

**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL
Meeting of September 12, 2006**

AGENDA TITLE: General Vacation #2005-03; County Road 2011 (old Mt. Aukum Road and bridge); Assessor's Parcel Numbers 093-032-24-100 and 093-032-34-100; Stargazer Ranch, LLC

DEPARTMENT: Transportation

CONTACT: Deborah Gruber

DATE: 9/5/2006

PHONE: 6519

DEPT SIGNOFF:



CAO USE ONLY:

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:

The Department of Transportation recommends the Board of Supervisors:

1. Conduct a public hearing to receive testimony on the proposed general vacation; and
2. If, at the conclusion of the public hearing, the Board of Supervisors elects to vacate the roadway, adopt the resolution and authorize the Chairman to execute the Resolution of Vacation and subsequent Quitclaim Deeds.

CAO RECOMMENDATIONS:

Financial impact? () Yes (X) No

Funding Source: () Gen Fund () Other

BUDGET SUMMARY:

Total Est. Cost _____

Funding

Budgeted _____

New Funding _____

Savings _____

Other _____

Total Funding _____

Change in Net County Cost

Other:

CAO Office Use Only:

4/5's Vote Required () Yes () No

Change in Policy () Yes () No

New Personnel () Yes () No

CONCURRENCES:

Risk Management _____

County Counsel _____

Other _____

***Explain**

BOARD ACTIONS:

Vote: Unanimous _____ Or

Ayes:

Noes:

Abstentions:

Absent:

Rev. 04/05

I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors

Date: _____

Attest: Cindy Keck, Board of Supervisors Clerk

By: _____



MAINTENANCE DIVISION:
2441 Headington Road
Placerville CA 95667
Phone: (530) 642-4909
Fax: (530) 642-9238

RICHARD W. SHEPARD, P.E.
Director of Transportation

Internet Web Site:
<http://co.el-dorado.ca.us/dot>

MAIN OFFICE:
2850 Fairlane Court
Placerville CA 95667
Phone: (530) 621-5900
Fax: (530) 626-0387



September 5, 2006

Board of Supervisors
330 Fair Lane
Placerville, California 95667

**Title: General Vacation #2005-03;
County Road 2011 (old Mt. Aukum Road and bridge);
Assessor's Parcel Numbers 093-032-24-100 and 093-032-34-100;
Stargazer Ranch, LLC**

Meeting Date: September 12, 2006

Dear Members of the Board:

District/Supervisor: II / Helen Baumann

Recommendations:

The Department of Transportation recommends the Board of Supervisors:

1. Conduct a public hearing to receive testimony on the proposed general vacation; and
2. If, at the conclusion of the public hearing, the Board of Supervisors elects to vacate the roadway and bridge, as described in Exhibit "A" and depicted in Exhibit "B", adopt the resolution and authorize the Chairman to execute the Resolution of Vacation and Quitclaim Deeds.

Reasons for Recommendations:

The General Vacation of County Road 2011 (old Mt. Aukum Road and bridge) was previously proposed and heard by both the El Dorado County Planning Commission and the El Dorado County Board of Supervisors in 2002; however, no action was taken at that time.

There is an extensive history related to this proposed General Vacation. The most recent action was presented to the Board by Resolution of Intention to Vacate, which was held July 18, 2006 in the Board chambers. Previously, the Planning Commission held a Finding of Consistency to the General Plan in a public hearing on November 17, 2005, after which the Department of Transportation (DOT) contacted officials from the Bureau of Land Management (BLM) in an effort to address the issues presented by the Planning Commission. Currently, a plan for alternative access to the "swimming hole" area has been agreed to by both the BLM and the DOT. This plan would include improvements to a roadside parking area and trail to the river on public land, generally as shown on the attached Exhibit "C".

Your Board has elected to set this matter for a public hearing, and the issues raised by the Planning Commission have been sufficiently addressed.

The Department of Transportation's interest in vacating said road and bridge lie in the maintenance and liability for both. Pending the approval of the general vacation, the public no longer retains the right of passage on said road and bridge, that said road is not useful as a non-motorized transportation facility. Likewise, the County will not be responsible for the maintenance of the roadway and bridge structure. The Department of Transportation has no objection to the proposed abandonment and requests that, in the event your Board approves of the General Vacation of County Road 2011 (old Mt. Aukum Road and bridge), your Board will adopt the Resolution of Vacation and authorize the Chairman to sign said Resolution and subsequent Quitclaim Deeds.

Fiscal Impact:

None.

Net County Cost:

There is no net County Cost.

Action to be Taken Following Approval:

1. Upon approval of the proposed general vacation, the Resolution of Vacation and Quitclaim Deeds will be recorded.
2. A copy of the recorded Resolution of Vacation and Quitclaim Deeds will be mailed to the affected property owners.

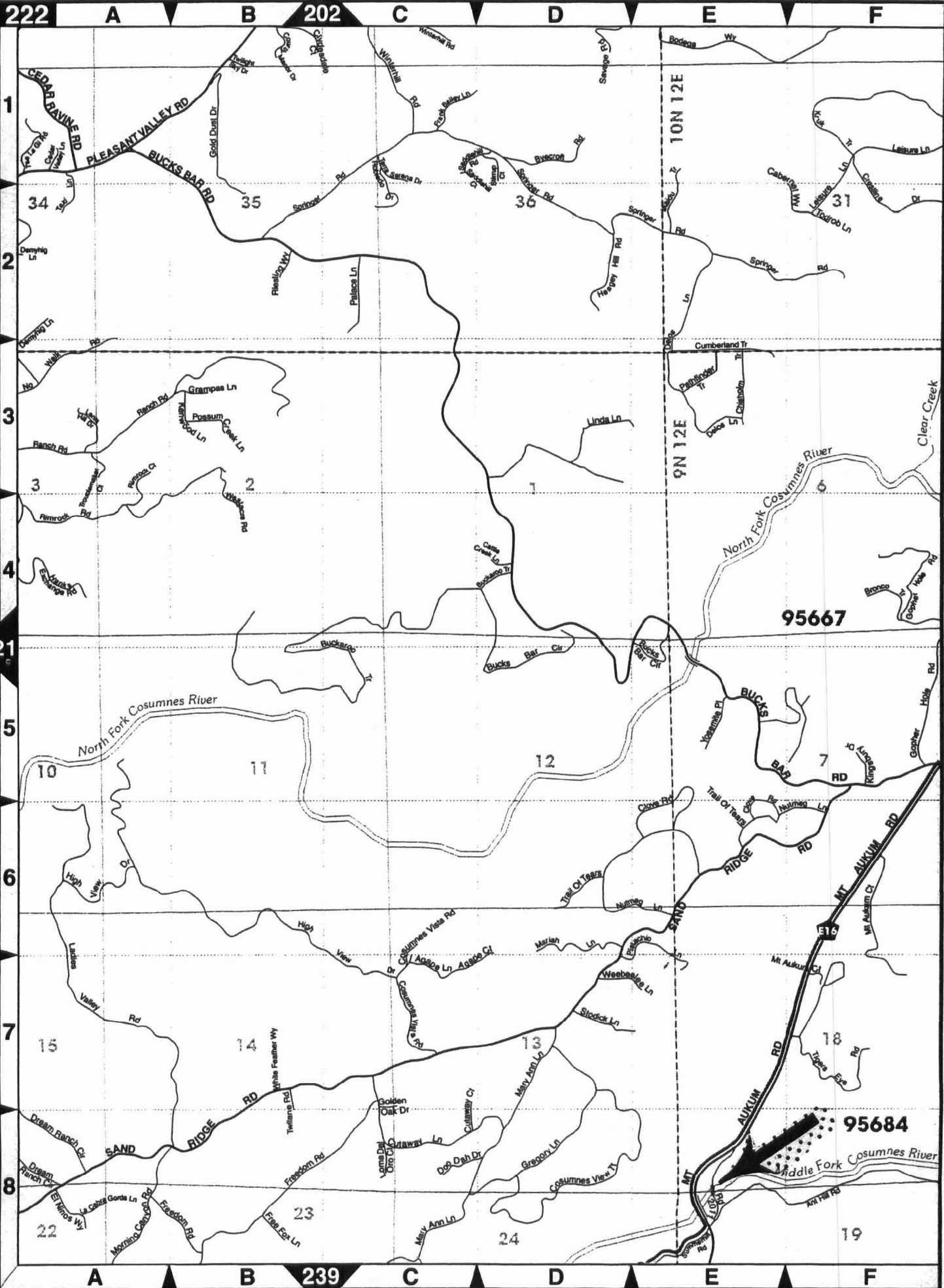
Sincerely,



James W. Ware
Deputy Director, Transportation Planning and Land Development, for
Richard W. Shepard, P. E.
Director of Transportation

JWW/PF: dg

Attachments: Vicinity Map
Resolution of Vacation
Exhibits
Quitclaim Deeds



EL DORADO COUNTY

See Page 221

DATE 9-6-06

Contract #: _____
Item Submitted: _____

ATTORNEY Dave & Livingston

DEPT./INDEX NO. 306300

BY: lp

CONTRACT ROUTING SHEET

PROCESSING DEPARTMENT: DOT

Department: Transportation
Dept. Contact: Debbie Gruber
Pete Feild

Phone: XT 6519 / 7666

Department Head
Signature: [Signature]

James W. Ware, Deputy
Director, Transportation
Planning and Land
Development, for
Richard W. Shepard, P.E.
Director of Transportation
(530) 621-5981

CONTRACTOR:

General Vacation; County
Road 2011 (old Mt. Auburn
Road and bridge);

Name: _____

Assessor's Parcel Numbers
093-032-24-100 and 093-032-
34-100; Stargazer Ranch, LLC

Address: _____

Phone: _____

EL DORADO C
COUNTY COUNSEL
SEP - 6
2006

CONTRACTING DEPARTMENT: Transportation

Compliance with Human Resources requirements? Yes: _____ No: _____

Compliance verified by: _____

COUNTY COUNSEL: (must approve all contracts and MOUs)

Approved: Disapproved: _____ Date: 9/6/06 By: [Signature]

Approved: _____ Disapproved: _____ Date: _____ By: _____

* CONDITIONAL APPROVAL: SUBJECT TO NOTICED CHANGES, INCLUDING INCLUSION OF LANGUAGE REQUIRED BY SH 8314 AND REVISION TO THE STATED BOARD ACTION. PLEASE ALSO PROVIDE STAFF REPORT ACCORDINGLY.

9/6 - Corrections made as noted [Signature]

PLEASE FORWARD TO RISK MANAGEMENT **NA**

Index Code: 306370	User Code: 33225
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RISK MANAGEMENT:

Approved: Disapproved: _____ Date: 9/6/06 By: [Signature]

Approved: _____ Disapproved: _____ Date: _____ By: _____

OTHER APPROVAL (Specify department(s) participating or directly affected by this contract).

Department(s): _____

Approved: _____ Disapproved: _____ Date: _____ By: _____

Approved: _____ Disapproved: _____ Date: _____ By: _____



RESOLUTION NO. _____
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
RESOLUTION OF VACATION
General Vacation #2005-03
County Road 2011 (old Mt. Aukum Road and bridge)
Assessor's Parcel Numbers
093-032-24 and 093-032-34
Stargazer Ranch, LLC

WHEREAS, on April 21, 1857, the Board of Supervisors declared County Road 2011 (formerly Mt. Aukum Road 78) to be a public highway; and

WHEREAS, the Mt. Aukum bridge (formerly known as Bryan's Bridge) was constructed in the 1920's; and

WHEREAS, said road and bridge are part of the County maintained road system; and

WHEREAS, Mt. Aukum Road and its bridge crossing the Cosumnes River was relocated by the County in the late 1960's; and

WHEREAS, on October 23, 2001, a complaint was filed by previous property owners, Wesley and Suzanne Hagstrom, with the Superior Court of California, in the County of El Dorado against the County of El Dorado to petition that the public's use of the roadway and bridge be terminated; and

WHEREAS, the Board of Supervisors directed the Department of Transportation to initiate and determine the practicality of vacating County Road 2011 (old Mt. Aukum Road and bridge); and

WHEREAS, a hearing was held on July 11, 2002 by the El Dorado County Planning Commission pursuant to the requirements of Government Code 65402, the meeting minutes of which was submitted to the Board of Supervisors as part of the agenda item to consider this resolution, and which reflect that the Planning Commission found the proposed vacation of said road and bridge to be inconsistent with the 1996 General Plan; and

WHEREAS, the Department of Transportation also reviewed the proposed General Vacation and determined that there are no plans to extend or expand said road or bridge, and had no objection to said proposed vacation; and

WHEREAS, on August 13, 2002, the County of El Dorado Board of Supervisors approved and adopted a Resolution of Intention to Vacate and set a date for a public hearing to be held on September 17, 2002; and

WHEREAS, on September 17, 2002, the Board of Supervisors held a public hearing for the Resolution of Vacation of County Road 2011, and after hearing public testimony, the Board of Supervisors did not take any action on the Resolution; and

WHEREAS, on October 1, 2002, a Judgment by Default Terminating Public Easement was entered in favor of Wesley and Suzanne Hagstrom by Judge Patrick J. Riley in Superior Court Case No. PC20010599 and a dispute immediately arose between the County and the Hagstroms' successors in interest (Jeremy and Brenda Wagner), as to whether Judge Riley's order would allow gating of County Road 2011, at its intersection with Mt. Aukum Road; and

WHEREAS, on May 19, 2004, Jeremy and Brenda Wagner, as Stargazer Ranch, LLC, the current owner of the abutting property, filed Superior Court Case No. PC20040244 the main objective of which was to adjudicate an interpretation of Judge Riley's default judgment of October 1, 2002, in a manner which would allow the plaintiff to gate off public access to County Road 2011, while allowing access to the County for maintenance purposes; and

WHEREAS, in June of 2005, the Board of Supervisors directed the Department of Transportation to initiate and determine the practicality of vacating County Road 2011 (old Mt. Aukum Road and bridge); and

WHEREAS, on June 21, 2005, the Department of Transportation requested that the Planning Department provide an updated Finding of Consistency, as the new property owners were pursuing a settlement agreement with the County; and

WHEREAS, on June 22, 2005, the Board of Supervisors received a letter from George Hills Company, Inc., the liability claims administrator for the County, outlining the recommendations to approve the settlement agreement (Superior Court Case No. PC20040244), including authorization to proceed with General Vacation proceedings; and

WHEREAS, on July 25, 2005, pursuant to prior approval by the Board of Supervisors, the Mutual Release and Settlement Agreement between the County and Stargazer Ranch, LLC, was fully executed by the parties. Among other relevant particulars, the settlement is "conditioned upon the County abandoning . . . County Road 2011 (also known as Paradise Ranch Road) and the bridge across the Middle Fork of the Consumnes River on the Old Mt. Aukum Road."; and

WHEREAS, on August 9, 2005, Planning Department staff and staff from General Services Parks and Recreation Department conducted a site visit to assess the area and consider whether the proposed vacation of the road easement could be found consistent with the 2004 General Plan; the resulting staff report, attached hereto as Exhibit "C", found the proposed vacation consistent with the 2004 General Plan; and

WHEREAS, on November 17, 2005, the Planning Commission reviewed the Planning Department's staff report on the Finding of Consistency/Abandonment of Easement relative to County Road 2011, and conducted a hearing to consider the issue, at which, the Planning Commission found the proposed vacation of the public road easement not consistent with the 2004 General Plan; a motion to find the proposed vacation consistent with the General Plan failed by a vote of 3-2, a copy of the meeting minutes is attached hereto as Exhibit "D"; and

WHEREAS, the Department of Transportation has determined that there are no plans to extend, widen or improve said road and bridge, that said road and bridge is no longer necessary for public purposes, and that said road is not useful as a non-motorized transportation facility and therefore, has no objection to said vacation; and

WHEREAS, the Board of Supervisors has considered the Planning and Transportation Department's reviews and recommendations, and has determined that County Road 2011 (old Mt. Aukum Road and bridge) is not necessary for present or prospective public use, that said road is not useful as a non-motorized transportation facility, and that the proposed vacation appears to be in conformity with the 2004 General Plan; and

WHEREAS, in accordance with the requirements of Section 8320 of the California Streets and Highways Code, on July 18, 2006, the Board of Supervisors adopted a Resolution of Intention to Vacate County Road 2011 (old Mt. Aukum Road and bridge), and established the date for a public hearing on September 12, 2006; and

WHEREAS, in accordance with the requirements of Section 8322 of the California Streets and Highways Code, the Clerk of the Board of Supervisors published notices of said public hearing two (2) weeks prior to said hearing; and

WHEREAS, in accordance with the requirements of Section 8323 of the California Streets and Highways Code, notices of said hearing were posted on August 28, 2006; and

WHEREAS, notices of said hearing were mailed to all affected property owners and interested parties; and

NOW, THEREFORE BE IT RESOLVED, that the County of El Dorado Board of Supervisors, pursuant to Section 8320, et seq. of the Streets and Highways Code, declares that from and after the date this Resolution is recorded, said roadway and bridge as described in Exhibit "A" and depicted in Exhibit "B", is hereby vacated and no longer constitutes a public roadway and bridge.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____, 2006, by the following vote of said Board:

ATTEST
CINDY L. KECK
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By _____
Deputy Clerk
JAMES R. SWEENEY, Chairman
Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE _____

ATTEST: CINDY L. KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California

By _____ Deputy Clerk

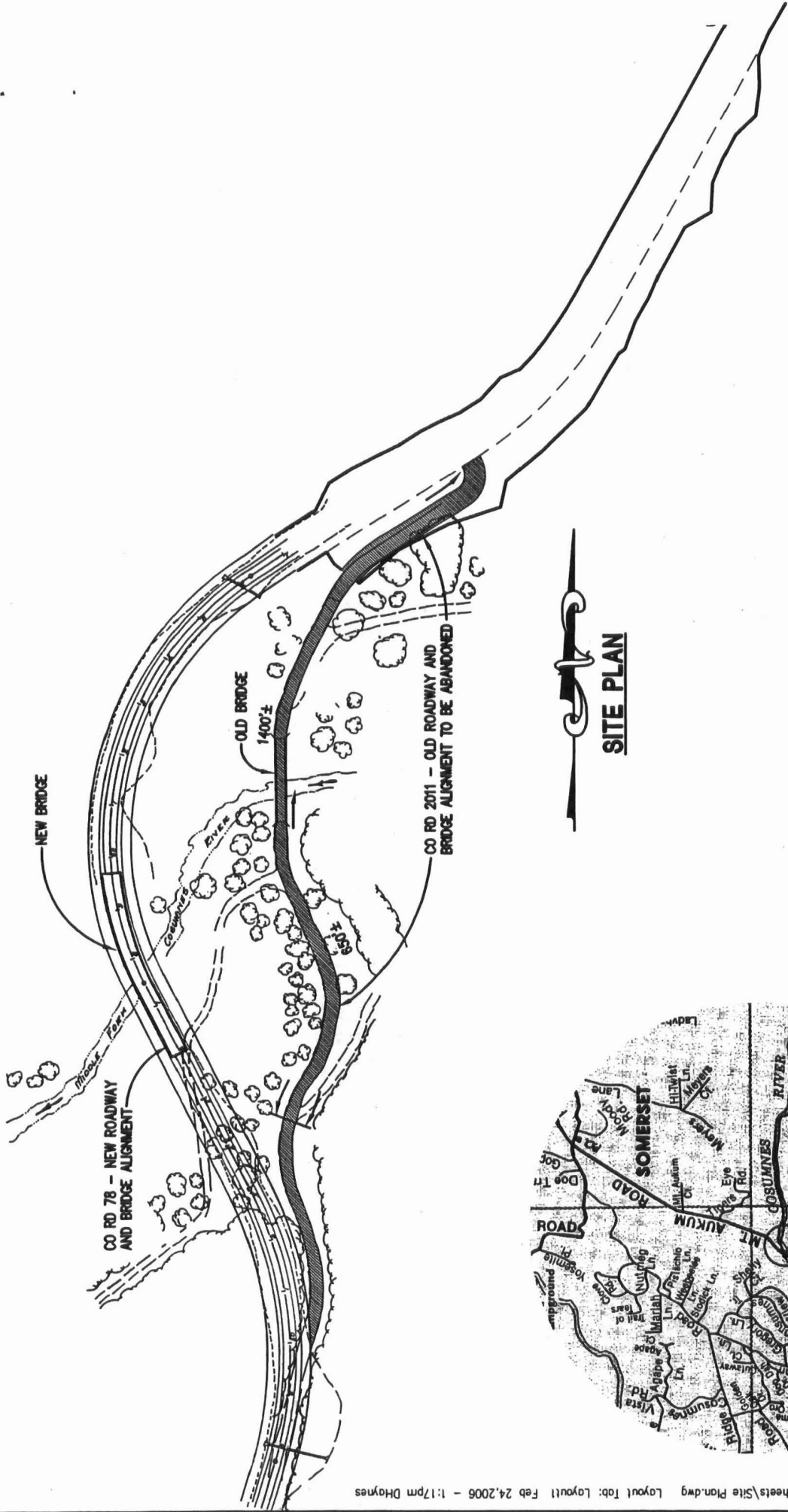
EXHIBIT 'A'
LEGAL DESCRIPTION
FOR ROAD ABANDONMENT

All that portion of the southwest quarter of Section 18, and the northwest quarter of Section 19, Township 9 North, Range 12 East, M.D.M., County of El Dorado, State of California, more particularly described as follows:

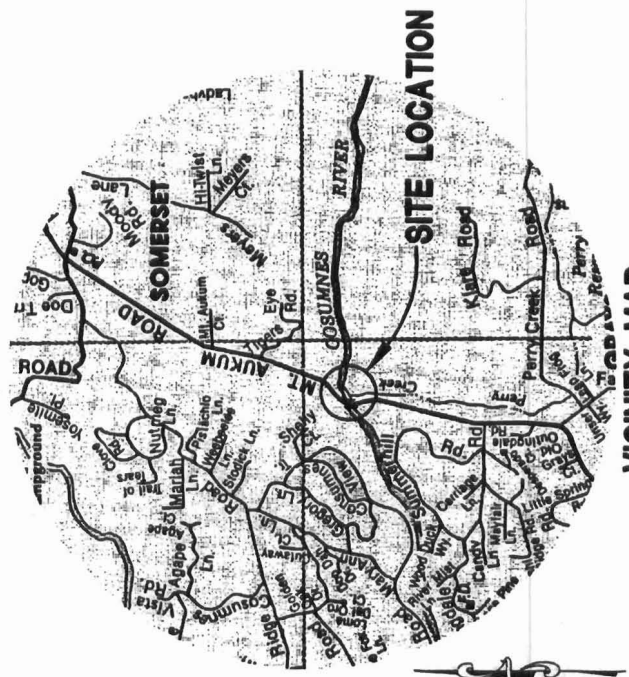
That portion of County Road 2011, as said road is shown on the right-of-way map titled "Road No. P-78 FAS 1234(5)", sheets 3 and 4 (of 8 sheets), on file in the El Dorado County Department of Transportation, lying easterly and southeasterly of the easterly traveled way of Mount Aukum Road, being 0.32 miles in length.

See attached Exhibit 'B'.





SITE PLAN



VICINITY MAP

**COUNTY ROAD 2011
 (OLD Mt. AUKUM ROAD & BRIDGE)
 NOT TO SCALE**

Exhibit "C"

Agenda of: November 17, 2005

Item No.: 7.b.

Staff: John Heiser

STAFF REPORT
FINDING OF CONSISTENCY/ABANDONMENT OF EASEMENT

APPLICANT: El Dorado County Department of Transportation

REQUEST: Request to make an updated General Plan Finding of Consistency relative to the abandonment of the old Mt. Aukum Road Bridge, County Road, and public utility access easement.

LOCATION: The subject easement and old bridge over the Middle Fork of the Cosumnes River are located on the east side of Mt. Aukum Road, approximately one-half mile north of the intersection of Mt. Aukum Road and Fairplay Road, in the Mt. Aukum area. (Exhibit A)

APN: 093-032-24 and 34 (Exhibit B)

ENVIRONMENTAL DOCUMENT: Exempt pursuant to Section 15060 of the CEQA Guidelines.

SUMMARY RECOMMENDATION: Find abandonment consistent with the 2004 General Plan.

BACKGROUND: The request for General Plan Finding of Consistency relative to the abandonment of old Mt. Aukum Bridge, County Road, and public utility access easement located on private property has been previously heard at both the Planning Commission and Board of Supervisors. The first time the item was heard at the Planning Commission meeting held on July 11, 2002, Planning staff recommended the request be found consistent with the text and maps of the 1996 General Plan as amended through February 4, 1999. However, The Planning Commission voted unanimously that the proposed abandonment was not consistent with the General Plan based upon access, maintenance, and fire hazard. (Exhibit C)

Chronological order of the case:

- On October 23, 2001, initial complaint filed (PC20010599). The complaint alleged the public uses exceeded those normally allowed within a road easement (such as vehicles being abandoned, litter, and illegal camping on the plaintiff's property); and in that complaint, petitioned the Court to terminate the County's and public's use of County Road 2011.

July 11, 2002, the Planning Commission received a staff report on the Finding of Consistency/Abandonment of Easement relative to old Mt. Aukum Road and Bridge. The Planning Commission found abandonment of the public road easement inconsistent with the General Plan.

- On September 17, 2002, the Board of Supervisors held a public hearing for the Resolution of Intention to Vacate County Road 2011 (old Mt. Aukum Road and bridge). After hearing public testimony, the Board of Supervisors did not take any action on the Resolution. (Exhibit D)
- On October 1, 2002, a Judgment by Default Terminating Public Easement was entered in favor of Wesley and Suzanne Hagstrom by Judge Patrick J. Riley in Superior Court Case No. PC2001 0599 (Exhibit E). A dispute immediately arose between the County and the Hagstroms' successors in interest as to whether Judge Riley's order would allow gating of Road 2011 at its intersection with Mt. Aukum Road.
- On May 19, 2004, Jeremy and Brenda Wagner, as Stargazer Ranch, LLC, the current owner of the abutting property, filed Case No. PC20040244 in El Dorado Superior Court, the main aim of which was to adjudicate an interpretation of Judge Riley's default judgment of October 1, 2002, in a manner which would allow the plaintiff to gate off public access to Road 2011, while allowing access to the County for maintenance purposes.
- On June 21, 2005, the Department of Transportation requested Planning Services to provide an updated Finding of Consistency since the new property owners are pursuing a settlement agreement with the County.
- On June 22, 2005, the Board of Supervisors received a letter from George Hills Company, Inc., outlining the recommendations to approve the settlement agreement, including authorization to proceed with General Vacation proceedings. (Superior Court Case No. PC20040244) (Exhibit F)
- July 25, 2005, pursuant to prior approval by the Board of Supervisors, the Mutual Release and Settlement Agreement between the County and Stargazer Ranch, LLC, is fully executed by the parties. Among other relevant particulars, the settlement is "conditioned upon the COUNTY abandoning...County Road 2011 (also known as Paradise Ranch Road) and the bridge across the middle fork of the Cosumnes River on the Old Mount Aukum Road."
- August 9, 2005, Planning staff and staff from General Services Parks and Recreation Department conducted a site visit to assess the area and consider whether the proposed abandonment of the road could be found consistent with the 2004 General Plan.

STAFF ANALYSIS

Project Description: Request to make an updated General Plan Finding of Consistency relative to the abandonment of the old Mt. Aukum Road Bridge and road and public utility access easement located on privately owned property.

Site Description: The area surrounding the old Mt. Aukum Road Bridge has variable topography ranging from gentle to steep slopes. Vegetation includes riparian vegetation along the Middle Fork Cosumnes River, grasslands, and scattered oak woodlands. Residential and agricultural related land uses surround the site. The County Bridge and road abandonment in question is an older segment of Mt. Aukum Road. During the late 1960's early 1970's, the El Dorado County Department of Transportation completed construction of a new bridge crossing over the Middle Fork of the Cosumnes River for Mt. Aukum Road (Exhibit G). This old right-of-way and road has been historically used by the public to access the Middle Fork of the Cosumnes River for recreational purposes.

When County Road 78 (new Mt. Aukum Road and alignment) and new bridge were constructed approximately 30 years ago, the southern portion of County Road 2011 (south of the Middle Fork of the Cosumnes River) was abandoned by the County due to the new County Road realignment and grade change. The remaining length of County Road 2011 including the old Mt. Aukum Bridge is approximately 1,400 feet.

Access to County Road 2011 and the old Mt. Aukum Bridge is from County Road 78 on the north side of the Middle Fork of the Cosumnes River.

General Plan: In implementing the General Plan, it must be applied comprehensively. No single component (map, goal, objective, or policy) can stand alone in the review and evaluation of a development project. Conversely, the absence of a specific policy enabling a particular aspect of a project is generally not grounds for a finding of General Plan inconsistency. Projects inherently raise policy issues. It is the task of the decision makers to analyze project benefits and impacts against the General Plan as a whole.

There are no specific General Plan policies which apply to the vacation or abandonment of a roadway. However, the following General Plan policies are relevant to this Commission's determination of whether abandonment of this road would be consistent with the General Plan: Policy 6.2.3.1, TC-4h, 7.6.1.1(C), 9.1.2.8, 9.1.3.2 and 9.1.3.3; policies that deal with the provision of adequate roadway access and that deal with the provision of recreational opportunities along rivers and streams. The access concerns have been addressed through the development of the settlement agreement between the County and the Wagners; the recreational opportunity issues have been adjudicated, and the judge found that any public right to obtain river access along Wagner's property had been extinguished because the public had abused and exceeded any easement rights that it had.

A. ACCESS:

Policy 6.2.3.1: “As a requirement for approving new development, the County must find, based on information provided by the applicant and the responsible fire protection district that, concurrent with development, adequate emergency water flow, fire access, and fire fighting personnel and equipment will be available in accordance with applicable State and local fire district standards.”

Discussion: This policy is not directly applicable to the project before you, since no new development is proposed. However, it is relevant because some of the parcels that are located near old Mt. Aukum Bridge and County Road 2011 have future subdivision potential, and those future decisions would be subject to this policy.

This proposed abandonment can be found consistent to the policy because pursuant to the Settlement Agreement, the Wagners are required to provide access easement rights to all property owners with historical access to County Road 2011 including the old Mt. Aukum Bridge and to provide access to other agencies and departments in the need for law enforcement and fire protection in accordance with current fire safe standards and County rules.

Therefore, the Settlement Agreement regarding access resolves the issues related to Policy 6.2.3.1 if the access easement rights are recorded for all property owners with historical access to County Road 2011 and old Mt. Aukum Bridge.

B. RECREATION

Policy TC-4h: “Where hiking and equestrian trails abut public roads, they should be separated from travel lanes whenever possible by curbs and barriers (such as fences or rails), landscape buffering, and spatial distance. Existing public corridors such as power transmission line easements, railroad rights-of-way, irrigation district easements, and roads should be put to multiple use for trails, where possible.”

Policy 7.6.1.1(C): “Maintain areas of importance for outdoor recreation including areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes including those providing access to lake shores, beaches and rivers and streams; and areas which serve as links between major recreation and open space reservations including utility easements, banks of rivers and streams, trails and scenic highway corridors.”

Policy 9.1.2.8: “Integrate and link, where possible, existing and proposed National, State, regional, County, city and local hiking, bicycle, and equestrian trails for public use.”

Policy 9.1.3.2: “On public lands and where trails can be developed, maintained, and managed, a system of trails along the American and Cosumnes River systems may be created to increase public access to scenic waterways.”

Policy 9.1.3.3: “Coordinate with Federal, State, other agencies, and private landholders to provide public access to recreational resources, including rivers, lakes, and public lands.”

Discussion: These policies generally address the need for recreation facilities and the development of access along major streams and rivers. The main issue is related to the potential loss of public access to the Cosumnes River from County Road 2011 and old Mt. Aukum Bridge. However, the road does not directly abut the river. To get from the road to the river, members of the public have to cross private property belonging to Mr. Wagner. On October 1, 2002, Judge Patrick J. Riley ruled that the public’s use of Wagner’s property to obtain river access is trespassory and that the access rights of the County and the public at large are terminated as a result of the overburdening of Wagner’s property. Thus, the closing of Road 2011 can be found to not conflict with the access policies, since the public cannot legally get from the roadway down to the river in light of Judge Riley’s ruling. In addition, there are other nearby access points to Middle Fork of the Cosumnes River from County Road 78; County Road 2011 and old Mt. Aukum Bridge were not the only potential access to that stretch of the river.

Agency and Public Comments: The agencies responding to this application had no specific concerns regarding the proposed abandonment.

Previous comments from the public are summarized in the public hearing minutes from the Board of Supervisors (Exhibit D). In addition, at the time of the preparation of this report, staff had not received any comments from the public. New issues may arise as a result of the public notice of the hearing which will be discussed at that time.

ENVIRONMENTAL REVIEW

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15060 of the CEQA Guidelines stating that the activity is not a project defined under Section 15378 of the CEQA Guidelines.

RECOMMENDATION

Staff recommends the Planning Commission find the proposed abandonment of the old Mt. Aukum Bridge and County Road 2011 easement on Assessor’s Parcel Numbers 093-032-24 and 093-032-34 consistent with the adopted 2004 General Plan.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1 - Findings

Exhibit A - Vicinity Map

Exhibit B - Assessor Map Page

Exhibit C - Planning Commission Minutes, July 11, 2002

Exhibit D - Department of Transportation General Vacation Staff Report #2002-02 County Road
2011 (old Mt. Aukum Road and Bridge)

Exhibit E - Superior Court Case PC20010599

Exhibit F - Letter from George Hills Company Inc., outline of settlement agreement.

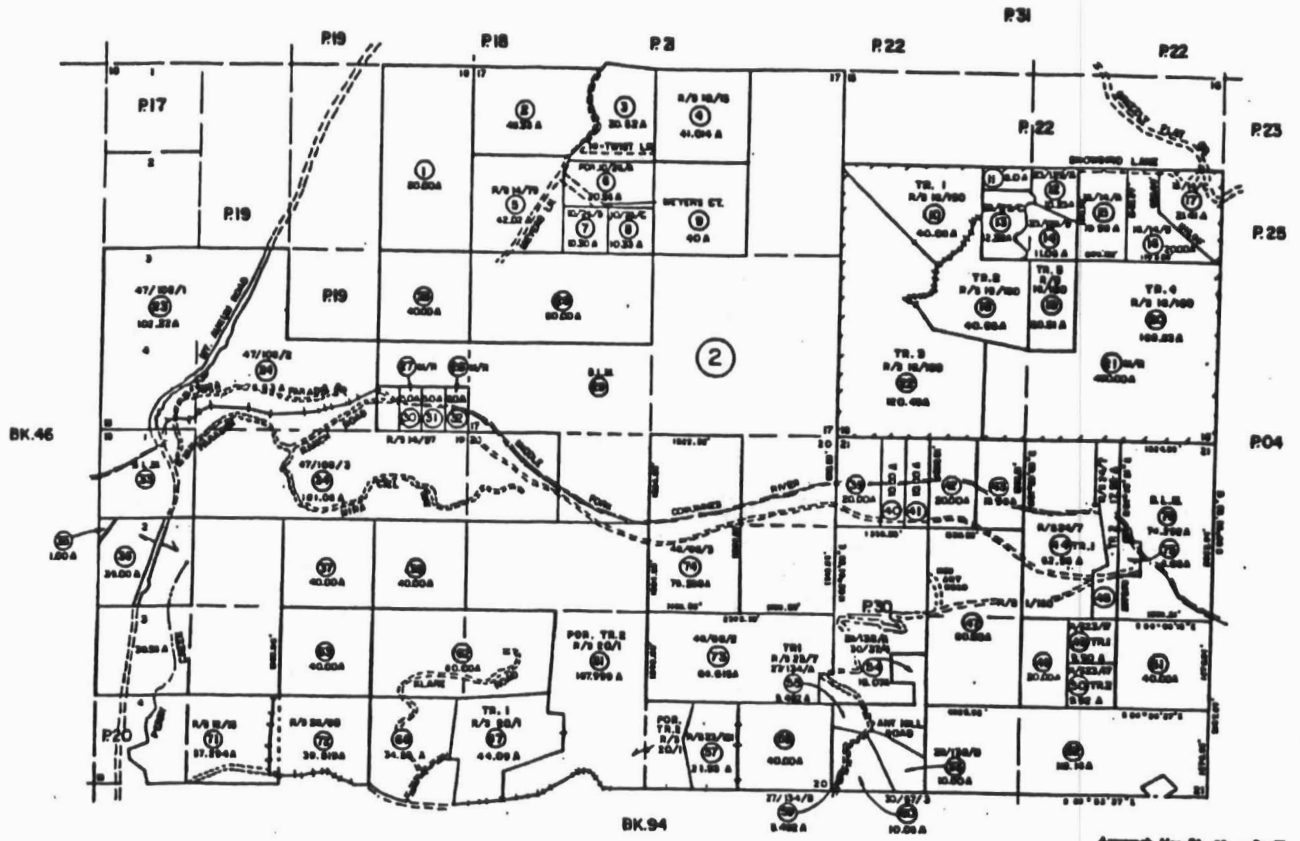
Exhibit G - Aerial Photograph of Site

ATTACHMENT 1
FINDINGS

FILE NUMBER SA05-0305

1. The project has been found to be Categoricaly Exempt from CEQA pursuant to Section 15060 of the CEQA Guidelines stating that the activity is not a project as defined under Section 15378 of the CEQA Guidelines.

2. The proposed road abandonment and Settlement Agreement is consistent with the policies in the El Dorado County General Plan, as discussed in the General Plan section of this staff report. Planning staff finds that the requested abandonment and vacation of County Road 2011 and old Mt. Aukum Bridge and Settlement Agreement provides emergency access to private property accessible from County Road 2011 and access to BLM lands via County Road 78.



THIS MAP IS NOT A SURVEY, it is prepared by the El Dorado Co. Assessor's office for assessment purposes only.

NOTE - Assessor's Block Numbers Shown in Blue
Assessor's Parcel Numbers Shown in Black

Assessor's Map No. 03 - Pg. 03
County of El Dorado, California

APR 21 2005

EXHIBIT B

SA05-0305

August 18, 2005, 12:00 P.M.
Prepared By: John Heiser, Sr. Planner