

Sharon Taylor - Fwd: Re: Union Ice Unit, Truckee River WA

From: John Wilusz
To: Taylor, Sharon
Date: 10/5/2012 12:42 PM
Subject: Fwd: Re: Union Ice Unit, Truckee River WA

Sharon,

Looks like it was 8/29/12.

John

>>> Adam Kavanagh 9/4/2012 12:41 PM >>>

John

Thanks for looking into that. Clears up a lot from my end.

Adam Kavanagh
Fish and Game Warden - Truckee
530-919-0906

>>> John Wilusz 8/30/2012 10:52 AM >>>

Hi Sara,

Thank you for meeting with me yesterday morning in Truckee. Following is a summary of my observations from our site visit and field meeting with Larry Andresen at the east boundary of the easterly parcel of the Union Ice Unit, Truckee River WA.

One of the maps I brought with me, the **Andregg record of survey filed on 23 March 2009 in Book 14 of Surveys at Page 89,** shows the gate in relation to the common boundary between DFG and Andresen. The map shows the gate to be almost entirely on Andresen's land, with the northerly gate post encroaching on DFG property by a foot or two. It's worth noting that relocating the gate post would have no effect on DFG's access. I take Andresen at his word that the gate hasn't moved since the 2009 survey. Next week I will send you digital copies of two record of survey maps filed at the Nevada County Recorder's Office that show our common boundary with Andresen: The aforementioned Andregg map and Andresen's record of survey filed on 15 June 1994 in Book 11 of Surveys at Page 166

DFG does have another option to gain access to the flat ground along the south bank of the Truckee River. Just westerly of the gate there is an old road cut that leads down to the river. It would take fairly minimal effort with a backhoe or similar equipment to restore this short section of road to passable condition. In that case DFG would not need to enter Andresen's property to turn vehicles around or access the river. As things stand now, both of these activities require trespassing on his property. Evidently we've been doing that right along until he decided to start locking his gate.

Even though this solution is practical from a technical standpoint, it might not be in the spirit of being a good neighbor. I say that because, based on our conversation with him and the conditions we saw on the ground, I think Mr. Andresen may have a legitimate complaint, i.e., if DFG uses Iceland Road it should contribute to its maintenance. That seems to be his primary issue and he may very well have a valid point, particularly if he is currently maintaining the road (which also serves as his driveway) at his own expense without any public assistance. Andresen claims the road is not maintained by Nevada County. That's probably true since it provides little benefit to the County but it would be smart to confirm it.

I'm too new here at DFG to know how to get things done, but I'd be happy to help find a solution that works for everybody. If DFG continues to use Iceland Road to access the property it seems fair that it should contribute to road maintenance. But how to contribute and how much money is appropriate? A good place to start might be to determine how much (in dollars) it is worth to DFG to use Iceland Road. From there we can brainstorm solutions. Again, I would be happy to help in any way I can.

Best Regards,

John Wilusz, PLS, PE

>>> Joel Trumbo 6/21/2011 9:10 AM >>>

Kent, et al... at no time during the treatment day did we enter his property. The locked gate and backhoe parked in the middle of the road made sure that our access to his property was impossible. At no time, by vehicle or on foot did any project participants enter Mr Andresen's property.

Joel Trumbo
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>>> <larandresen@gmail.com> 6/20/2011 9:39 PM >>>

Mr. Kent Smith,

I am writing you in regards to the numerous vehicles including heavy water tanks, trailers and equipment which were involved in the weed treatment program on the California Department of Fish and Game property (APN 48-090-40) on 6-14-2011. This activity caused damage to Iceland Road and further damage to the Juniper Creek Bridge. (see photos)

Can you please tell me to whom and to where I can file a claim for losses caused by all those involved with this weed treatment program for CDFG?

Can you tell me if CDFG is planning on providing compensation to me for the maintenance of the road. Over the past 19 years I have provided hundreds of thousands of dollars on maintenance and repair in keeping Iceland Road in an reasonably useable condition . (see below road maintenance costs breakdown)

This road, (Iceland Road), has been used to access CDFG property with no contribution for road or bridge maintenance/ repair and or any expenses associated thereof. Is CDFG exempt from contributing to the expenses in maintaining and keeping a road and bridge open that they use and need to access their property?

Personnel involved with the weed treatment activity on CDFG property, blatantly trespassed over my private property where it was clearly gated and posted, Private Property, No Trespassing. Can you tell me is CDFG exempt from complying with laws in regards to no trespassing over private property?

One landowner should not have to be responsible for a road that is depended upon and needed to be used by others, such as CDFG . We all pay our property taxes and it would seem the State of California would have funds appropriate for their own land access use and maintenance.

With all the grants, abatement programs, job stimulation funds, it would appear that the State could provide compensation for road maintenance that provides access to their own land. Otherwise, why is the tax payers money being spent on spraying weeds on property that does not have access to their property if the road hadnt been maintained and kept in repair? This does not make sense.

I have maintained Iceland Road for the last 19 years without any support or compensation. Please tell me specifically what you can and will do to provide compensation for the maintenance of this road that is needed to access state property?

Thank you in advance for your attention and responses to these questions and concerns regarding this matter. I may be contacted by email: larandresen@gmail.com , P O Box 34047, Truckee, California 96160. Phone: 530-587-7965 cell 530-913-9503.

CDFG Caused Iceland Road and Juniper Juniper Creek Bridge Damage 6-14-2011

<https://skydrive.live.com/redir.aspx?cid=cc5d0e21d08f2e9e&page=browse&resid=CC5D0E21D08F2E9E!113&type=5&authkey=ExUEaBG0LYY%24&Bsrc=Photomail&Bpub=SDX.Photos>

ROAD MAINTENANCE COST BREAKDOWN

Backhoe Hourly Rate \$150

Dump Truck Hourly Rate \$100

Laborer Hourly Rate w/Service Truck \$50

Total Hourly Rate for Road Maintenance and Repair \$300

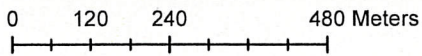
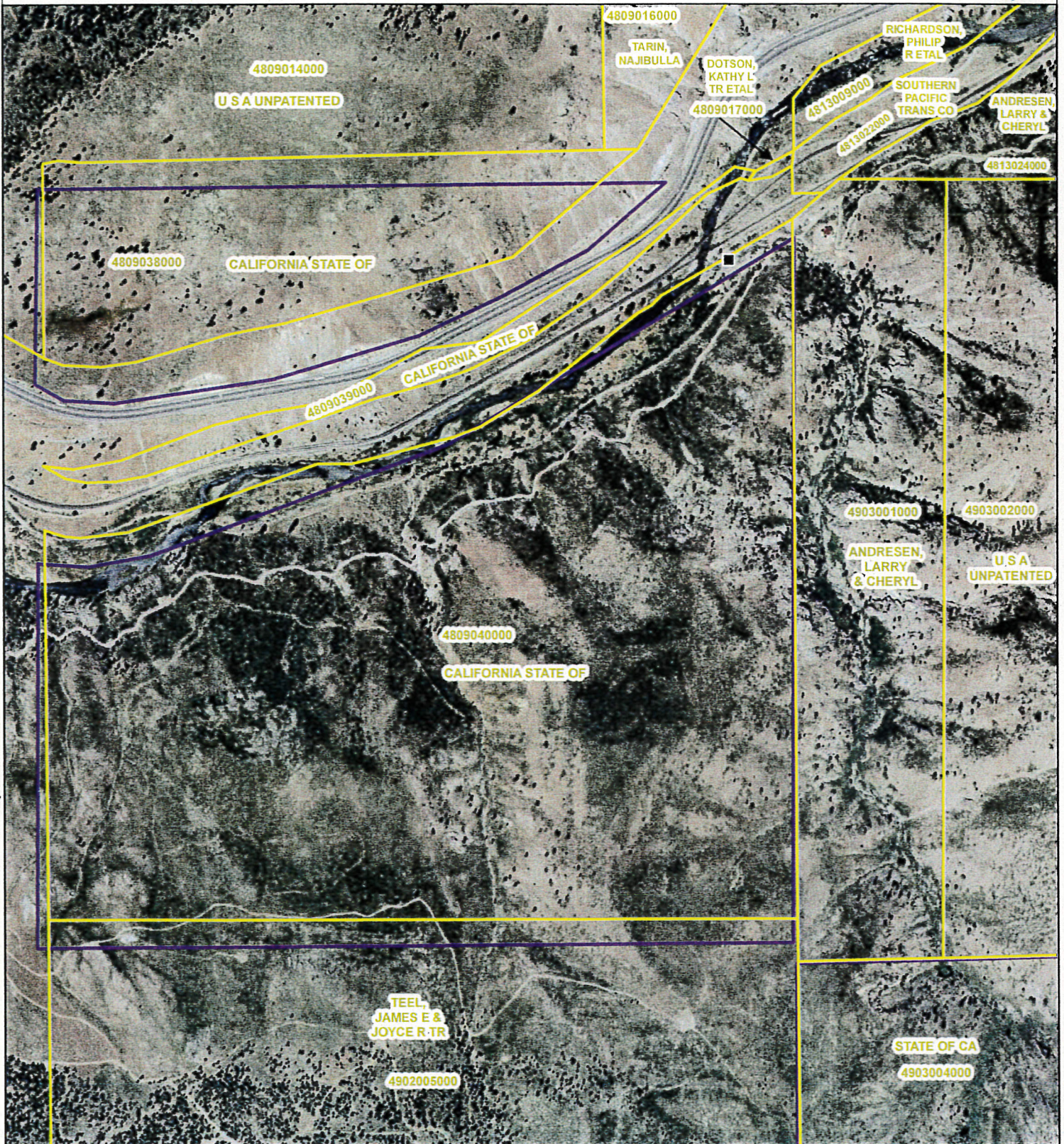
On average a 100 hours per year with the above listed equipment and personnel has been provided by Larry Andresen for the maintenance and repair of Iceland Road (3 miles) from Hirschdale to the end of the road on CDFG property (48-090-40), over the past Nineteen Years.

Nineteen Years Times 100 hours per year equals 1900 hours times \$300 per hour equals \$570,000. Considering California Department of Fish and Game has had the need to use Iceland Road, (the entire 3 miles), to access their property and perform certain tasks, and considering CDFG has an abundance of acreage (100s of acres more than me), accessed by this road, it is requested that CDFG contributes a portion equal to at least 50% the road maintenance expense.

Please let me know if CDFG will be responsible for paying this requested road maintenance/repair contribution and whatever else is needed to process this request.

Sincerely, Larry Andresen

Truckee River Wildlife Area Union Ice Unit - East Property Nevada County



- Gate
- ▭ DFG Lands
- ▭ Assessor Parcel Boundary

DATA SOURCE
Assessor Parcel - Land Vision
DFG Lands, June 2011
NAIP, 2010

Wildlife Branch, Lands Program
Lisa Ohara
7/19/2011