



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

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Woodland, CA 95695-2598
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www.yolocounty.org

PLANNING COMMISSION STAFF REPORT

February 9, 2012

FILE #2011-0064: Request for a road abandonment of approximately three miles of an unmaintained portion of County Road 40 (Attachment A).

APPLICANT/OWNER: Homestake Mining Company of California
136 East North Temple, Suite 1800
Salt Lake City, Utah 84111

LOCATION: That portion of CR 40 right-of-way which passes through the Homestake Mining Co property, approximately four miles northwest of Rumsey, two miles east of Lake County and one mile north of Napa County (APNs: 018-310-001, 018-310-021, 018-330-020, 018-340-021, and 018-340-029) (Attachment B).

GENERAL PLAN: Agriculture (Yolo County General Plan)

ZONING: Agricultural General (A-1) and Agricultural Preserve (A-P)

FIRE SEVERITY ZONE: Moderate to Very High

SOILS: Soil types range from Class 1 to Class VIII.

FLOOD ZONE: X (area outside the 100 year and 500 year flood plains)

SUPERVISOR DISTRICT: 5 (Chamberlain)

ENVIRONMENTAL DETERMINATION: Statutory Exemption

REPORT PREPARED BY:

Stephanie Cormier, Senior Planner

REVIEWED BY:

David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission recommend the following actions to the Board of Supervisors:

1. Hold a public hearing and receive comments;
2. Determine that the project is inconsistent with the 2030 Countywide General Plan;
3. Determine that a Statutory Exemption is the appropriate level of environmental documentation in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines;
4. Deny the request and adopt the Findings (Attachment D) for denial of the road abandonment request; and

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5. Direct County staff to coordinate with the appropriate public agencies, including the Bureau of Land Management, Lake County, University of California, and any other interested public entity, to resolve issues related to the operation and maintenance of County Road 40.

REASONS FOR RECOMMENDED ACTIONS

The proposal to abandon a portion of County Road (CR) 40 is in conflict with policies in the Yolo County 2030 Countywide General Plan that address access to recreational resources. Roads that are vacated by the County typically do not serve any public use. Although abandonment of CR 40 would not jeopardize the County's transportation system (as shown in Figure CI-1A of the Yolo County 2030 Countywide General Plan, Circulation Element), it would restrict vehicular access to public and private lands that are currently only available by accessing CR 40 through the Homestake Mining property.

The County cannot determine or make a finding at this time that there is no existing or prospective public use for the road, which is a required finding for road abandonment under the California Streets and Highways Code. Therefore, staff recommends that the Planning Commission recommend denial of the proposed abandonment to the Board of Supervisors.

BACKGROUND

County Road 40 was once used as an old toll road. The County first assumed maintenance of the old toll road following Board of Supervisors action in July 1898. Although there is no recorded easement or fee title information that indicates the entire CR 40 alignment belongs to the County, two small sections of CR 40 do belong to the County. These two sections include a portion approximately 1,700 feet in length within County property adjacent to SR 16 over the low water crossing Cache Creek Bridge, and a small segment of approximately 1.3 miles adjacent to the Davis Creek Reservoir (located on Homestake Mining Company property). This 1.3-mile segment is included in the abandonment proposal, and is the portion of a relocated road the County accepted in 1986.

County Road 40 (CR 40), also known as Rayhouse Road, is unpaved and unmaintained from State Route (SR) 16 to the Lake County line, where Rayhouse Road becomes Reiff Road. A low water bridge crossing over Cache Creek provides access from State Route 16 to Rayhouse Road. In January, 2009, Caltrans deemed the low water bridge crossing unfit for vehicular use due to its age and deterioration. On March 10, 2009, the Board of Supervisors ended maintenance on several unpaved seasonal access roads, including CR 40 and others in the Capay Valley. Thus, since 2009, public use on County Road 40 from the Yolo County side has been limited to foot, equestrian, bicycle, and other off-road vehicle traffic. The only vehicular access on County Road 40 is from Lake County.

Prior to ceasing maintenance in 2009, County Road 40 was closed every year to vehicular traffic from October until May, or until the rainy season subsided. Since the road has been designated and signed as an unmaintained road for nearly three years, as per the Streets and Highways Code, the County is no longer obligated to maintain seasonal gate closure. However, property owners along these unmaintained roads can apply for a no-fee encroachment permit to manage the gates per County regulations.

The Homestake Mining Company recently declined to apply for a no-fee encroachment permit to operate and maintain the existing seasonal gate because they do not believe the road is fit for vehicular use (see letter dated January 17, 2012, Attachment A). Additionally, Homestake Mining maintains that a pre-existing maintenance agreement from 1984 is still in effect, despite County actions to end maintenance in 2009 (see letter from Pillsbury Law dated February 1, 2012,

Attachment A). A County inspection of the road on January 18, 2012, did not reveal any significant hazards, and the road was passable; however, this winter season has been unusually dry. In its unmaintained state, the road can normally be used only by four-wheel drive or other all-terrain vehicles.

PROJECT DESCRIPTION

The proposal is a request to abandon a portion of unmaintained County Road 40, located approximately two miles east of the Lake County line, as it passes through Homestake Mining property (Attachment A). The approximately three-mile segment of right-of-way proposed to be abandoned is located primarily within property owned by the Homestake Mining Company, which encompasses approximately 1,116± acres of land.

The project area is a mine closure site undergoing reclamation activities. According to the applicant, the current state of the unmaintained road is a hazard to users and to property owners adjacent to the road, and its unmaintained condition aggravates siltation due to seasonal erosion of the road. The applicants also believe that due to its remote location and vehicle restriction on the Yolo County side, continued public access encourages illegal activity, such as marijuana growing, because the only vehicle access to CR 40 is from Lake County. Thus, the area is inaccessible to Yolo County law enforcement. The project proposes to abandon the portion of County Road 40 as a land management strategy to reduce unauthorized access through the property. Additionally, the applicant proposes to terminate a maintenance agreement (Agreement No. 84-250) between Yolo County and Homestake Mining which required the County to maintain the relocated portion of CR 40 when operations at the mine were first permitted in 1984.

STAFF ANALYSIS

Like many property owners along remote county roads, the applicants are seeking a solution to prevent access through their mine closure site for illicit activities, such as wildlife poaching, tending marijuana grow sites, and trespass. At the same time, it has become increasingly difficult to maintain safe access due to the road's unmaintained state. As the applicant has stated, this can often result in property owners rescuing members of the public who use the road unwisely at their own risk. While the County recognizes these legitimate concerns of property owners along unmaintained and remote county roads, abandonment requires consideration of access to other property, whether private or public.

The Homestake Mining property is surrounded by thousands of acres of public land maintained by the Bureau of Land Management (BLM), which is designated as Open Space in the Yolo County 2030 Countywide General Plan (Attachment B). Testimony from Tuleyome and several BLM land users (see Public Comments below) indicate the road is still fairly well traveled from Lake County and is used to access Blue Ridge and Fiske Creek trails, the Knoxville OHV area, and rural campgrounds operated by BLM. While some of these use areas are accessed by alternative means from the Yolo County side, those accessing more far-reaching areas, like Buck Island (a popular summer campground located approximately 10 miles north from CR 40 at SR 16), require vehicular access (Attachment E).

Currently, CR 40 from the Lake County side is the only vehicular access that provides connection to these BLM lands. In particular, CR 40 intersects with Langs Peak Road approximately three miles east of the Homestake mine site (Davis Creek Reservoir). Moreover, Langs Peak Road provides direct access to not only BLM maintained lands, but to hundreds of acres of private property in Lake County. Private property owners wishing to access their property must pass through Homestake Mining property in order to intersect with Langs Peak Road (see Lake County

Planning letter dated January 24, 2012, Attachment E).

Although CR 40 provides very little value to Yolo County's transportation system, there is a value in the public's ability to access lands from CR 40, as prescribed by the Lake County General Plan and the Ukiah Resource Management Plan (adopted in 2006 by the BLM for managing recreational opportunities in the Cache Creek Management Area).

Yolo County also has interest in the road for recreational access. This was evident when the Board of Supervisors ceased maintenance on the road but declared their intent to "retain the easements (or other interests) held by the County over the road segments so that the public may continue to use the segments for recreational and other purposes that are appropriate in light of their unmaintained character" (Resolution 09-31).

General Plan Consistency

According to Streets and Highways Code Section 8313 and Government Code Section 65402, *no road shall be vacated or abandoned until the purpose and extent of the abandonment has been reported on by the planning agency as to the conformity with the adopted General Plan.*

Pursuant to the abovementioned sections of codes, staff reviewed the proposal in light of the General Plan. While abandonment of County Road 40 would not affect the County's circulation system, it would affect recreational resources by preventing vehicular access to thousands of acres of public land located in Yolo and Lake Counties, as well as private property in Lake County. While the County has little interest in holding an easement for CR 40, loss of recreational resources would be in direct conflict with the Yolo County 2030 Countywide General Plan, specifically with respect to several Conservation and Open Space policies (see Findings, Attachment D).

California Streets and Highways Code

The California Streets and Highways Code allows the vacation of roads or easements through a public hearing process. Pursuant to Section 8321 (a) of the code, ten or more freeholders may petition of the Board of Supervisors to vacate a street or highway under this chapter. At least two of the petitioners shall be residents of the road district in which some part of the street or highway proposed to be vacated is situated. The County has received a petition (Attachment A) consistent with these criteria.

However, pursuant to Section 8324 (b) of the California Streets and Highways Code cited below, staff has determined that the County is unable to make the noted below findings that are necessary for the vacation of CR 40, and thus is recommending denial of the application:

*If the legislative body finds, from all the evidence submitted, that the street, highway, or public service easement described in the notice of hearing or petition is **unnecessary for present or prospective public use**, the legislative body may adopt a resolution vacating the street, highway, or public service easement. The resolution of vacation may provide that the vacation occurs only after conditions required by the legislative body have been satisfied and may instruct the clerk that the resolution of vacation not be recorded until the conditions have been satisfied.*

CEQA Consistency

Staff is recommending denial of the proposed abandonment. Section 15270 (a) of the CEQA

Guidelines states that CEQA does not apply to projects which are disapproved by a public agency.

Should the Planning Commission choose to recommend approval of the abandonment to the Board of Supervisors, an Initial Study must be prepared to analyze the proposed project's environmental impacts as required under the California Environmental Quality Act.

Easement and Maintenance Issues

County Road 40 provides the only vehicular access to public lands managed by the Bureau of Land Management in both Yolo and Lake Counties, and to private property in Lake County. As shown on the 2030 Countywide General Plan Land Use Map, the right-of-way primarily serves land held for the public by BLM, as well as land owned by the University of California within the project vicinity. However, there are very few private property owners benefitting from CR 40 in Yolo County. It is staff's recommendation, therefore, that the County is not the best holder of the easement for County Road 40 and that another public agency or entity would be better equipped to assume the cost of maintaining the road for its users.

This recommendation is supported by the County of Lake Board of Supervisors, as addressed in their letter dated January 24, 2012 (Attachment E), and summarized below.

SUMMARY OF PUBLIC COMMENTS

A Request for Comments was circulated for the proposed project from January 3, 2012, to January 25, 2012. Additionally, courtesy notices were sent to all other property owners within the vicinity of the project site. The project was reviewed at the Development Review Committee (DRC) meeting on January 25, 2012.

The project was discussed at the February 1, 2012, Capay Valley Citizens Advisory Committee (CVCAC), where they unanimously recommended denial of the proposal on a vote of 5-0 (5 Ayes, 0 Nays, 2 absent).

The Capay Valley Fire District expressed concern about emergency access impacts. The Parks Department expressed concern that closing the road could jeopardize future efforts to pursue grant money to replace the bridge at the low water crossing.

Numerous comments have been received regarding the proposed abandonment of County Road 40, from individual county residents, out-of-county residents, and public interest groups. Most of the comments expressed opposition to the proposed vacation, citing concern for restricted public access to BLM lands. As previously stated, the Lake County Planning Department and Board of Supervisors oppose the abandonment (Attachment E). No comments were received from the Bureau of Land Management.

Comments received during the review period are summarized in the table below. Letters are attached (Attachment E).

AGENCY	DATE	COMMENTS
Tuleyome	01/15/12	Opposes the application to abandon the public right of way on Road 40 through the Homestake Mining Company property. The application contravenes the public interest of Bureau of Land Management policy and Yolo County policy. We urge staff to recommend denial of this

		application. See attached letter and exhibits dated January 15, 2012 (Attachment E)
Blue Ribbon Coalition	01/17/12	BRC believes the proposal to abandon Road 40 is in conflict with BLM management plans, Yolo County plans, and the Blue Ridge Berryessa Natural Area Conservation Partnership's recreation priorities. See attached letter dated January 17, 2012 (Attachment E)
William Willis, San Lorenzo, CA Frank J.M. Verstraete, Davis, CA Judy Ahmann, Napa County JoAnn Saccato, Clear Lake, CA Edelgard Brunelle, resident Megan Harns, Davis resident and UC Davis employee David E. Gray, Woodland, CA Roberta Millstein, Davis, CA Rebecca Ryland, local artist Carol J. Hanson, resident Annelle Durham, Upper Lake, CA Cynthia Bates, Yolo County Ron Oertel and Somkiat Ashton, Woodland, CA Cari Butler, Davis, Ca Jenella Loye, Dept. Entomology, UCD Dana Stokes, Davis, CA Jean Shepard, Davis, CA Martha Teeter, Davis, CA Phil Summers, resident Joe Lynch, Scoutmaster, Troop 131, Woodland, CA Hans Mueller, Davis, CA	01/18/12	E-mails from various Yolo County and Lake County residents, and other concerned individuals opposing the request to abandon CR 40. See e-mail summary in Attachment E.
Tom Stallard, Woodland City Councilman	01/18/12	No single Yolo County road is more important for access to public lands than County Road 40. We should be seeking a solution to the bridge replacement and some modest level of grading that will make County Road 40 more usable. See e-mail dated January 18, 2012 (Attachment E)
Julie Rose, Brooks, CA Kristi Tronoff, Davis, CA Helen Hanson, Yolo County Tom McFarling, Lower Lake, CA Dan Garrett, Yolo County Veronica Stanton, Davis, CA Ken Stanton, Angwin, CA Pilar Rivera, Davis, CA Jim Schrupp, Winters, CA Rebecca Ford, Yolo County Sara Sevy Tremayne, Community Stewardship Coordinator, Putah Creek Council, Winters, CA Gilverto Arriaga, Yolo County Jeff TenPas, R5 Watershed Improvement Program Mgr Patricia Bryant, Davis, CA Ellen Lundquist, Lower Lake, CA	01/19/12	E-mails from various Yolo County and Lake County residents, and other concerned individuals opposing the request to abandon CR 40. See e-mail summary in Attachment E.
Yolo County Parks Division	01/19/12	Parks strongly advises the Planning and Public Works Department to deny the

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		<p>application. The County Parks division is actively seeking grant funding for a variety of recreational opportunities that rely heavily on CR 40 being opened as a connector to Yolo County parkland. Closing the road will make it much more difficult to attract the type of recreational user the County is seeking for the area, such as hikers, bikers, birders, hunters, and off-road enthusiasts. Instead it will further encourage the myriad of problems the Parks division has encountered such as illegal drug use and violent threats. The County promotes connection with wildlands. Even if the low water bridge was open, Parks would not support the application to return public land to private land owners. Closing any portion of the road will deny the public the free access they currently have to nearby recreation. Privatizing the road will ruin future opportunities that Parks is seeking for the area, and is conflict with measures in place to provide public access and connectors to public lands.</p>
<p>Frank Havlik, Berkeley, CA Alan Jackman, Davis, CA Becky Stanton, Davis, CA Lance Buck, Woodland, CA</p>	01/20/12	<p>E-mails from various Yolo County residents and other concerned individuals opposing the request to abandon CR 40. See e-mail summary in Attachment E.</p>
<p>Bill McCarthy, Yolo County</p>	01/21/12	<p>E-mails from Yolo County resident opposing the request to abandon CR 40. See e-mail summary in Attachment E.</p>
<p>Yolo Audubon Society</p>	01/22/12	<p>Concurs with Tuleyome's 1/15/12 letter. See letter dated January 22, 2012 (Attachment E)</p>
<p>Sierra Club Yolano Group</p>	01/22/12	<p>The Yolano Group of the Sierra Club opposes the abandonment of the public right of way on Road 40 to the benefit of the Homestake Mining Company. See letter dated January 22, 2012 (Attachment E)</p>
<p>Hazel J. Gordan Davis resident</p>	01/22/12	<p>The proposal to deny access to the recreational opportunities afforded by BLM lands in the Vaca Mountains is objectionable. See letter dated January 22, 2012 (Attachment E)</p>
<p>Diana Hayes, Esparto, CA Kenneth Ealy, resident Mick Klasson, Davis, CA Steve Hampton, resident</p>	01/22/12	<p>E-mails from various Yolo County residents and other concerned individuals opposing the request to abandon CR 40. See e-mail summary in Attachment E.</p>
<p>International Mountain Bicycling Association</p>	1/23/12	<p>Road 40 provides the only vehicular access to areas that are critical to a wide variety of users. Homestake Mining's efforts to close Road 40 must be denied. See letter dated January 23, 2012 (Attachment E)</p>
<p>Bill Rett and Judy Barnes, Clearlake Oaks, CA Bob Johnston, Davis, CA Mark Spiller, Davis, CA Robert Hess, Clearlake, CA</p>	01/23/2012	<p>E-mails from various Yolo County and Lake County residents opposing the request to abandon CR 40. See e-mail summary in Attachment E.</p>

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Dan Garrison, Fire Chief Capay Valley Fire District	1/24/2012	Opposed to the abandonment request. See e-mail dated January 24, 2012 (Attachment E)
Terry R. Larsen, Yolo County resident	01/24/12	Deny the application for abandonment and restart discussions with BLM for taking over maintenance. See e-mail dated January 24, 2012 (Attachment E)
David Pratt, Davis, CA Elizabeth Monroe, Capay Valley Gage Hutchens, Rumsey, CA	01/24/12	E-mails from various Yolo County residents opposing the request to abandon CR 40. See e-mail summary in Attachment E.
County of Lake Community Development Department	01/24/12	The Lake County Community Development Department highly recommends that the Yolo County Board of Supervisors not approve the abandonment of this section of roadway. Approval of the abandonment will make several hundred acres of privately held lands within Lake County inaccessible to property owners. With the inaccessibility of the bridge crossing along Rayhouse Road the only access to these properties is provided via Reiff Road which turns into Rayhouse Road at the Yolo/Lake County line. See letter dated January 24, 2012 (Attachment E)
County of Lake Board of Supervisors	01/24/2012	Our Board wishes to respectfully express its unanimous opposition to the proposal, which is of concern to our Board and many Lake County residents. We urge Yolo County to deny the abandonment application and work in collaboration with Lake County and the Bureau of Land Management to create a joint task force to devise a comprehensive management plan for the area. See letter dated January 24, 2012 (Attachment E)
Tobi Jones, Woodland resident	01/25/2012	Opposes the application to abandon Road 40 as it will disallow public access to thousands of acres of Bureau of Land Management and Yolo County recreation lands from the western side. See letter dated January 25, 2012 (Attachment E)
Camilla Barry, Founder Classrooms Across Cultures, President, Barry Scientific, Owner, Cache Creek Inn	01/29/12	E-mail from Yolo County resident and business owner opposing the request to abandon CR 40. See e-mail summary in Attachment E.
Joe Clemens, Yolo County	01/30/12	E-mail from Yolo County resident opposing the request to abandon CR 40. See e-mail summary in Attachment E.

ATTACHMENTS

- Attachment A – Project Materials
- Attachment B – Vicinity Map
- Attachment C – Statutory Exemption
- Attachment D – Findings
- Attachment E – Letters

ATTACHMENT A



**TO THE HONORABLE BOARD OF SUPERVISORS
OF THE COUNTY OF YOLO
STATE OF CALIFORNIA**

We, the undersigned freeholders of the County of Yolo, State of California, being at least ten in number, hereby petition the Honorable Board of Supervisors of the County of Yolo to abandon the segment of County Road 40 (aka Rayhouse Road) that crosses Homestake Mining Company of California's property located in Yolo County, California.

in Yolo County, under the provisions of § 8300 et seq of the Streets and Highways Code in the State of California.

That at least two of the said freeholders are residents of the district wherein said County highway (s) lies.

WHEREFORE, petitioners pray that the Honorable Board of Supervisors of the County of Yolo, set a time and place for the hearing of this petition, and that notice be given of the date set for hearing as required by § 8320 of the Streets and Highways Code of the State of California.

Date: December 8, 2011

(All writing must be legible or it will not count)

Initial Petitioner:

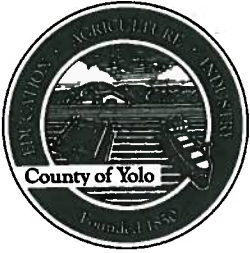
Address

Phone

1. HOMESTAKE MINING COMPANY OF CALIFORNIA, 26775
MORGAN VALLEY RD., LOWER LAKE, CA 95457 (707) 995-6072

Freeholders:

	Name	Address	Phone
2.	<u>Joe Dutton</u>	<u>24970 MAIN ST. Capay</u>	<u>530-796-099</u>
3.	<u>Kara Moore O'Leary</u>	<u>149 LUZPI DAVIS</u>	<u>530 902 1553</u>
4.	<u>Kevin Hollowell</u>	<u>34112 county Rd. 24</u>	<u>530-661-9058</u>
5.	<u>Vic Claassen</u>	<u>2446 BUCKLEBURY RD</u>	<u>530-902-4622</u>
6.	<u>Karli Holler</u>	<u>1726 Bella Casa Dr. Wldd.</u>	<u>530-662-1910</u>
7.	<u>Antonio Alvarez</u>	<u>16475 cleveland St</u>	<u>530-796-2152</u>
8.	<u>Paul Conrad</u>	<u>16298 county rd 56</u>	<u>530-796-4733</u>
9.	<u>Gregg Heath</u>	<u>14355 Manzanita ave Rumsey</u>	<u>530 796-2424</u>
10.	<u>J. H. H. H.</u>	<u>2815 ST. Hwy. 16</u>	<u>Go. Wld. CA 530-787-3835</u>



**TO THE HONORABLE BOARD OF SUPERVISORS
OF THE COUNTY OF YOLO
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Date: December 8, 2011

(All writing must be legible or it will not count)

Initial Petitioner:

Address

Phone

1. Homestake Mining Company of California, 26775 Morgan Valley Rd., Lower Lake, CA 95457 (707) 995-6072

Freeholders:

- | | Name | Address | Phone |
|-----|---------------------|------------------------|--------------|
| 2. | Tim Marshall | 27100 REIFF RD | 707-995-2962 |
| 3. | Kathy Petersilie | 27100 Reiff Rd. | 707-995-2962 |
| 4. | Marjorie Sweeney | 26350 MORGAN VLY RD. | 707-994-1186 |
| 5. | DENNIS SWEENEY | 26350 MORGAN VALLEY RD | 994-1186 |
| 6. | Danny Deahl | 26775 MORGAN VALLY RD | 995-6082 |
| 7. | Robert Bernold | 24650 REIFF RD. | 415 3064901 |
| 8. | RHETT WOERLY | 26500 REIFF RD | 707 994-0878 |
| 9. | Lestey Moore | 26800 Reiff Rd. | 707 994-5844 |
| 10. | Catharina E Koehler | 26775 Morgan Valley Rd | 995 9005 |
| | Paul Aigner | 27195 Morgan Valley Rd | 707-995-9228 |



Rayhouse Road

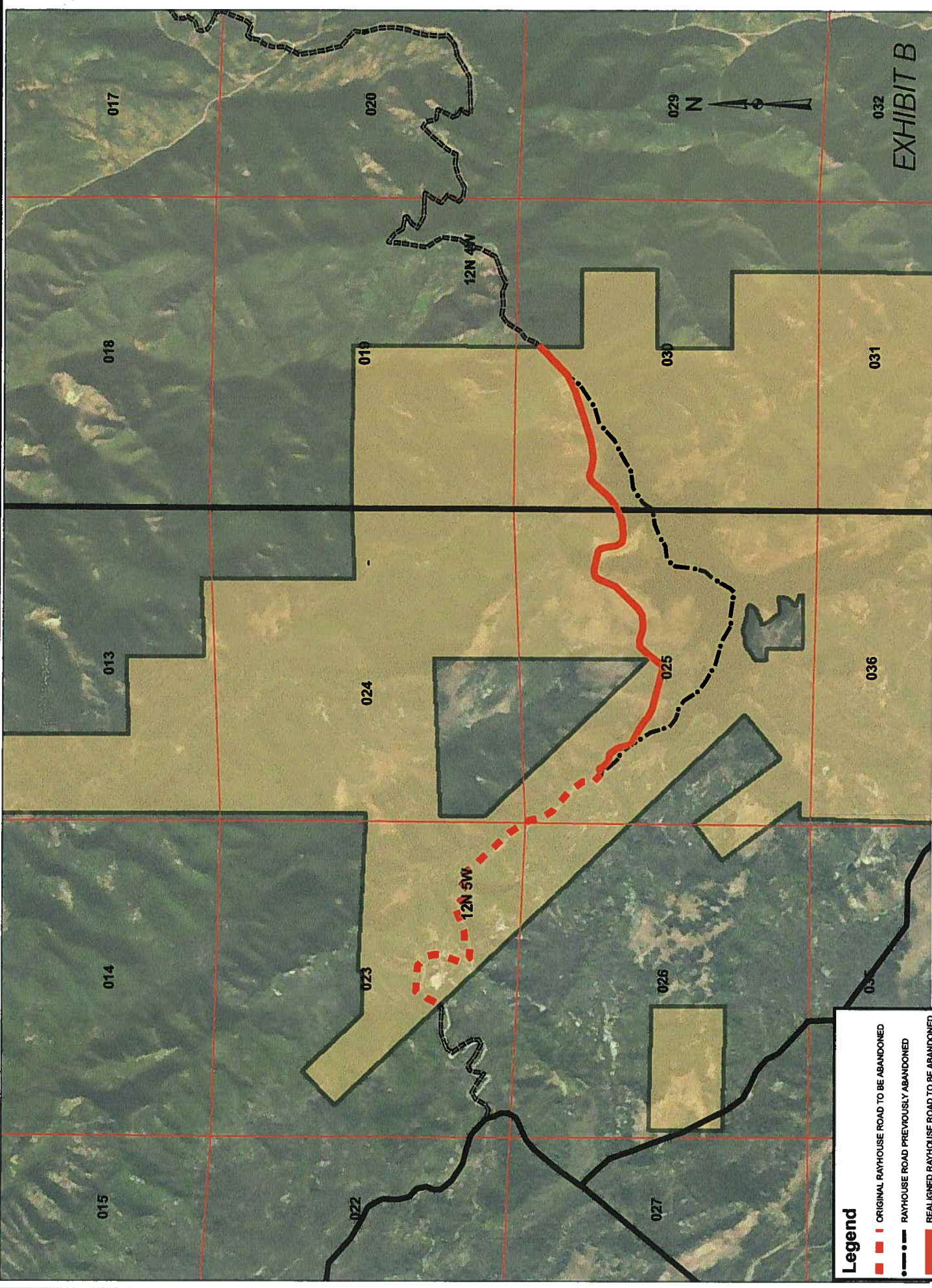


Date: April 2011
 Drawn: Kauchampach
 Path: RayhouseRoad

LOCATION MAP
 RAYHOUSE ROAD ABANDONMENT
 YUBA COUNTY, CALIFORNIA



BARRICK



Legend

- ORIGINAL RAYHOUSE ROAD TO BE ABANDONED
- - - RAYHOUSE ROAD PREVIOUSLY ABANDONED
- REALIGNED RAYHOUSE ROAD TO BE ABANDONED
- RAYHOUSE ROAD
- HOMESTEAK OWNERSHIP

Date: April 2011
 Drawn: kauchampach
 Path: RayhouseRoadAbandonment
 Plot Plan.mxd

**PLOT PLAN
 RAYHOUSE ROAD ABANDONMENT
 YOLO COUNTY, CALIFORNIA**



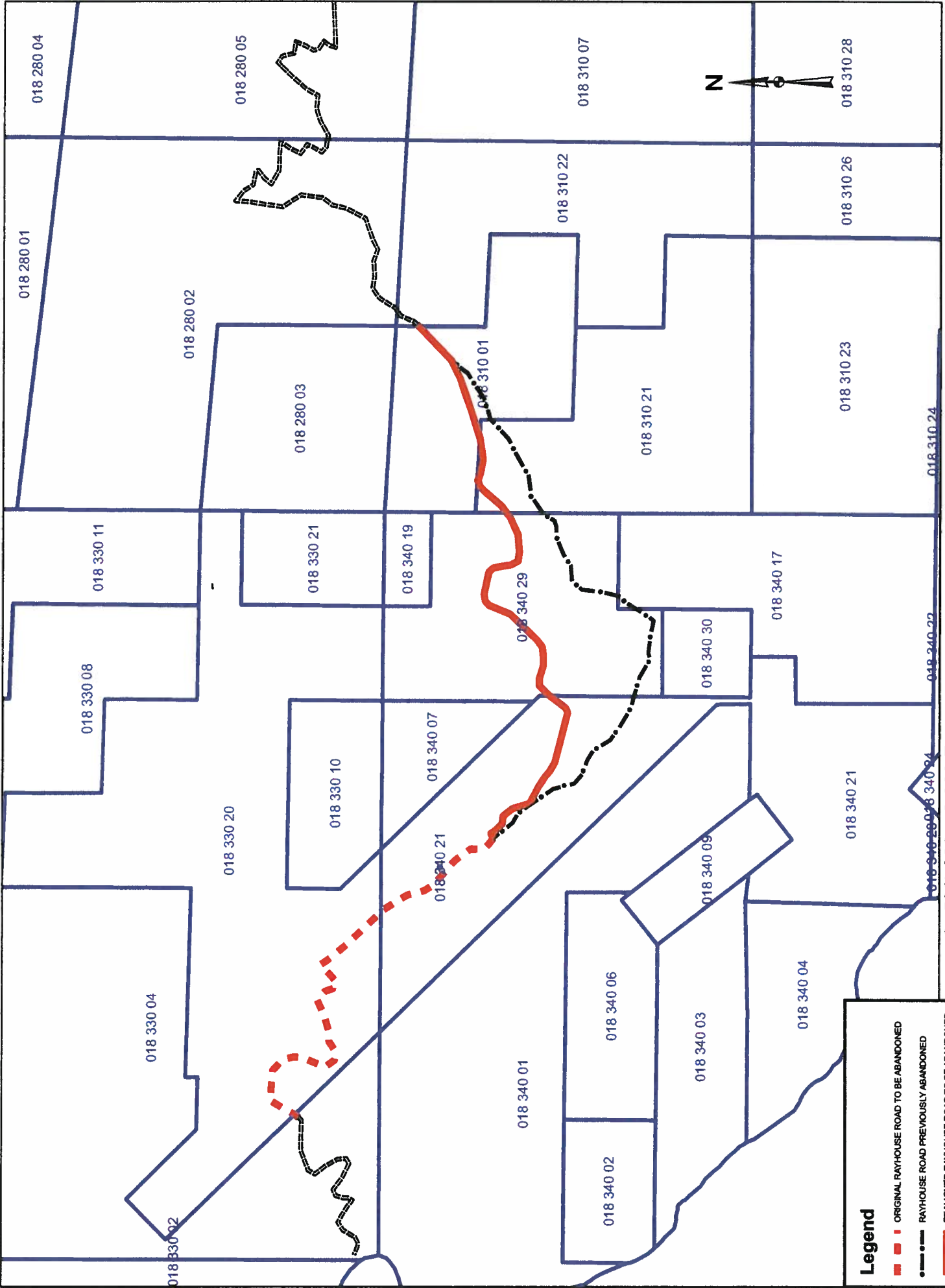
1 Miles



EXHIBIT B



015 014 013 018 017 022 023 024 025 026 027 029 030 031 032



Date: April 2011
 Drawn: kauchampach
 Path: RayhouseRoad/Abandonment
 Plot Plan.mxd

ASSESSOR'S PARCEL MAP
RAYHOUSE ROAD ABANDONMENT
YOLO COUNTY, CALIFORNIA



Legend

- - - - - ORIGINAL RAYHOUSE ROAD TO BE ABANDONED
- RAYHOUSE ROAD PREVIOUSLY ABANDONED
- REALIGNED RAYHOUSE ROAD TO BE ABANDONED
- RAYHOUSE ROAD
- - - - - RAYHOUSE ROAD

0 500,000 2,000 Feet



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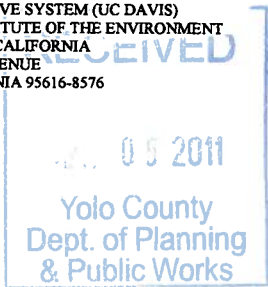
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UC DAVIS - MCLAUGHLIN RESERVE
26775 MORGAN VALLEY ROAD
LOWER LAKE, CA 95457-9411

NATURAL RESERVE SYSTEM (UC DAVIS)
JOHN MUIR INSTITUTE OF THE ENVIRONMENT
UNIVERSITY OF CALIFORNIA
ONE SHIELDS AVENUE
DAVIS, CALIFORNIA 95616-8576



John Bencomo, Director
Planning and Public Works Department
292 West Beamer St.
Woodland, CA 95695

Dear Mr. Bencomo,

This letter regards the current condition of County Road 40 (aka Rayhouse Road), and its future. We, the Resident Directors of the McLaughlin Reserve, support Homestake Mining Company of California's proposal to close the road to traffic from both the Lake and Yolo county entrances.

The current state of the road is a hazard to users and to property owners adjacent to the road. When the road was maintained by Yolo County, it provided access to Highway 16 from Lake County and access to the remote BLM lands overlooking Cache and Davis Creeks, both for ourselves and our colleagues using the Reserve. While its remote nature invited illegal activities by those inclined to such, it also provided access to Yolo County Sheriffs Department officers, who responded to our requests for assistance.

However, in its current condition, the road is a major hazard. In the past, annual repair of the road resulted in tremendous amounts of silt ending up in the adjacent creeks, but its current unmaintained condition only aggravates this situation. Also, by being closed at the Highway 16 entrance but not at the Lake County entrance, it is inaccessible to Yolo County law enforcement and emergency responders, which makes it more attractive to vandals and people seeking remote locations for illegal pursuits such as poaching or marijuana cultivation. All of these issues have been a recurring problem in the Davis Creek area where Rayhouse Road intersects the Reserve. This creates a hazardous situation for adjacent landowners, or people recreating on adjacent public lands, which further aggravates the need for law enforcement. Additionally, the marijuana cultivation and associated full-time occupation of the gardens increases the risk of human-caused fires.

If Yolo County is unable to maintain the road in a manner that allows for law enforcement and emergency response by Yolo County agencies and which addresses the need to minimize silt input to the adjacent creeks, the alternative of completely closing and remediating the road is the only logical alternative.

Sincerely,

Catherine Koehler and Paul Aigner
Resident Co-Directors
Donald and Sylvia McLaughlin Reserve

28 April, 2011



HOMESTAKE MINING COMPANY OF CALIFORNIA
c/o Barrick Gold of North America, Inc.
136 East South Temple, Suite 1800
Salt Lake City, Utah 84111-2253
Telephone: (801) 990-3780
Fax: (801) 366-9242

VIA EMAIL AND U.S MAIL

January 17, 2012

Stephanie Cormier, Senior Planner
Yolo County, Planning and Public Works
292 West Beamer Street
Woodland, CA 95695

RE: County Road 40 (aka Rayhouse Road)— Road Abandonment

Dear Ms. Cormier,

We are in receipt of the draft Encroachment Permit that would authorize Homestake Mining Company of California's (Homestake) to operate and maintain the existing gate on County Road 40 near the Lake County Line. After review of the permit, Homestake is not interested at this time in taking on this responsibility as Homestake does not believe that continued vehicular access to this area serves either the interests of Homestake or the public.

Consistent with Homestake's prior application for abandonment of the section of County Road 40 (aka Rayhouse Road), which passes through Homestake's property, Homestake believes that this section of the road is hazardous and may constitute an attractive nuisance. Yolo County has not maintained or policed this section of road for several years, although we note that this past year a private party (believed to be an operator of an illegal farming operation) performed some limited work (with a backhoe) on a portion of the road that was previously impassable.

In addition to Yolo County's obligations under California state law and its own ordinances to maintain and police County roads, pursuant to an Agreement between Homestake and Yolo County dated October 23, 1984, Yolo County is responsible for maintenance of the segment of road that crosses Homestake's property. To this point, Yolo County has not been fulfilling its obligations under this Agreement.



Page 2
Stephanie Cormier
January 17, 2012

We would appreciate an update on the status of Homestake's road abandonment application. Further, if Yolo County ultimately denies Homestake's application for abandonment of this road, we respectfully request that the County propose a plan for maintaining and policing County Road 40.

Please feel free to call me if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Dave Donnelly". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Dave Donnelly
Senior Landman

Dd



Pillsbury Winthrop Shaw Pittman LLP
2475 Hanover Street | Palo Alto, CA 94304-1114 | tel 650.233.4500 | fax 650.233.4545

Wayne M. Whitlock
tel 650.233.4528
wayne.whitlock@pillsburylaw.com

VIA EMAIL AND FEDERAL EXPRESS

February 1, 2012

Ms. Stephanie Cormier, Senior Planner
Yolo County, Planning and Public Works
292 West Beamer Street
Woodland, CA 95695

Re: County Road 40 (aka Rayhouse Road) - Road Abandonment

Dear Ms. Cormier:

We represent Homestake Mining Company of California (“Homestake”). In advance of the hearing on February 9, we take this opportunity to reiterate Homestake’s position regarding the abandonment of County Road 40 (CR40).

In 1984, Homestake agreed to relocate and reconstruct a section of CR40 across its property in return for Yolo County’s contractual commitment to “maintain” the road. *See Agreement No. 84-250*, dated October 26, 1984. Unfortunately, and despite numerous requests from Homestake to address this issue, the County has allowed the road to deteriorate to a point where vehicular traffic along the road now poses a substantial risk to public health and safety. Landslides and erosion have rendered CR40 unfit for use and Homestake has repeatedly in recent years been called upon to rescue members of the public with vehicles that could not handle the poor condition of the road. In fact, the County has actively prohibited Homestake from deterring public use of the public road in its current, unsafe condition, further exacerbating the public safety risks. Continued use of CR40 by vehicular traffic only results in further deterioration. Furthermore, Yolo County has failed to adequately police CR40, making the area attractive to those who would engage in illicit activities.

Homestake believes that the failure to act by Yolo County is tantamount to an acknowledgement of the County’s full responsibility for any accidents or other unfortunate occurrences that may occur.

Ms. Stephanie Cormier, Senior Planner
Yolo County, Planning and Public Works
February 1, 2012
Page 2

We believe that the only responsible course of action is for the County to either:

- Take full responsibility for CR40, providing adequate maintenance and policing to ensure that use of the road is safe to the public; or
- If the County is unwilling or unable to provide such maintenance and policing, abandon CR40.

We are sensitive to the public's desire for continued access to public lands and recreational areas. As Homestake's primary concern is with continued use of the road by cars and trucks, Homestake would be willing to provide for continued non-motorized access across the current CR40 right-of-way as a condition of abandonment.

Homestake is also willing to consider transferring ownership of the underlying property to the County or another entity, as appropriate, so long as this could be accomplished in a way that would not interfere with Homestake's continuing reclamation efforts and would ensure ongoing maintenance and safety.

As we remain convinced that abandonment of CR40 is in the best interest of the County and the public, as well as Homestake, we urge you to grant Homestake's application for abandonment. If the County decides to reject the application, we then respectfully place the County on notice that its continued failure to maintain CR40 is in breach of its 1984 Agreement and will expect the County to remedy this situation.

Thank you for your service to the County and your cooperation in this matter.

Sincerely,



Wayne M. Whitlock

cc: Mr. David Donnelly

FILED

AGREEMENT NO. 84-250

OCT 26 1984

AGREEMENT PROVIDING FOR RELOCATION AND IMPROVEMENT OF COUNTY ROAD 40 - aka RAYHOUSE ROAD

PANEL M. ROOPER, CLERK OF THE BOARD

This AGREEMENT made this 27 day of October 1984 between the County of Yolo, a political subdivision of the State of California ("County"), and Homestake Mining Company, a California corporation with its principal place of business at 650 California Street, San Francisco, California 94108 ("Homestake").

1. Homestake intends to construct and operate a mine and extraction facility for the mining and recovery of gold, including a dam and fresh water reservoir, in Yolo, Napa and Lake Counties (the "McLaughlin Project"). The Lead Agency certified the adequacy of the McLaughlin Project Environmental Impact Report on July 6, 1983.
2. On March 21, 1984, the Yolo County Planning Commission issued use permits and approved reclamation plans permitting the construction and operation of the portion of the McLaughlin Project in Yolo County, including the fresh water reservoir ("Reservoir") and the dam on Davis Creek creating the Reservoir ("Dam").
3. On April 10, 1984, the Yolo County Board of Supervisors rezoned portions of the McLaughlin Project property for purposes of allowing the Project to proceed.
4. The Reservoir will inundate portions of County Road 40, commonly known as Rayhouse Road.
5. The Planning Commission and the Board of Supervisors, in the exercise of County's police power, conditioned their respective McLaughlin Project approvals upon Homestake's relocation of County Road 40 on private property owned by Homestake in compliance with the procedures and specifications of the Yolo County Department of Public Works and Transportation.
6. In order to specify the terms and conditions applicable to the construction and maintenance of such relocation in greater detail than is traditionally found in conditions to use permits or zoning acts, County and Homestake have entered into this agreement.
7. As a part of Homestake's McLaughlin Project, the road depicted on the plans and specifications ("Plans") submitted



by Homestake and now on file with the Director ("Director") of the Yolo County Department of Public Works and Transportation ("Relocated Road") will be constructed on Homestake's property and at Homestake's cost.

8. Such Relocated Road, including aggregate, asphalt and paving, if any, on-site and off-site drainage facilities necessary to adequately drain the Relocated Road, the bridge over the Dam and its spillway, and the two bridge abutments will be constructed in accordance with the Plans as well as any applicable law, including County's standard specifications ("County Specifications"). In the event the Plans supplement the County Specifications by special requirements or variances or the Plans otherwise conflict with the County Specifications, the Plans shall govern.
9. The Relocated Road is not a public work and the Plans and all reports, specifications, detail drawings, shop drawings, cost estimates, maps, surveys, legal descriptions, and such other documents as are necessary to implement the provisions of this agreement shall be prepared at Homestake's cost and furnished to County.
10. Homestake may modify the Plans as construction work progresses, but only with the prior written approval of the Director, should changed, unforeseen or other circumstances not within Homestake's control reasonably require such modifications. County acknowledges that any modification to the Dam, its spillway, its abutments and the like, reasonably leading to or causing such changes or refusal by the Division of Safety of Dams of the California Department of Water Resources to approve the same without modification shall constitute such changed or unforeseen circumstances.
11. Homestake has deposited and County acknowledges receipt of the estimated cost of checking the Plans and inspecting the construction of the Relocated Road calculated in accordance with Resolution No. 80-155 of the Yolo County Board of Supervisors. Homestake acknowledges that County shall have no obligation to inspect subsurface conditions below the Dam, its abutments, or the road located on the Dam.
12. Homestake shall notify the Director of the commencement of work on the Relocated Road. Work on the Dam, the Bridge, its abutments, the subsurface beneath those facilities and work on other facilities related to the Reservoir shall not constitute commencement of work on the Relocated Road.
13. Homestake has filed and County acknowledges receipt of:
 - (i) a performance security in favor of and form approved by



County in an amount not less than 100% of the estimated cost of the Relocated Road. Such performance security shall secure the faithful performance of the work of constructing the Relocated Road as required by the conditions of Homestake's McLaughlin Project entitlements from Yolo County. Such security shall be released or returned to Homestake upon acceptance of the Relocated Road as defined in Section 15, except as otherwise provided in Section 14; and (ii) a payment security in favor of and form approved by County in an amount not less than 50% of the estimated cost of the Relocated Road. Such payment security shall guarantee the timely payment by Homestake of any labor and materials arising out of the work of relocating the road, but only to the extent County is liable therefor.

14. Notwithstanding the provisions of Section 13, County shall be entitled to retain 15% of the performance security to guarantee the faithful performance of Homestake's obligation to remedy any defects in construction as provided in Section 17. In the event a claim is made upon such 15% security within the one year permitted by Section 17, County shall be entitled to retain such security until such claim is fully resolved. If no such claim is made within the one-year period, County shall release or return such security to Homestake. The surety providing this security will waive the provisions of Civil Code Section 2819 and agree to extend the bond to conform to any change in the work schedule of the principal. Such surety shall comply with the requirements of Rule 242(a), formerly Rule 29(a) of the Rules for the Superior Court of the State of California regarding the filing of powers of attorney with the Clerk of the Yolo County Superior Court.
15. Homestake shall promptly notify County of the completion of the Relocated Road. Acceptance of the Relocated Road shall be the date upon which County's Board of Supervisors, subsequent to County's final inspection thereof, accepts the Relocated Road.
16. Homestake agrees to offer for dedication to County the Bridge and a right of way for public road purposes coterminous with the Relocated Road. Such offer shall be made upon completion of the Relocated Road and shall be in the form of Highway Easement Deed attached as Exhibit A. Neither inspections nor approvals by County shall constitute a waiver of any defect in the work of the Relocated Road or any breach of this agreement.
17. Homestake agrees to remedy any defects in the Relocated Road arising from faulty or defective construction thereof for



which notice is given to Homestake within twelve months following the date of final acceptance of the Relocated Road. Should Homestake fail to make repairs or take corrective action within a reasonable time following such notice, County may at its option make such repairs or take such corrective action and recover the costs thereof from the security referred to in Section 14, and any exceedance thereof from Homestake.

18. Upon final acceptance of the Relocated Road and Bridge, County shall commence and diligently prosecute in good faith, in accordance with applicable law, street abandonment proceedings pursuant to Chapter 4 of Part 3, Division 9 of the California Streets & Highways Code commencing with Section 8330 for that portion of Highway 40 shown on Exhibit B.
19. Homestake agrees that notwithstanding any vacation pursuant to Section 18, Homestake will at Homestake's expense subsequently relocate any or all of the Relocated Road if (i) any or all of the Relocated Road becomes impassable for a period exceeding six months, during which period the balance of County 40 is otherwise substantially passable from Highway 16 to Lake County, or (ii) Homestake removes the Dam. Any such subsequent relocation of the Relocated Road shall be improved to the same standards as then exist for the Relocated Road in accordance with County specifications then in effect.
20. Following final acceptance of the Relocated Road by County, and subject to Homestake's obligations pursuant to Section 17, County shall maintain the Relocated Road and the Bridge. For purposes of this section, County's maintenance obligation shall include the Relocated Road along its entire length except as follows: County shall have no obligation to maintain the abutments of the Bridge or the foundations of such abutments. The County shall have no obligation to maintain the subsurface of the Relocated Road below a depth of 8" where such Relocated Road passes over the Dam and the abutments. County's maintenance obligation does extend to all appurtenances to the Relocated Road, whether on or off the Bridge or Dam, including guard-rails and signs.

All maintenance not required by this agreement to be carried out by County shall be the responsibility of Homestake. Homestake shall obtain any and all permits required from the California Division of Safety of Dams with respect to its maintenance and repair of the Dam, its foundations and its abutments.



21. Homestake shall indemnify and hold County harmless from any and all loss, damage or liability resulting from Homestake's performance or non-performance of its duties under this agreement, and from negligence of its agents, servants, and employees, and any and all causes of action filed by any person or persons claiming damage caused by the realignment of County Road 40 or the work in constructing the Relocated Road; provided, however, that Homestake's indemnity and hold harmless obligation shall cease twelve months after final acceptance by County of the Relocated Road, except as to Homestake's continuing obligation of maintenance.
22. Homestake shall provide broad form general public liability and property damage insurance, naming County, its officers and employees as an additional insured, insuring against claims for personal injury or property damage as a consequence of the realignment, construction and maintenance of the Relocated Road. Such insurance shall remain in effect until the later of the twelve months following final acceptance of the Relocated Road, or the acceptance of any repairs carried out pursuant to Section 17, with respect to the realignment and construction. With respect to Homestake's continuing maintenance obligation, Homestake shall continue to provide such insurance.

All such insurance shall provide coverages of no less than \$1 million with respect to personal injuries and death of any one person, \$5 million with respect to personal injuries and death for any one occurrence and \$500,000 with respect to property damage for any one occurrence.
23. The provisions of this agreement shall extend to, be binding upon and inure to the benefit of the heirs, executors, administrators, successors, and assigns of the parties.
24. This agreement is not intended to create a joint enterprise, the relationship of master and servant, employer and employee, or principal and agent between County and Homestake. This agreement is intended to set forth the terms and conditions under which Homestake will comply with its permit conditions concerning the Relocated Road. The conditions in Homestake's permits, not this agreement, create Homestake's obligation to relocate Rayhouse Road as a part of its McLaughlin Project. Homestake's construction of the Relocated Road will take place on private property, with private funds. County and Homestake agree that the Relocated Road is not a public work prior to County's acceptance of Homestake's offer of dedication. Except as may be required by permit, ordinance or exercise of the police power, Homestake is not subject to the direction or control of County with respect to the Relocated Road.



Homestake and its contractors shall be solely responsible for the payment of all taxes and wages, including withholding of income tax and payment of social security taxes.

25. No alteration or variation of the terms of this agreement shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.



IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

COUNTY OF YOLO, a political subdivision of the state of California

By: *Joseph J. Thompson*
CHAIRMAN OF THE BOARD OF SUPERVISORS

The undersigned Deputy Clerk of the Board of Supervisors certifies that pursuant to Section 26103 of the Government Code, delivery of this document has been made to the Chairman of the Board of Supervisors.

ATTEST:

PAULA M. COOPER,
CLERK OF THE BOARD OF SUPERVISORS

By: *Paula M. Cooper*
(SEAL) 

PAULA M. COOPER
CLERK OF THE BOARD OF SUPERVISORS
Paula M. Cooper
Deputy

Approved as to Form:

HOMESTAKE MINING OF CALIFORNIA,
a California Corporation

[Signature]
County Counsel

By: *[Signature]*
Authorized Representative

(SEA

Title

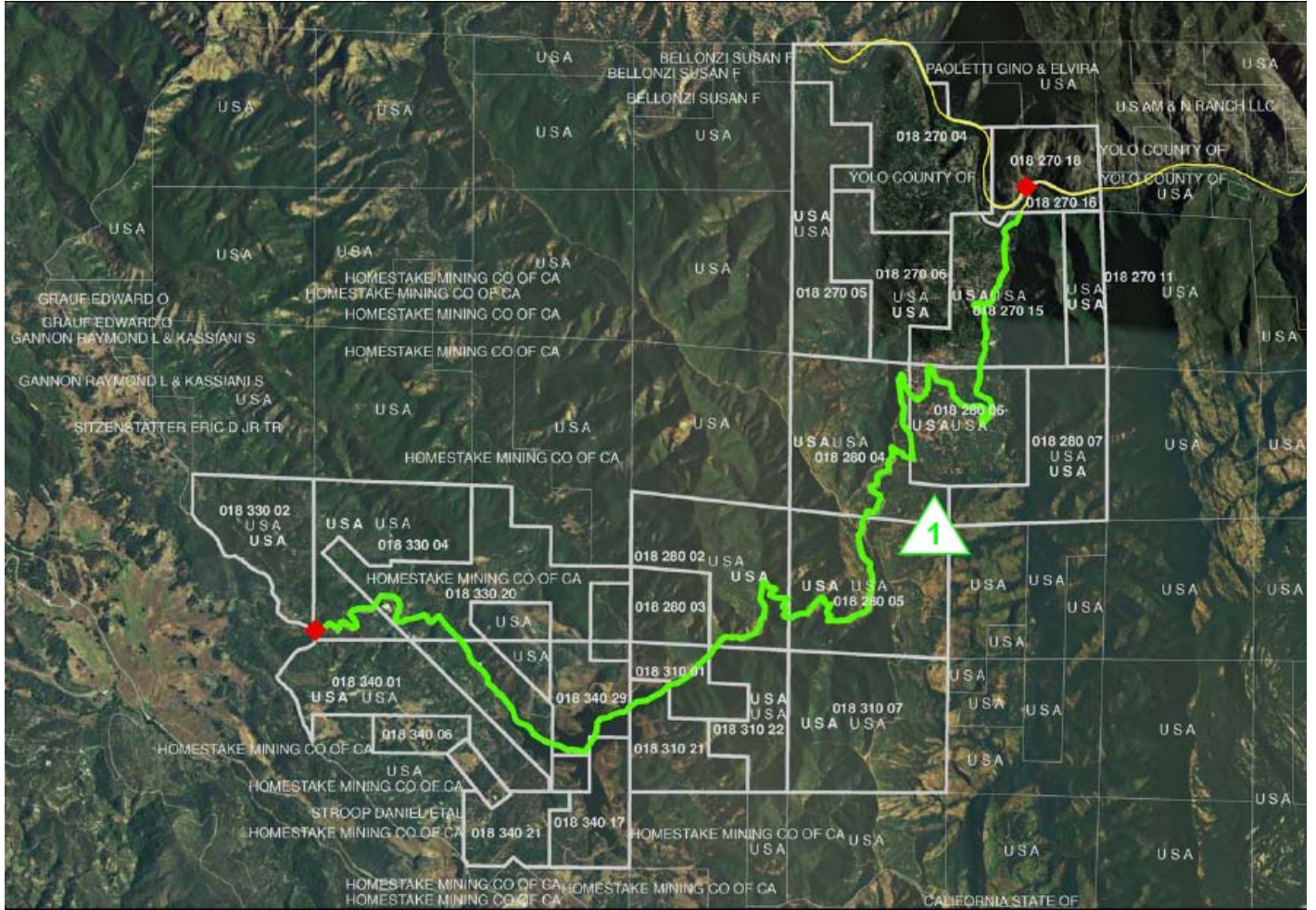
RECOMMENDED for approval to the Board of Supervisors, County of Yolo.

DATED: Oct 15, 1984

Lloyd H. Roberts
LLOYD H. ROBERTS,
DIRECTOR OF PUBLIC WORKS AND TRANSPORTATION



ATTACHMENT B



UNMAINTAINED ALIGNMENT OF COUNTY ROAD 40 FROM SR 16 TO LAKE COUNTY



PORTION OF CR 40 (RAYHOUSE RD) PROPOSED FOR ABANDONMENT

FIGURE LU-1A GENERAL PLAN LAND USE MAP

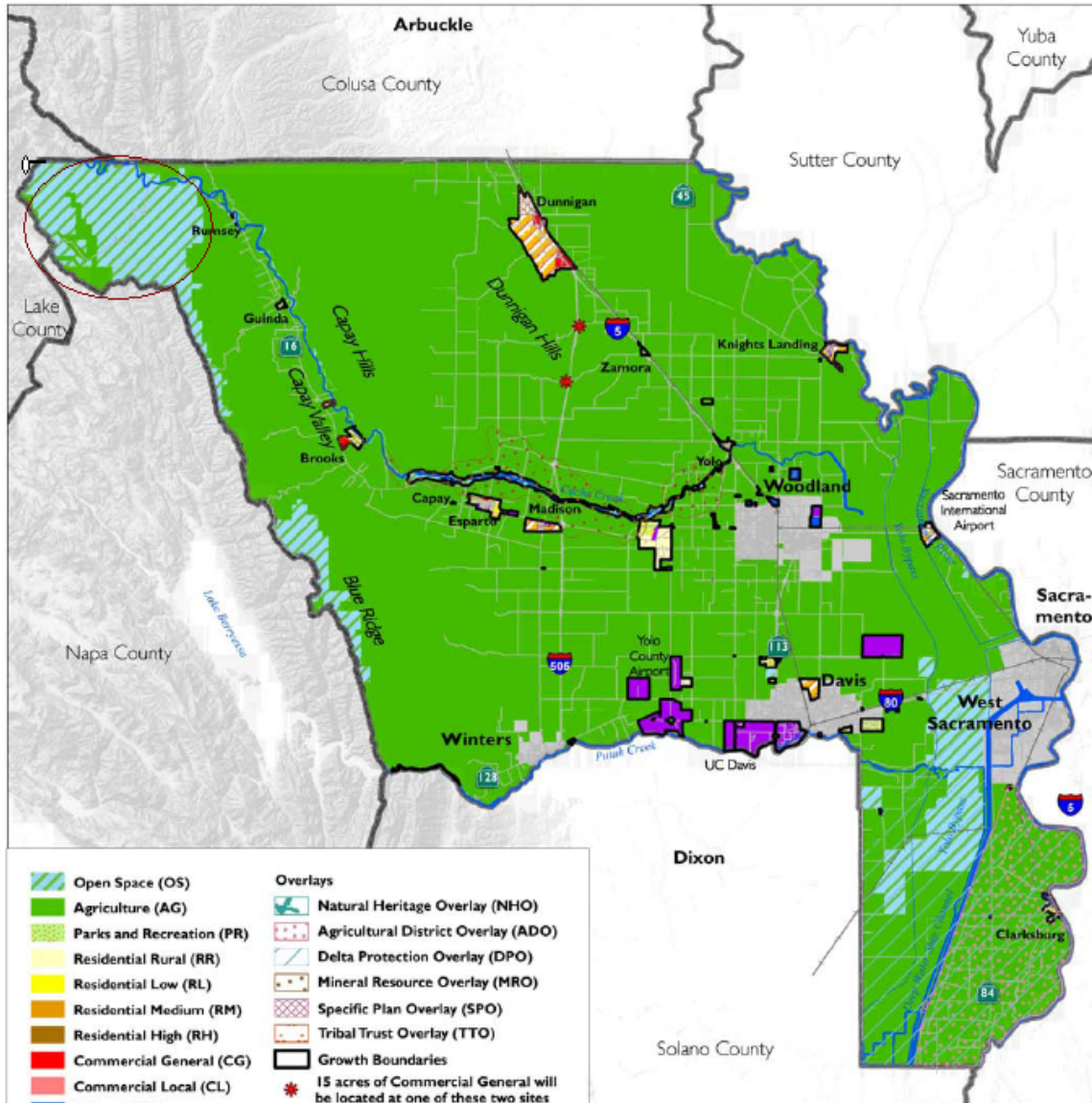


FIGURE CI-1A CIRCULATION DIAGRAM WEST



Ownership

County of Yolo

State of California

16

Sitzenstatter

Bureau of Land Management

Homestake Mining

BLM

Lake County

RAWHOUSE RD

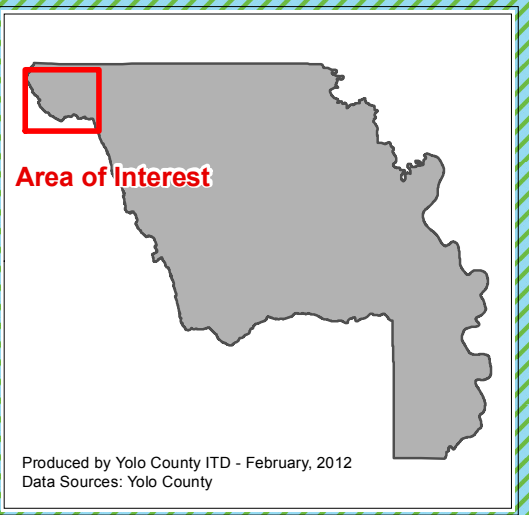
Homestake Mining

Harrison

UCD

Napa County

Harrison



ATTACHMENT C

Notice of Exemption

To: Yolo County Clerk
625 Court Street
Woodland, CA 95695

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Title: **ZF# 2011-0064 (Findings for denial of the road right-of-way abandonment of CR 40)**

Homestake Mining Company of California
136 East North Temple, Suite 1800
Salt Lake City, Utah 84111

Project Location: Subject right-of-way proposed for abandonment is located northwest of Rumsey, approximately four miles west of State Route 16, two miles east of Lake County and one mile north of Napa County (affects APNs: 018-310-001, 018-310-021, 018-330-020, 018-340-021, and 018-340-029).

Project Description: Denial of a request for a road right-of-way abandonment of approximately three miles of unmaintained County Road 40, also known as Rayhouse Road, that passes through the Homestake Mining property, located within A-1 (Agricultural General) and A-P (Agricultural Preserve) zoning districts.

Exempt Status:

Statutory Exemption: Projects Which Are Disapproved "15270"

Reasons why project is exempt:

§ 15270 (a) states that CEQA does not apply to projects which a public agency rejects or disapproves. Additionally, 15270 (c) states that an applicant is not relieved from paying the cost for a negative declaration prepared for the project prior to the lead agency's disapproval of the project after normal evaluation and processing.

Lead Agency Contact Person: Stephanie Cormier, Senior Planner

Telephone Number: (530) 666-8850

Signature (Public Agency): _____ Date:

Date received for filing at OPR:

ATTACHMENT D

FINDINGS

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2011-0064, the Yolo County Planning Commission recommends that the Board of Supervisors find the following:

(A summary of evidence to support each FINDING is shown in Italics)

California Environmental Quality Act (CEQA) and Guidelines

That the recommended Statutory Exemption was prepared in accordance with the California Environmental Quality Act (CEQA) and is the appropriate environmental document for this project.

The Statutory Exemption, prepared pursuant to Section 15270 of the CEQA Guidelines, states that CEQA does not apply to projects which a public agency disapproves. Additionally, Section 15270 (c) states that an applicant shall not be relieved from paying the costs for a negative declaration prepared for the project prior to the lead agency's disapproval of the project after normal evaluation and processing.

General Plan

That the proposal is not consistent with the following Yolo County 2030 Countywide General Plan policies that address access to public lands:

Circulation Policy CI-5.19: Before abandoning a County right-of-way, ensure easement rights are preserved or obtained to provide for access to public lands, natural features, or to provide connections to other existing or planned trail systems. The easement may be held by the County or other public agency.

Conservation and Open Space Policy CO-1.1: Expand and enhance an integrated network of open space to support recreation, natural resources, historic and tribal resources, habitat, water management, aesthetics, and other beneficial uses.

Conservation and Open Space Policy CO-1.6: Develop "gateways" or trailheads that provide access for the public to County, State, and Federal lands. Where located on private land, gateways shall be developed working with willing landowners.

Conservation and Open Space Policy CO-1.8: Encourage responsible stewardship of private lands. Promote increased opportunities for public access to waterways and other natural areas.

Conservation and Open Space Policy CO-1.18: Work with the Blue Ridge Berryessa Natural Area Conservation Partnership, the Bureau of Land Management, Napa County, California Department of Fish and Game, and other landowners on a voluntary basis to complete the Blue Ridge Trail through voluntary acquisitions.

Conservation and Open Space Policy CO-1.23: Increase public access and recreational uses along waterways wherever feasible, particularly Cache Creek, Lower Putah Creek, the Yolo Bypass, and the Sacramento River.

Streets and Highways Code

That the proposal is consistent with Section 8321 of the Streets and Highways Code.

The road vacation petition is consistent with Section 8321(a) that prescribes that ten or more freeholders may petition the board of supervisors to vacate a street or highway under this chapter. At least two of the petitioners shall be residents of the road district in which some part of the street or highway proposed to be vacated is situated.

That the proposal is not consistent with Section 8324 of the Streets and Highways Code.

Section 8324 of the Streets and Highways Code states, "If the legislative body finds, from all the evidence submitted, that the street, highway, or public service easement described in the notice of hearing or petition is unnecessary for present or prospective public use, the legislative body may adopt a resolution vacating the street, highway, or public service easement. The resolution of vacation may provide that the vacation occurs only after conditions required by the legislative body have been satisfied and may instruct the clerk that the resolution of vacation not be recorded until the conditions have been satisfied."

The existing road serves as a public access road. Without vehicular use of the low water bridge crossing on Rayhouse Road, the only access to private and public property in Lake and Yolo Counties is from County Road 40 through the Homestake Mining property. The road is used by private property owners, emergency personnel, and people accessing the public lands maintained by BLM for recreational purposes. The County ceased maintenance on CR 40; however, CR 40 continues to remain accessible by the public as feasible in its unmaintained state, as declared by the Yolo County Board of Supervisors. County Road 40 from the Lake County side provides the only access to Langs Peak Road, which intersects with CR 40 approximately three miles from the proposed vacation. Langs Peak Road is a connector road serving not only private property owners in Lake County, but thousands of acres of BLM maintained trails, OHV areas, and rural campgrounds..

ATTACHMENT E

Comment letters



January 15, 2012

Stephanie Cormier, Associate Planner
Yolo County Planning and Public Works Department
292 W. Beamer Street
Woodland, CA. 95695
530-666-8850
Stephanie.cormier@yolocounty.org

Re: Oppose- Zone File No. 2011-064, Abandonment of Road 40.

Dear Ms. Cormier,

Thank you for the opportunity to comment on Zone File No. 2011-064, Abandonment of Road 40.

Tuleyome opposes the application to abandon the public right of way on Road 40 through the Homestake Mining Company property. The application contravenes the public interest Bureau of Land Management (BLM) policy, and Yolo County policy. It must be denied and we urge staff to recommend denial of this application to the Planning Commission.

This road is the only vehicle access to the BLM-managed public lands along the Blue Ridge and Cache Creek within Yolo County. As the low-water bridge is closed, the route in question is the only vehicle route to the campground at Buck Island, campground at Fiske Creek, and trailheads at Fiske Creek and the southern Blue Ridge trail. These campgrounds and trail are heavily used by Yolo County residents and families. The roads and trails are very popular for hiking, camping, birding, hunting, mountain biking, dual-sport motorcycles and off road vehicles.

Taxpayer dollars and public volunteer time has been used to develop the regional trail system and campgrounds accessed by this road. Buck Island has two concrete pit toilets (identical to those at the Capay Open Space Park) that were installed to provide sanitation at this very popular campground. The Fiske Creek Campground has a fire pit and concrete picnic tables installed by the BLM. Blue Ridge and Fiske Creek trails were built by volunteers, and form a regional trail network (the only such network in Yolo County) that are also accessed by this road.

We have heard discussion that people can 'simply' access Buck Island, Blue Ridge South, Fiske Creek Camp and Fiske Creek trail by walking in from the north over the low-water bridge at Highway 16. This argument is fallacious in that while it is technically possible, the distances and topography make it so unlikely that the end result is effectively the closure of these areas. For example, the route from the north to the Buck Island campground is a 10-mile trip, one way, with a 2000-foot elevation gain. Given that the campground is most popular during the summer, this waterless route would make use of the campground next to impossible for most families if they had to walk to the camp area. Every weekend during the summer, including last summer, the campground is packed with families. 4th of July weekend is especially popular.

Closing the road would result in more illegal activity, not less. The last two illegal marijuana plantations

www.Tuleyome.org

TULEYOME IS A NOT FOR PROFIT PUBLIC BENEFIT 501(C)(3) ORGANIZATION. TAX ID NUMBER 68-0522325





found in this area were located at New Cacheville, an antiquated-subdivision located in Lake County upstream from Buck Island that is accessed via the road proposed to be abandoned. Abandonment cannot legally land lock other private owners that use the road. The marijuana growers that have access to New Cacheville through property owner permission (as was the last marijuana bust) could continue to use the road. But, road closure would mean fewer ‘eyes’ watching out for illegal activity and law enforcement authorities would have no legal right of access over the road as they do presently.

This action also conflicts with several Yolo County plans, BLM regional and area plans, and the California Streets and Highways Code.

Yolo General Plan

The Yolo County General Plan states:

Policy CO-1.6 Develop “gateways” or trailheads that provide access for the public to County, State, and Federal lands.

In support of the gateway concept, Yolo County submitted a 2010 grant application to pay for construction of a new bridge over Cache Creek. The language submitted by the County was:

The Cache Creek Bridge Construction Project will take place at Cache Creek Regional Park in Yolo County. This bridge is the critical piece of transportation infrastructure to maintaining a gateway to over 78 square miles (50,000 acres) of the Cache Creek National Recreation Area and the Bureau of Land Management’s Knoxville Recreation Area all of which is open for off-high way vehicle recreation (BLM Resource Management Plan, <http://www.blm.gov/ca/st/en/fo/ukiah/rmpmove.html>).

This is acknowledgement by the County that the connection to Lake County and the Knoxville OHV area is a gateway. Abandoning the right of way would run counter to the ‘Gateway’ policy in the General Plan.

Policy CO-1.18 Work with the Blue Ridge Berryessa Natural Area Conservation Partnership, the Bureau of Land Management, Napa County, California Department of Fish and Game, and other landowners on a voluntary basis to complete the Blue Ridge Trail through voluntary acquisitions.

Loss of access to the southern Blue Ridge trailhead would make it nearly impossible to continue construction of the trail further south along the ridge, as access to people and equipment would be prohibitive due to the increased distance from a parking area.

Policy CO-1.24 Increase public access and recreational uses along waterways wherever feasible, particularly Cache Creek, Lower Putah Creek, the Yolo Bypass, and the Sacramento River.

Abandoning the right of way will remove critical recreational use along Cache Creek at the Buck Island

www.Tuleyome.org

TULEYOME IS A NOT FOR PROFIT PUBLIC BENEFIT 501(C)(3) ORGANIZATION. TAX ID NUMBER 68-0522325





Campground and is counter to the policy to increase access.

Action CO-A9 Pursue State grant funds to restore areas of the County impacted by illegal OHV activity, to protect areas from unauthorized use through enforcement, and to redirect users to an OHV park.

Closing this right of way will restrict existing motorcycle, 4x4 and other users from Yolo County from accessing the Knoxville OHV area. This will lead to increased illegal OHV use in Yolo County if access to a legal OHV area is shut off.

Documented use of the area can be found online, including a write-up here:
<http://www.endorphin-express.com/ride-reports/knoxville-buck-island.html>

BRBNA Recreation Priorities

The Blue Ridge Berryessa Natural Area Conservation partnership has mapped recreation priority areas within this region. The Buck Island/Fiske Creek/Blue Ridge trail area in Yolo County is shown on the priorities map as having a medium to high recreation priority. Closure of the road would reduce the recreation potential for this region, counter to the planning done by the partnership. The map can be found at:

<http://www.brbna.org/CF-files/BRBNArecreation-24x36.pdf>

Bureau of Land Management Coordinated Cache Creek Resource Management Plan (CCRMP) and Ukiah District Resource Management Plan (RMP)

The BLM CCRMP, page 61, item 4, states that the BLM will:

4) Manage Buck Island for rafting, camping, and other compatible primitive recreational uses. Provide adequate access, camping, and sanitation facilities.

The BLM Ukiah District RMP, Section 3.4.2.14 Recreation, Page 59, states that the BLM will:

- *Collaborate with private landowners, groups and organizations to identify locations for access and trailhead facilities along Reiff-Rayhouse Road.*
- *Develop minimal facilities at Fiske Lake for camping use.*

If the road is abandoned, the public will have no reasonable access to Buck Island, new trailheads on Reiff-Rayhouse Road, or Fiske Lake. This is counter to the goals in the BLM's planning documents.



Yolo County Parks Master Plan

The Yolo County Parks Master Plan states:

A&F A-5. Develop better cooperation with adjacent jurisdictions and other resource stewards. The County should establish, maintain, and enhance partnerships with neighboring local, state, and federal governments – including but not limited to...the Bureau of Land Management...for the purpose of creating or improving public recreation opportunities...

Abandoning this right of way would run counter to the purpose of the Master Plan action of improving recreational opportunities through coordination with the BLM, as access to BLM facilities would be lost.

E&D P-5. Public access to public lands. The County supports existing public access to public lands. The County also supports increased public access to public (County, state, or federal) lands, including through the use of County “gateways” that would provide access to large areas of non-county-owned lands.

Abandonment of the right of way would run counter to the ‘gateways’ policy and continued access to public lands.

E&D A-6. Additional opportunities in the western foothills. Pursue additional parks and recreation opportunities in the western foothill areas through a variety of means...

Abandonment of the right of way would reduce opportunities in the western foothills, which is counter to the Parks Master Plan.

PS/CC A-5. Strengthen BLM partnership. Further develop and strengthen the partnership with BLM regarding mutual management and public access objectives to formalize the Gateway relationship.

The abandonment action would run counter to the objective to strengthen the BLM partnership and run counter to mutual public access objectives.

California Streets and Highways Code

The California Streets and Highways Code states:

*8324. (b) If the legislative body finds, from all the evidence submitted, that the street, highway, or public service easement described in the notice of hearing or petition is **unnecessary for present or prospective public use**, the legislative body may adopt a resolution vacating the street, highway, or public service easement.*

Because this road provides the only vehicle access, and only realistic access to the general public to the Blue Ridge Trail southern trailhead, Fiske Creek Camp, Fisk Creek trailhead, and heavily-used public



campground at Buck Island, it **CANNOT** be found that the road is unnecessary for present or prospective public use under Section 8324.

Tuleyome recommends that:

- The application for abandonment be denied.
- Yolo County re-start discussions with the BLM over the BLM taking over maintenance of the County road through a Memorandum of Understanding. These discussions stopped after the departure of several county staff who had been working on this issue. These discussions need to begin again and maintenance re-established from the Lake County line to the BLM facilities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew Fulks", is written over a light blue rectangular background.

Andrew Fulks
President, Tuleyome

Attachments:

Exhibit A. Images of trailheads and campground

Figure 1. Relationship of public roads, trailheads, and campgrounds to road proposed for abandonment.

Exhibit A. Images of trailheads and campground



Blue Ridge Trail south trailhead parking area.



Blue Ridge Trail southern trailhead marker at parking area.



Fiske Creek Trailhead



Buck Island Campground and restroom.

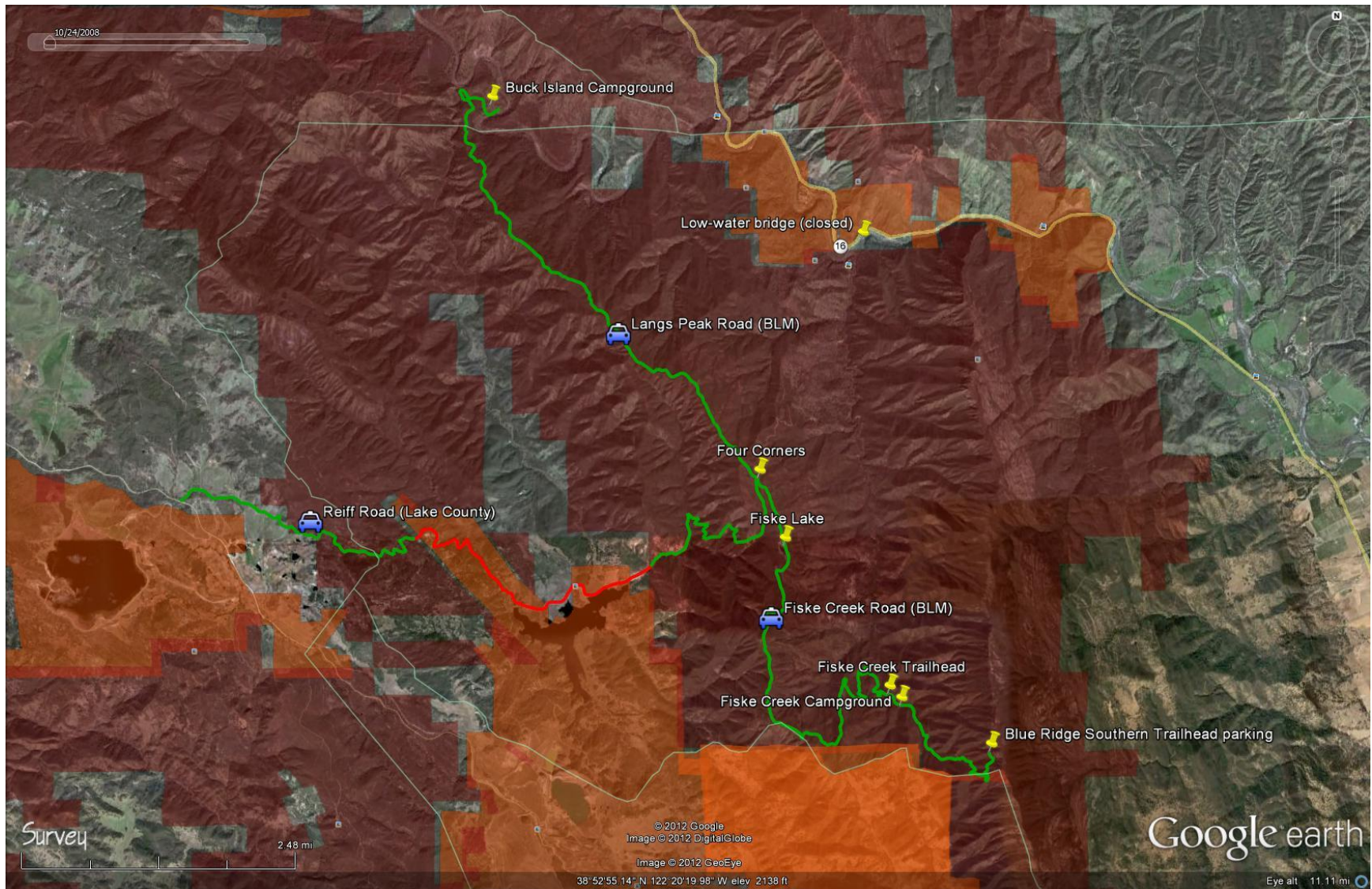
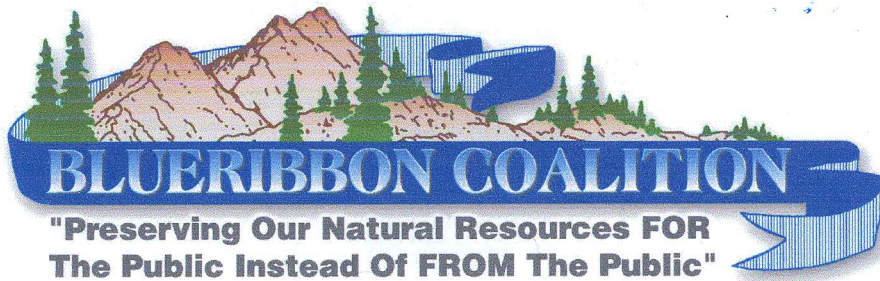


Figure 1. Relationship of public roads, trailheads, and campgrounds to road proposed for abandonment.

Road shown in red is proposed for abandonment and would block vehicle access to all areas shown, and all public access from the west from Lake County.



January 17, 2012

Stephanie Cormier
Yolo County Planning Department
292 W. Beamer Street
Woodland, CA 95695

Re: Oppose – Abandonment of Road 40

Dear Ms. Cormier:

Please accept this letter filed on behalf of the BlueRibbon Coalition (BRC), a national trail-based recreation group, as indication of our strong opposition to the Abandonment of Road 40 - File # 2011-064.

BRC believes the proposal to abandon Road 40 is in conflict with BLM management plans, Yolo County plans, and the Blue Ridge Berryessa Natural Area Conservation Partnership's recreation priorities. Closing Road 40 will functionally ban existing motorized access from Yolo County to the BLM Knoxville OHV Area, Buck Island, and staging areas at Fiske Creek.

Closure of important access roads for recreational activity is not an effective management tool. It often leads to an increase in drug-related illegal activities. Rather than close the road; BRC suggests that Yolo County continue to utilize the California OHV Grant Program for law enforcement (\$44,000 in the 09/10 grant cycle) of this area. The County may want to consider applying for an OHV maintenance grant for road improvements. Another option might be for the County to sign a cooperative agreement with the BLM for management of the road.

BRC thanks you for taking time to review our concerns and looks forward to working with the County and/or BLM to preserve vehicle access on Road 40.

Sincerely,

Don Amador
Western Representative
BlueRibbon Coalition, Inc.
555 Honey Lane
Oakley, CA 94561
Office: 925.625.6287

Stephanie Cormier

From: Tom Stallard [tstallard@legintent.com]
Sent: Wednesday, January 18, 2012 11:14 AM
To: Stephanie Cormier
Cc: Meg Stallard; Matt Rexroad - Dist. 3; Mike McGowan; Don Saylor; Duane Chamberlain; Andrew Fulks
Subject: Opposition to Abandonment of County Road 40

Dear Ms. Cormier:

I am a former Yolo County Supervisor and currently a City Councilman in Woodland. I have worked for years to open public lands to public access. Probably no single Yolo County Road is more important for this purpose than County Road 40. It is only in recent years that hikers, birders and other lovers of nature have become aware of the tremendous natural resources and beauty available to all of us in the pristine areas reached by County Road 40. Yes, the road is in terrible condition; yes, low water bridge needs to be replaced. But it would be the height of foolishness to yield the only right of way that allows the public to access some of these more remote areas so that they can be enjoyed. It is clear to me that our future economic development is going to include tourism. The enjoyment of our natural beauty is a key component of the strategy that will bring people here. We should not give up this important right of way for selfish or self-interested reasons that will deny public access to remote public lands. Be assured, if the county were to do this, a day will come when the right of way will have to be purchased back. We should be seeking a solution to the bridge replacement and some modest level of grading that will make County Road 40 more usable. Thank you for considering my views.

Tom Stallard
530 666-4850
Legislative Intent Service, Inc.



Yolo Audubon Society
P.O. Box 886 Davis, CA 95617



22 January 2012

Stephanie Cormier, Associate Planner
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA. 95695
Stephanie.cormier@yolocounty.org

Subject: Opposition - Zone File No. 2011-064, Abandonment of Road 40

Dear Ms. Cormier:

The Board of Directors of the Yolo Audubon Society (YAS) opposes the proposal to abandon Road 40.

The YAS Board has previously expressed the reasons why it (and our 600+ chapter members in general) is opposed to closing and abandoning County roadways:

“A major portion of the mission of the YAS is to provide opportunities for members of the chapter, and for members of the general public, to experience the natural environment in our region. The ability to experience wildlands, and the wildlife that it provides for, is a significant element in building and maintaining a conservation ethic.

“In order for the chapter to accomplish this part of our mission there must be places where the public can gain access to the county’s wildlands. ... Abandoning (County) roads removes both their availability for current use and any possibility that they will ever be available (much less restored) in the future.”

(YAS letter to County Board of Supervisors re Road 41 abandonment, 29 August 2009)

The YAS Board has reviewed the text of the Tuleyome letter regarding the proposed abandonment, and concurs in the description in that letter of the benefits that Yolo County residents receive from the availability of Road 40. Our members use Road 40 for personal recreation, for educational field trips that address the natural environment in the County and the inner Coast Range, and for research purposes (e.g., in obtaining data for the Breeding Bird Atlas on which the Chapter has been working for several years).

Please convey the YAS Board’s opposition to the proposed abandonment to all County staff and decision-makers.

Thank you,

Chad Roberts

Conservation Chair



SIERRA
CLUB
FOUNDED 1892

Yolano Group
MOTHERLODE CHAPTER



January 22, 2012

Stephanie Cormier, Associate Planner
Yolo County Planning and Public Works Department
292 W. Beamer Street
Woodland, CA. 95695
530-666-8850
Stephanie.cormier@yolocounty.org

Re: Zone File No. 2011-064, Abandonment of Road 40.

Dear Ms. Cormier,

The Yolano Group of the Sierra Club opposes the abandonment of the public right of way on Road 40 to the benefit of the Homestake Mining Company. Abandonment would eliminate public access to popular trailheads and campgrounds on public land. We found that such restriction of public access violates the Bureau of Land Management (BLM) public interest policy, and goes against Yolo County policy and in particular Yolo County Parks master plan. We urge staff to recommend denial of this application to the Planning Commission.

The Yolano Group represents more than 1500 Sierra Club members in Yolo, Solano and Colusa Counties. Our membership is dedicated to the enjoyment and protection of nature in our region and loves hiking and camping on our public lands. Road 40 is the only vehicle access to the BLM-managed public lands along the Blue Ridge and Cache Creek within Yolo County. Since the closure of the low-water bridge, this road is the only vehicle route to the campground at Buck Island, campground at Fiske Creek, and trailheads at Fiske Creek and the southern Blue Ridge trail.

These campgrounds and trails are very popular for hiking, camping, birding, mountain biking by our members and many other county residents. The Buck Island campground is frequented by families every weekend during the summer, and for the 4th of July weekend it is especially popular. These campgrounds have been developed and improved by BLM over the years with taxpayer money and the Blue Ridge and Fiske Creek Trails were built by local volunteers. These trails form the only regional trail network in Yolo County. Closing the road would exclude all these healthy and benign recreational activities from public land while probably resulting in more illegal activity, as road closure would mean fewer 'eyes' watching out for illegal activity.

Thank you for the opportunity to comment on Zone File No. 2011-064, Abandonment of Road 40. Please, in view of all the negative effects described above, recommend denial of this application to the Planning Commission.

For the executive committee of the Yolano Group Sierra Club

Marc Vayssières, 1420 Chestnut Place, Davis CA 95618. marcv@dcn.davis.ca.us

2946 Grinnel Drive
Davis, CA 95618

Stephanie Cormier
Yolo County Planning Department
292 W. Beamer Street
Woodland, CA 95695

January 22, 2012

Dear Ms. Cormier,

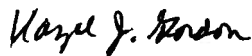
Thank you for allowing me to comment on the proposed application to close a portion of County Road 40 to the general public (zone file #2011-064).

As citizens are having fewer and fewer opportunities to visit state parks due to state budget constraints, the proposal to deny access to the recreational opportunities afforded by BLM lands in the Vaca Mountains seems especially objectionable at this time. As you are undoubtedly aware, the loss of control and monitoring of access points to public lands invites vandalism, arson and other crimes. The public's use of these roads, in the absence of an agency's paid monitors, is often the main deterrent to these acts. I have driven much of Rayhouse House and enjoyed the chance to see a diversity of landscapes and flora, especially in spring, I also understand that the use of developed campsites in the Blue Ridge Mountains is heavy in summer months and holidays.

Please reconsider this application to deny access of a portion of this road.

Thank you for your attention to my request.

Sincerely,



Hazel J. Gordon





Tom Ward
IMBA California Policy Director
2750 Land Park Drive
Sacramento, CA 95818
(916) 505-6875
tom@imba.com

Stephanie Cormier, Associate Planner
Yolo County Planning and Public Works Department
292 W. Beamer Street
Woodland, CA. 95695
530-666-8850
Stephanie.cormier@yolocounty.org

Re: Oppose- Zone File No. 2011-064, Abandonment of Road 40.

January 23, 1012

Dear Ms. Berg,

I am writing on behalf of the International Mountain Bicycling Association, (IMBA), which represents the interests of tens of thousands of mountain bicyclists in the country, and the State of California, including Napa, and Yolo Counties. We feel strongly that Homestake Mining's efforts to close Road 40 must be denied. There are numerous reasons why this must be the case.

Importantly, Road 40 provides the ONLY vehicular access to areas that are critical to a wide variety of users. With the closure of the Low Water Bridge, Road 40 is the only way that outdoor recreationists can visit Buck Island, Fiske Creek campgrounds, the Blue Ridge trailhead, and all areas in between. This will affect anglers, hunters, hikers, equestrians, mountain bikers and off road enthusiasts, just to name a few. Keep in mind that this is the only developed trail system in Yolo County, and that many resources have already gone into it. It is very popular. Its importance to your community cannot be overemphasized.

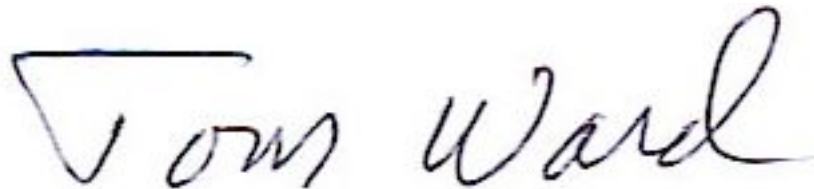
In these regards, it must be noted that the option of reaching these areas on foot by walking across Low Water Bridge is not feasible. For example, it is about a 10-mile hike to get from that spot to Buck Island.

We submit also, that this proposal not only violates the public interest, as mentioned above, but also violates the public policies of Yolo County, including its General Plan. Details of this concern are spelled out in great detail in the letter submitted to you by Tuleyome, which we agree with in its entirety.

Thank you for permitting us to comment upon this proposal. Please let me know if I can provide further information.

Very Truly Yours,

Tom Ward

A handwritten signature in black ink that reads "Tom Ward". The signature is written in a cursive style with a large, sweeping initial "T" and a long, horizontal flourish at the end of the word "Ward".

Consider this letter a formal request not to abandon C.R. 40. As Chief of the Capay Valley Fire District c.r. 40 is an intricate part of the access to that area. We are the first responders to the area for search and rescue, fire and E.M.S., this access is of utmost importance to our needs. Abandonment of this road will not stop people from still trying to access the area and without this access our job will be that much harder. The first responders from the Lake County side at least have the ability to drive in the area, with the abandonment all entrance will be from this side because we are substantially closer.

Thank You for this consideration
Dan Garrison
Fire Chief
Capay Valley Fire District

Sent from my iPad

Dear Commission

I hereby request that the application for abandonment be denied. The affected area is too important to the citizens, to the environment and to the reputation of Yolo County to simply shut it off...

I further request that Yolo County re-start discussions with the BLM over the BLM taking over maintenance of the County road through a Memorandum of Understanding. These discussions stopped after the departure of several county staff who had been working on this issue. These discussions need to

begin again and maintenance re-established from the Lake County line to the BLM facilities.

Respectfully, Terry R. Larson



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2221 FAX 707/263-2225

January 24, 2012

Stephanie Cormier, Senior Planner
County of Yolo
Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695-2598

RE: Yolo County Road 40 Abandonment Proposal

Dear Ms. Cormier:

Thank you for the opportunity to comment on this proposal for the consideration of the abandonment of a three (3) mile section of Yolo County Road 40, herein after referenced as Rayhouse Road, passing through property owned by the Homestake Mining Company of California containing the Davis Creek Reservoir.

The County of Lake Community Development Department takes exception with the assumption that ongoing reclamation activities on the Homestake Mining property preclude any public interest in accessing the road for recreational purposes, and furthermore this assumption ignores the fact that this abandonment will also effectively eliminate access to private property and thousands of acres of public land.

It is our understanding that a principal reason for the closure of this section, in addition to the difficulty in maintaining a minimum operations level, is to limit wildlife poaching activities and dissuade the use of this area for illegal marijuana grow sites. We recognize that these are legitimate issues to be addressed and actions should be taken which aid in their prohibition, but action taken to prohibit such activities should not inadvertently punish those who appropriately access these public lands or are dependent upon these rural roads as the only means to access their private property.

The County of Lake, Community Development Department highly recommends that the Yolo County Board of Supervisors not approve the abandonment of this section of roadway for the following reasons:

- A. The approval of this abandonment will make several hundred acres of privately held lands within Lake County (located primarily within the Glascock and the Wilson Valley, USGS Quadrangles) inaccessible to property owners. With the inaccessibility of the bridge crossing along Rayhouse Road, over Cache Creek, near its junction with State Highway 16, the only access to these properties is provided via Rieff Road which turns into Rayhouse Road at the Yolo/Lake County line.

Access to these private lands must pass through the proposed abandonment area on Homestake's property in order to intersect with Langs Peak Road, located approximately three (3) miles east of the Davis Creek Reservoir. Langs Peak Road then provides direct access to this isolated section of Lake County, approximately five (5) miles north of the intersection with Rayhouse Road.

- B. In addition to eliminating access to private land holders in the fore mentioned isolated section of Lake County, the approval of this abandonment will prevent Lake County officials from being able to provide essential government services to this area. Foremost, the elimination of access along this section of roadway would preclude emergency service vehicles from being able to gain access to this area.
- C. The closure of this small three mile section of roadway will make thousands of acres of public lands, chiefly under the control of the Ukiah office of the Bureau of Land Management, inaccessible to residents of both Lake and Yolo Counties. The Lake County General Plan seeks to maintain and expand recreational opportunities to multiple users throughout Lake County and access to adjoining public lands. Specifically, Lake County General Plan Policy OSC-6.7 states:

"The County shall support the continued maintenance and improvement of existing recreational facilities and expansion of new recreational opportunities on county, state and federal lands."

The proposed abandonment also appears to be in direct conflict with the Ukiah Resource Management Plan adopted in 2006 by the Bureau of Land Management guiding the provision of recreation opportunities to the Cache Creek Management Area, which consists of some 124,000 acres, 70,000 of which is publically owned. Recreational uses allowed in this area are mostly pedestrian and equestrian but also includes non-motorized boating and some limited vehicular access. The key recreational attractions area mostly scenic, most notably Cache Creek and surrounding peaks overlooking the meandering creek channel. Several rural campsites are located in these areas including Bucks Island which would no longer be accessible with the granting of this abandonment. Furthermore, the Ukiah Resource Management Plan includes support of the development of 50 miles of trail development in the Cache Creek Management Area, including the collaborative initiative with private land owners for the development of a trailhead along Rieff/Rayhouse Road.

Thank you once again for the opportunity to comment on this proposed roadway abandonment project. If you have any additional questions or concerns please feel free to contact me at (707) 263-2221 or by e-mail kevin.ingram@lakecountycalifornia.gov.

Sincerely,



Kevin M. Ingram
Senior Planner



COUNTY OF LAKE

Board of Supervisors

Courthouse - 255 North Forbes Street
Lakeport, California 95453
Telephone (707) 263-2368
Fax (707) 263-2207

Jim Comstock, District 1
Jeff Smith, District 2
Denise Rushing, District 3
Anthony Farrington, District 4
Rob Brown, District 5

January 24, 2012

Stephanie Cormier
Senior Planner
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695-2598

RE: Proposed Abandonment of Portion of County Road (CR) 40, Rayhouse Road

Dear Ms. Cormier:

The Lake County Board of Supervisors has discussed the application for abandonment of a portion of County Road (CR) 40, Rayhouse Road, in the Homestake Mine area of Yolo County. Our Board wishes to respectfully express its unanimous opposition to this proposal.

The proposed road abandonment is of concern to our Board and many Lake County residents because closure of this segment of the road would block public access to a considerable tract of public land frequently used by Lake County hunters and recreationalists. The areas where access would be blocked include Buck Island (where the Bureau of Land Management has a very popular campground), as well as the Blue Ridge and Fiske Creek trailheads.

If the abandonment application is approved as submitted, the abandoned section would no longer be a public right-of-way and legal public access (vehicular and otherwise) to these public lands would effectively cease for Lake County residents. Emergency service vehicles would also be denied access to the area.

We believe there are several alternatives available to address the problems that have been occurring in this area, without closing public access.

We urge Yolo County to deny the abandonment application and work in collaboration with Lake County and the Bureau of Land Management to create a joint task force (with law enforcement representation) to devise a comprehensive management plan for this area.

Thank you for this opportunity to express our concerns and please do not hesitate to contact me or any member of our Board if you have any questions.

Sincerely,

LAKE COUNTY BOARD OF SUPERVISORS

Rob Brown
Chairman, Board of Supervisors

25 January 2012

Stephanie Cormier, Associate Planner
Yolo County Planning and Public Works Department
292 W. Beamer Street
Woodland, CA 95695

Re: Oppose Zone File No. 2011-064, Abandonment of Road 40

Dear Ms. Cormier:

Thank you for the opportunity to comment on Zone File No. 2011-064, Abandonment of Road 40.

I oppose the application to abandon Road 40, as it will disallow public access to thousands of acres of Bureau of Land Management and Yolo County recreational lands from the western side. While there is foot access across the closed low water bridge off Highway 16 to some of the affected lands, the distances and elevation changes encountered to reach other portions of this area (Fiske Creek trailhead and campground, Buck Island campground, southern end of Blue Ridge trail) make hiking to these destinations prohibitive, especially in the warmer months. Abandonment of Road 40 would effectively close off these areas to the public.

Yolo County is in need of more recreational opportunities for the public, not fewer. Abandonment of Road 40 would not be in the public interest. I recommend denial of this application.

Sincerely,

Tobi Jones
21473 County Road 99
Woodland, CA 95695
Email: tobisnuts@hotmail.com

E-mails received:

Dear Yolo County Planners

I and my family have been using Rayhouse Road for over 40 years. This somewhat primitive road gives access to an enormous amount of public land between Putah Creek and Cache Creek. In addition, it is a fun drive in an of itself. If anything, I would like to see the road available more of the year and a permanent closure is something that I hope never happens. Abandoning the a county road is irreversible and forever cedes land held in the public trust to a private entity. Please do not allow this.

Sincerely
Alan Jackman
Davis, CA 95616

Public lands are useless to the public if there is no access to them. I am opposed to the abandonment of Road 40. Let's keep our public lands open for all of us to enjoy.
thank you,
Annelle Durham
Upper Lake, CA 95485

Dear Ms. Cormier:

This note is to request that the Rayhouse Road remain open to the public, so that we don't lose access from the Yolo County side to BLM and Yolo County public lands that are valuable for recreation.

David Pratt
Davis, CA 95616

As a frequent hiker in the Capay Valley, I really appreciate having public access to many beautiful hikes in the area. Please keep public access open to Rayhouse Rd.
Thanks for your consideration
Becky Stanton
Davis resident

Stephanie

I am writing to ask that Yolo County do what it can to ensure that a section of County Road 40 (Rayhouse Road) in Yolo County remain open. I have used the road to get to the Fiske Creek and Blue Ridge southern trail-heads, Please do not let the road become abandoned,

Bill McCarthy

We are opposed to any closure or abandonment of Road 40, which is access to public land, camping and hiking. We have hiked this road on numerous

occasions and would not want to have access denied to this beautiful area.

Bill Rett and Judy Barnes
Clearlake Oaks, CA
Bill Rett and Judy Barnes

Please consider this my vote to keep road 40 open to the motoring and non-motoring public.

Thank you for your time.

William Willis
San Lorenzo, CA 94580

There are very few places in flat Yolo County available for mountainous hiking. I've always enjoyed using the area would hate to find it inaccessible. Please do not abandon or close Road 40.

Cari Butler Davis CA 95617

Yolo County Road 40

I oppose abandoning this road. It's a public road and should be maintained as such.
Carol J. Hanson

Dear Stephanie Cormier:

I am writing to urge that County Road 40 (Rayhouse Road) not be abandoned. As you know, Road 40, a public road all the way from Highway 16 to Morgan Valley Road in Lake County, provides access to the BLM and Yolo County public lands from the western side. Without this road, we--the many hikers, birders, hunters, campers, fishermen, and legal off-highway vehicle operators who use these areas--will lose access to tens of thousands of acres of public lands. Please oppose the abandonment and help retain this access.

Thank you very much.

Sincerely,

Cynthia Bates
Avid Hiker and Birder,
and 40-year Resident of Yolo County

Ms Cormier,

I am a Yolo County resident who actively utilizes the wonderful resources of the Cache Creek area in the vicinity of Rayhouse Road. I oppose the closure of this road to public access.

Please consider the recommendations by Andrew Fulks of Tuleyome.

<http://www.yolohiker.org/road40/Road40.pdf>

Thank you,
Dan Garrett

Consider this letter a formal request not to abandon C.R. 40. As Chief of the Capay Valley Fire District c.r. 40 is an intricate part of the access to that area. We are the first responders to the area for search and rescue, fire and E.M.S., this access is of utmost importance to our needs.

Abandonment of this road will not stop people from still trying to access the area and without this access our job will be that much harder. The first responders from the Lake County side at least have the ability to drive in the area, with the abandonment all entrance will be from this side because we are substantially closer.

Thank You for this consideration
Dan Garrison
Fire Chief
Capay Valley Fire District

Dear Ms. Cormier,

I am writing to express my opposition to Homestake Mining Company's application to abandon a portion of County Road 40 (Rayhouse Road) in Yolo County. If this is allowed, the public will lose access to the Fiske Creek and Blue Ridge southern trailheads, and the popular BLM campground at Buck Island will be closed. Road 40 is a public road all the way from Highway 16 to Morgan Valley Road in Lake County. If the road is abandoned, there will be no public access to the BLM and Yolo County public lands from the western side, **effectively shutting off tens of thousands of acres and very popular areas used by hikers, birders, hunters, campers, anglers, and legal off-highway vehicle users.**

Please block Homestake Mining company's attempt to abandon County Road 40.

Thank you,

Dana Stokes
Davis, CA

Dear Stephanie,

I am writing to voice my concern over the possible closure of Rayhouse Road. Closure of this road would block access to several great hiking destinations. I hope that public outcry will prevent this from happening.

Sincerely,
Diana Hayes, Esparto

Dear Ms. Cormier,

I fully agree with the arguments of Tuleyome concerning the closure of Road 40 to public access (see attached letter below). I have enjoyed the improving accessibility of the Cache Creek area and hope that you will only increase, but not curtail access to this wonderful public land.

Sincerely,

Edelgard Brunelle

Just heard about the proposed closure of the low-water bridge road and looked at the proposal on-line. While I am sure the mining company would love for less traffic across their land, one more lost easement/access to the beautiful capay valley hills is such a loss to those few of us who actually get out of our cars and access the hills--how big a burden can we have been to the mining company? I am opposed, of course.

Elizabeth Monroe, Capay Valley resident

Dear Ms Cormier,

I wanted to add my voice to those calling for continuing to maintain vehicle access to BLM land over road 40. There appear to be several options open to the county, that will not require the route to be abandon.

Sincerely,

Frank Havlik

Dear Ms. Cormier:

County Road 40 (Rayhouse Road) in Yolo County is very popular with and frequently used by nature lovers, including hikers, birders, hunters, campers and anglers. It would be a great shame for Yolo County to lose this road. I therefore very much oppose the proposed abandonment.

Sincerely,

Frank J.M. Verstraete
Davis, CA 95616

Being a serious hiker who lives in Yolo Co, I frequently use county road 40 as a way to get to many trail heads and campgrounds. Abandoning portions of this road is not in the best interest to the general public. Having no public access to our public lands is not right. Please protect public access to BLM, Lake, and Yolo Co trails. Deny this application by Homestake Mining Co. for the public good. I want to continue to hike in that area.

Thank you for taking the time to read this.

--

Gilberto Arriaga

"The way that you wander is the way that you choose".....Jeremiah Johnson

I am a yolo county resident & voter who supports continued access to the lands describf below & am against Homestake abandmment of Rd 40. Protect Access to BLM, Lake, and Yolo County Trails and Campgrounds
Helen Hanson

Please note that I am opposed to making Road 40 in Yolo County private. My family and I use that as access to some of our favorite hiking places. Please leave it available for the use of the greater amount of people. We are lucky to have these fabulous wild places so close to where we live. Please keep them available for our use.

Thank you for considering my position.

Kristi Tronoff
Davis, CA

Dear Ms Cormier:

As a resident of Rumsey, I think this plan to abandon the county road is misaligned with the larger goals to increase recreation in the Blue Ridge area. Without writing a dissertation on the topic (as Tuolomne Place and Dr., Bledsoe have accomplished so clearly) I simply want to also say that the lack of OHV access will create a huge problem for myself personally as I am the last occupied ranch before the Colusa line.

Why can the county not simply allow Homestead Mine or BLM or CalFire to bulldoze the road?

I encourage the county to come up with an alternate plan.

Open space trail access and OHV access are essential for our growing region.

Thank you for your consideration.

Sincerely,

Gage Hutchens

I understand there is a request from Homestake Mining that the county of Yolo abandon a section of Road 40.

I am opposed to that abandonment. We use that road to access the hiking areas around Blue Ridge, Fiske Creek and Buck Island. If the road is closed it is a long hike in from Highway 16 to the Fiske Creek

trailhead and quite an elevation gain. The hike to Buck Island is a very long ways with an even greater elevation gain...so much so that it would preclude many people from Buck Island, if not also Fiske Creek.

Jim Schrupp
Winters, CA

I strongly oppose the abandonment of County Road 40 through the Homestake Mining Property. I want continued access to the public lands along the Blue Ridge and Cache Creek. We have already lost the use of the low-water bridge. Please do not abandon this public right-of-way.

Thank you
Jean Shepard
Davis CA 95618

I have been using Ray House road for 20 years now as an access to public lands for hiking. The usage of that road indicates that it could not be made private at this late date after decades of public use. Each spring many many people anticipate their hikes into the country back there. It is a California resource that should be shared.

--

Jenella Loye
Dept. Entomology, Univ. California Davis
Carroll-Loye Biological Research
Davis CA 95616

Parks strongly advises the Planning Dept. to deny this application for the following reasons; The County Parks division is actively seeking grant funding for a variety of recreational opportunities that rely heavily on this road being opened as a connector to Yolo County Park land. Closing this road will make it much more difficult to attract the type of recreational user the county is seeking for this area such as hikers, bikers, bird watchers, hunters and off-road enthusiasts. Instead it will further encourage the myriad of problems the parks division staff has encountered such as illegal drug use and violent threats such as being shot at and threatened. The County promotes connection with wild lands, and this is a big one, especially with the low water bridge closed with no near future hope of reopening. However, even if the low water bridge was open, the Parks Division would not support the application to close this portion of the road and return public land to private land owners. The parks division has seen countless complaints from people trying to access this road and are very upset that their recreation portal (low water bridge) has been closed to vehicle traffic. Closing this portion of the road would have a similar affect. Many people called to complain that they use this as a back-country through-fare, often meeting friends for hunting, hiking and other strongly encouraged recreational uses. Closing any portion of this road will greatly reduce the amount of visitors to the wildlands because they will become very difficult to access. Closure of this road that is well used by park visitors because it is inconvenient for private land owners will deny the public the free access they currently have to nearby recreation. With the state economic problems more people are seeking recreational opportunities nearby and the parks division has seen a steady rise in visitors in the last three years with no sight of this trend stopping. Privatizing this road will ruin future opportunities that the County Parks is seeking for this area and strongly conflicts with measures we have set in place to provide public access and connectors to a wider range. It appears the applicant is having trouble getting

that portion of the road repaired because it is not on private property. However, that is faulty reasoning to close the road. The county works with volunteers all the time, and other arrangements could be made to provide good access along this road. The Napa County sheriff's hired to maintain and police the Knoxville OHV area. Here are their contact information: mark.brownlee@countyofnapa.org<<mailto:mark.brownlee@countyofnapa.org>> office 707-253-4448 and the Sergeant is: Mike Clark james.clark@countyofnapa.org<<mailto:james.clark@countyofnapa.org>> lake office 707-253-4637.

Good morning,

I understand the need to keep costs down during these difficult times, but i urge you to keep the access available that is afforded road 40 from Hwy 16 to Morgan Valley Road. This is vitally important thoroughfare for many public areas.

Regards,

JoAnn Saccato
Clearlake, CA 95422

Stephanie,

I am the scoutmaster for Boy Scout Troop 131 in Woodland. Two weeks ago we hiked from Cache Creek to the top of Fiske Peak. We had a great trip and plan to explore the rest of the area. Keeping County Road 40 a public road will allow us easy access to the entire area. My troop and I would hate to see access to the area cut off by a road abandonment.

Please consider me a resident against the road abandonment.

Thanks,

Joe Lynch
Scoutmaster, Troop 131
Woodland

As a nature lover and hiker, I oppose the abandonment of Rd. 40. My husband and I gave an easement through our property on the Napa County side, just to give access to Berryessa Peak to hikers. Do not shut down that road, as you will lose the campgrounds and many other opportunities for recreation activity.
Judy Ahmann

Dear Ms. Cormier,

My name is Julie Rose and I am Assistant Principal at Esparto K-8 School. I am a Girl Scout leader, PTA member, and grant writer. My husband and I own Fiddler's Green Farm.

Please do not allow Rayhouse Road to be abandon. I use this road on a regular basis to help low income students experience the great outdoors. When we have visitors, we use this road monthly for mountain bike riding and hiking.

I understand with budget cuts, it is hard to maintain open spaces, but this piece of land and open space directly affect the quality of my life.

Thank you for your time and attention to this matter.
Please keep Rayhouse Road public!

Julie Rose
Brooks, CA 95606

Dear Commission

I hereby request that the application for abandonment be denied. The affected area is too important to the citizens, to the environment and to the reputation of Yolo County to simply shut it off. . . .

I further request that Yolo County re-start discussions with the BLM over the BLM taking over maintenance of the County road through a Memorandum of Understanding. These discussions stopped after the departure of several county staff who had been working on this issue. These discussions need to

begin again and maintenance re-established from the Lake County line to the BLM facilities.

Respectfully, Terry R. Larson

I ask that Yolo County find a way to keep Road 40 open to allow continued access to public lands. Hundreds and perhaps thousands of people use these areas each year for a multitude of recreational needs. I have personal knowledge of these areas like Blue Ridge trail and Fiske Creek trail having written a hiking guide to Napa County and beyond. Last year the low water bridge over Cache Creek was closed to vehicles. I don't know the status this year but if it remains the same, and Road 40 is closed from the west, access to public lands from both the west and east would be limited or cut off. This would not be an acceptable situation and I trust there is a viable option out there.

Thank you
Ken Stanton
Angwin, Ca

Stephanie,

I was shocked to hear about the abandonment of Road 40. I'm not much of an activist, but this greatly effects me personally. I spend a lot of time in the hills directly adjacent to this road. I take my kids mountain biking here. My entire extended family has hunted on Blue Ridge for generations. Road 40 is the only feasible access to this area. For the last two years or so since the road at low water bridge is closed, road 40 is the only way to get into the area.

This is not a dangerous road as some of the documents show. I have driven it many times.

Please, keep this road open! Closing it will cause more problems than keeping it open.

The closure will only keep out the honest outdoors-men. I have personally spent many hours maintaining trails from this road. Trails that I would like to ride with my kids. The closure would force us to pack-up and drive clear to Auburn or all the way to Marin County to go mountain biking.

LANCE BUCK

WOODLAND, CA 95776

Dear Ms. Cormier: I oppose Homestake Mining Company's request that the public right-of-way on Road 40 be abandoned. Yolo County has incredible natural resources that are unappreciated because access to them is so difficult. Abandoning this right-of-way will only make access more difficult. As populations in Yolo County and surrounding counties continue to grow, recreational access will become more valuable. As land values increase, it will be more difficult to open up new recreational access. We need to protect all public access we now have, such as Road 40.

Thank you.

Mick Klasson
Davis, CA 95616

Dear Stephanie,

I just wanted to drop in a quick word about the proposed abandonment of Rayhouse Road - I really do hope that the county can keep the road open. In the past I've enjoyed both biking and driving out on Rayhouse Road to get to otherwise much more inaccessible areas in the Cache Creek Wilderness, and it

would be a true shame to deprive everyone of access to those areas...
Please
preserve the public's ability to explore the outdoors!

Thanks,
Mark Spiller
Davis, CA 95618

Dear Ms. Cormier,

As a resident of Yolo County, I am writing to oppose the abandonment of Road 40. This road is a public road all the way from Highway 16 to Morgan Valley Road in Lake Country. If this road is abandoned, there will be no public access to the BLM and Yolo County public lands from the western side. This will shut off tens of thousands of acres of very popular areas used by hikers, birders, hunters, campers, anglers and legal off-highway vehicle users.

Please register my opposition to this proposed abandonment of Road 40 (Rayhouse Rd.) in Yolo County, that was put forward by Homestake Mining Company.

Martha Teeter
Davis, CA 95616

Dear Ms. Cormier,

As a Yolo County resident and youth environmental education program coordinator, I strongly oppose the proposed abandonment of County Road 40 by the Homestake Mining Company. I sympathize with the company's desire to cut costs associated with maintaining such a road, but the loss of access to public lands (Fiske Creek and Blue Ridge southern trailheads, and BLM campground at Buck Island) would be counter-productive to County goals and would be a devastating blow to outdoor enthusiasts, including youth who will be the future stewards of our natural resources. Please oppose this action and instead resume talks with BLM to transfer maintenance of this important conduit to productive public lands.

With sincere regards,
Megan Harns
Davis resident
UC Davis employee

I am a resident of Yolo County and user of Road 40 for hiking purposes and request that the public right of way will be retained for this county road.

Sincerely
Hans Mueller

Davis, CA 95616

Dear Stephanie,

I am writing about the proposed closure/abandonment of Rayhouse Road/Road 40. As a person who helped build and has hiked the entire Blue Ridge Trail I am greatly distressed by this news.

This means that there will never be a working low water bridge and access points to wilderness trails and camping will be cut off.

As the only through road between Highway 16 and Morgan Valley Road, I cannot conceive of the thinking that would allow closure to come to pass.

I hope this does not go through.

Thank you,
David E. Gray
Woodland

Dear Ms. Cormier,

Thank you for the opportunity to comment on Zone File No. 2011-064, Abandonment of Road 40.

I oppose the application to abandon the public right of way on Road 40 through the Homestake Mining Company property. The application contravenes the public interest Bureau of Land Management (BLM) policy, and Yolo County policy. It must be denied and I urge staff to recommend denial of this application to the Planning Commission. If this is allowed, the public will lose access to the Fiske Creek and Blue Ridge southern trailheads, and the popular BLM campground at Buck Island would be closed. Road 40 is a public road all the way from Highway 16 to Morgan Valley Road in Lake County. If the road is abandoned, there will be no public access to the BLM and Yolo County public lands from the western side, effectively shutting off tens of thousands of acres and very popular areas used by hikers, birders, hunters, campers, anglers, and legal off-highway vehicle users. Everyone will lose if this goes through!

Taxpayer dollars and public volunteer time has been used to develop the regional trail system and campgrounds accessed by this road. Buck Island has two concrete pit toilets (identical to those at the Capay Open Space Park) that were installed to provide sanitation at this very popular campground. The Fiske Creek Campground has a fire pit and concrete picnic tables installed by the BLM. Blue Ridge and Fiske Creek trails were built by volunteers, and form a regional trail network (the only such network in Yolo County) that are also accessed by this road. We have heard discussion that people can 'simply' access Buck Island, Blue Ridge South, Fiske Creek Camp and Fiske Creek trail by walking in from the north over the low-water bridge at Highway 16. This argument is fallacious in that while it is technically possible, the distances and topography make it so unlikely that the end result is effectively the closure of these areas. For example, the route from the north to the Buck Island campground is a 10-mile trip, one way, with a 2000-foot elevation gain. Given that the campground is most popular during the summer, this waterless route would make use of the campground next to impossible for most families if they had to walk to the camp area.

I agree with Tuleyome recommendation that the application for abandonment be denied and that Yolo County re-start discussions with the BLM over the BLM taking over the maintenance of the County road through a Memorandum of Understanding.

Thank you,

Patricia Bryant
Davis, CA 95618

I oppose the abandonment of Road 40. Keep this public rd open for lands access

Phil summers

Dear Ms. Cormier,

I write to urge the Yolo County Planning and Public Works Department to oppose Zone File No. 2011-064, Abandonment of Road 40, for reasons outlined in the letter sent to you from Tuleyome President Andrew Fulks on January 15, 2012.

I appreciate your consideration of this request.

Kind regards,
Pilar Rivera
Davis, CA 95618

Dear Ms. Cormier,

I am writing to oppose the application by Homestake Mining Company that will result in closure of County Road 40. Environmental organizations in Yolo County have been working very hard to make public lands more accessible to the people who live in this area. As a 45-year resident of Yolo County, I support these endeavors fully and would like county government to support them also. Losing access via Road 40 would be a great step backward.

Sincerely yours,

Rebecca Ford

Dear Ms. Cormier,

I am writing to you in response to some news I got today about the possibility that County Road 40 may be closed. I am a local artist and I have created much work in that area and find it to be one of the most beautiful wilderness areas in the county. Please don't allow this land access to be blocked to all of those who enjoy it (for so many reasons).

I have set my easel up in there because I feel safer off the roads. Thank you for your time,

Rebecca Ryland

Stephanie Cormier

I have just recently become aware that Yolo County has requested comment on an application for "road abandonment" of County Road 40, the public roadway that runs from Highway 16 near Rumsey to the Lake County line, where it becomes Reiff Rd and shortly thereafter ends at Morgan Valley Rd.

I am very much opposed to this action by Yolo County. The closure would not only block access to Buck Island and the BLM campground but also areas around Blue Ridge and Fiske Creek that provide wonderful opportunities for hiking and just spending quiet, peaceful time in the "wilderness". I located in Lake country for just such access to open wild and peaceful places. I get great pleasure and it renews my soul when I hike, camp and take drives through this beautiful country.

I am well aware of the problems of maintaining roads as well as control and prevention of illegal activities in the area. But there must be better ways to deal with problems than to exclude law abiding and nature loving peaceful citizens from these public owned treasures. My great fear is that the biggest effect of abandoning this roadway will simply be to allow those who already often use the areas for illegal purposes, to have free reign to deface and abuse the areas with less supervision.

Please, I ask do not block public access to the area but instead find ways to work with BLM and Lake County in devising a better plan to deal with difficulties. We the people should have the right to enjoy the resources held in our trust.

I thank you for heeding our plea.

Robert Hess
Clearlake, CA 95422

Dear Ms. Cormier

A Homestake permit should not be allowed to keep us from using public areas. Please do not take action which will let this happen. Road 40 should remain a public road and access to Fiske Cr. and Blue ridge trailheads and the BLM campground at Buck Island should be preserved.

Bob Johnston
Davis, CA

Ms. Cormier:

Please keep Rayhouse (Road 40) open to public access. This road is needed to access BLM (public) lands in that area.

Please confirm receipt of this message.

Thank you,

Ron Oertel and Somkiat Ashton
Woodland, CA 95776

Hello Stephanie,

I want to add my comments to those of others who oppose abandoning Road 40. I've only been in California about a year and a half, but some of the first places I ventured were the Fisk Creek and Blue Ridge trails. Having access to these wildlands for hiking has been a huge benefit to me, and the people I've taken hiking up there. It has been wonderful to get to know the Inner Coast Range Mountains and see the beauty and biodiversity in this area. This is a phenomenal place for recreation and the public should have access to these lands WE all own in common. Having access to these special wildlands gives us the opportunity to learn more about the environment we live in, which fosters a sense of respect and stewardship for them. I think it is imperative that we celebrate, honor, and use these public lands, but we need access.

Thank you for considering my comments.

Sara Sevy Tremayne
Community Stewardship Coordinator, Putah Creek Council
Winters, CA 95694

I have two comments:

1) Rd 40 (Rayhouse) is already effectively closed since the bridge was closed two years ago and they have not replaced it. With less public use, the area will increasingly become home to illegal pot farms, which pose risks to both the public and the environment. A research team encountered an illegal pot farm in Davis Creek Cyn last year.

2) Rd 41 (Rumsey to Sand Cyn) has not been maintained for several years and has been impassable to all but the best 4WD vehicle. I had to abandon a bird survey route up there last year.

Steve Hampton

Please accept my comments on the application by Homestake Mining Company to abandon a portion of County Rd 40.

This road provides highly valued access to public lands, and I ask that the road remain open to facilitate public use of public lands.

Jeff TenPas
R5 Watershed Improvement Program Mgr

RE: Closure of Road 40 (Rayhouse Road)

Dear Ms. Cormier;

I am writing to encourage your department to recommend against closure (abandonment) of Rd. 40. I am a Lake County resident who enjoys using the public BLM lands between the Lake County line and Cache Creek. I have driven this road for years and know many other residents here in Lake County who also use this road for recreation and, until the low water bridge closure at Yolo County Park on Hwy 16, as a transportation route from Morgan Valley to the Sacramento Valley.

To abandon this road for the benefit of one corporation to the detriment of the public is to stand democracy on it's head. Public bodies such as the Board of Supervisors must take into account the greatest public benefit and good in making decisions such as this one. What does the county (and it's residents) stand to gain, and what do they stand to lose with the decision to abandon? The answer is clear to everyone who does not have a financial interest in the Homestake Mine.

Please encourage our public servants to do their job well. Do not abandon this public right-of-way.

Sincerely,

Tom McFarling
Lower Lake, CA

Dear Ms. Cormier:

I am a former Yolo County Supervisor and currently a City Councilman in Woodland. I have worked for years to open public lands to public access. Probably no single Yolo County Road is more important for this purpose than County Road 40. It is only in recent years that hikers, birders and other lovers of nature have become aware of the tremendous natural resources and beauty available to all of us in the pristine areas reached by County Road 40. Yes, the road is in terrible condition; yes, low water bridge needs to be replaced. But it would be the height of foolishness to yield the only right of way that allows the public to access some of these more remote areas so that they can be enjoyed. It is clear to me that our future economic development is going to include tourism. The enjoyment of our natural beauty is a key component of the strategy that will bring people here. We should not give up this important right of way for selfish or self-interested reasons that will deny public access to remote public lands. Be assured, if the county were to do this, a day will come when the right of way will have

to be purchased back. We should be seeking a solution to the bridge replacement and some modest level of grading that will make County Road 40 more usable. Thank you for considering my views.

Tom Stallard
Legislative Intent Service, Inc.

Dear Stephanie Cormier,

There is currently an application by Homestake Mining Company to abandon a portion of County Road 40 (Rayhouse Road) in Yolo County. If this is allowed, we will lose access to the Fiske Creek and Blue Ridge southern trailheads, and the popular BLM campground at Buck Island would be closed. Road 40 is a public road all the way from Highway 16 to Morgan Valley Road in Lake County. If the road is abandoned, there will be no public access to the BLM and Yolo County public lands from the western side, effectively shutting off tens of thousands of acres and very popular areas used by hikers, birders, hunters, campers, anglers, and legal off-highway vehicle users.

Everyone will lose if this goes through!

I urge you to deny the application.

We still want access to our public lands and I oppose the abandonment of Road 40!

Thank you,

Veronica

Veronica Stanton
Davis, CA 95618

Dear Ms. Cormier,

Thank you for the opportunity to comment on Zone File No. 2011-064, Abandonment of Road 40.

I am a private person living in Lake County and I oppose the application to abandon the public right of way on Road 40 through the Homestake Mining Company property. I do not believe that this closing of Road 40 is in the public interest. It must be denied and we urge staff to recommend denial of this application to the Planning Commission.

The closing of this portion of road 40 would effectively cut off Lake county from BLM-managed public lands along the Blue Ridge and Cache Creek within Yolo County. The roads and trails are very popular for hiking, camping, birding, hunting, mountain biking, dual-sport motorcycles and off road vehicles.

I agree with the letter and arguments put forward by the Tuleyome organization.

Please do not close this road!

Ellen Lundquist
Lower Lake, CA 95457

Hi Stephanie,

I have a B&B at the head of Rumsey Canyon, near the rafting and kayaking pullouts. Closure of Rd 40 would definitely impact my business, since many of my guests/proposed guests are kayakers accessing Cache Creek and Buck Island via that road.

When I first talked to the county planning agency about renewing the license for my B&B (Cache Creek Inn), I was told that Yolo County was encouraging agri-business and related recreational opportunities. Indeed, I have found working with the planning dept a pleasure, and thought we shared common goals. There are few businesses in the upper end of the valley. During the winter, I have very few guests; but as I said, I depend on rafters and kayakers during the summer. People come from all over the Bay Area to kayak the upper stretches of Cache Creek and they pull out near my B&B. They use Buck Island campground and the surrounding areas for camping and recreation.

In addition, I use those areas myself, jogging and hiking along the road and up to the Frog Pond. I plan to lead naturalist hikes in that region for my guests.

Please do not close that road!!

Thank you

Camilla Barry, Founder
Classrooms Across Cultures
President, Barry Scientific
Owner, Cache Creek Inn

Dear Ms. Cormier, I am writing to show my support to keep County Road 40 (Rayhouse Road) open to the public. Sorry for the tardiness of this note, but the news took a while to reach me in Oregon. My partner and I recently lived 8 years in Yolo County, and used County Road 40 for access to trailheads, birding, camping, and stargazing. We even crossed the entire road once from Lake County to the low water bridge. Though we always found solitude, we saw that Road 40 allowed access for a variety of outdoor enthusiasts. It would be a shame to lose eastern access to this wonderful natural resource area. Please keep County Road 40 open!

Thank You, Tim Ramirez

Dear Ms. Cormier:

County Road 40 (Rayhouse Road) in Yolo County is very popular with and frequently

used by nature lovers, including hikers, birders, hunters, campers and anglers. It would be a great shame for Yolo County to lose this road. I therefore very much oppose the proposed abandonment.

Sincerely,

Joe Clemens