. There are no utilities.

The Department of Transportation's determinations regarding the Public Access Vacation of the easement on APN 134-050-20 are as follows:

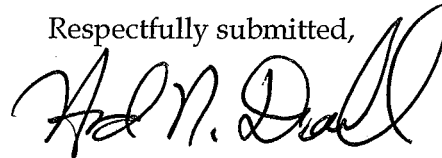
- 1) The Department of Transportation has determined that this easement is adjacent to the petitioner's property only and does not affect other property owners access in the area.
- 2) There are no utilities in this easement.
- 3) Since this easement does not connect to any public roads, this easement does not lead to any public land or place the general public has the right to travel.
- 4) This easement does not provide access to any publicly owned or publicly accessible recreational facilities or lands.
- 5) This easement does not lead to or connect with any current or foreseeable future public road.
- 6) Staff has identified no relevant policies within the Mendocino County General Plan that would apply to this proposed vacation, and the site was not part of those addressed in the Mendocino County Pedestrian Needs Assessment and Engineered Feasibility Study completed in June of 2019.
- 7) The Department of Transportation has no plans to develop a road in this easement, and does not believe that the easement serves a necessary public purpose.
- 8) Vacating this easement would be publicly beneficial because it would allow this parcel to be added to the public trust via the USFS and because it would reduce or eliminate the County's future liability for any injuries arising from the conditions of this easement.

Because the determinations above indicate that there will be minimal impacts to the surrounding areas, the Department of Transportation supports and recommends the requested public access easement be vacated. After consideration of the staff reports, should the Board decide that the evidence supports the requested vacation, we have prepared a resolution for your consideration that will vacate the subject public access easement.

Alternatively, if after consideration of the staff reports on the matter, the Board decides that the evidence presented does not support the requested vacation, the Board may deny the petition by Minute Order.

I will, of course, respond to any questions that you may have.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "H. N. Dashiell", written in a cursive style.

HOWARD N. DASHIELL
Director of Transportation

Attachments:

- (1) Planning and Building Services Staff Analysis
- (2) Map depicting public access easement proposed to be vacated
- (3) Copy of Original Conveyance of Right of Way
- (4) Draft Resolution of Public Access Easement Vacation

cc: Julia Krog, Director of Planning and Building Services
R/W File, Road Vacations
Board Correspondence