

STAFF REPORT

BOARD MEETING DATE: May 27, 2025

CATEGORY: Scheduled Hearings 10

SUBJECT: Conduct a public hearing and adopt a resolution which finds a public easement, being a portion of Tamarack Avenue, located in the Burney area (Easement), is not necessary for current or future public use and orders the vacation of the Easement for road and utility purposes, reserving the rights for any existing utilities, located in the unincorporated area of Shasta County.

DEPARTMENT: Public Works

SUPERVISORIAL DISTRICT #: District 2

DEPARTMENT CONTACT: Shawn Ankeny, Principal Engineer, (530) 225-5661

STAFF REPORT APPROVED BY: Troy Bartolomei, Public Works Director

<u>Vote Required?</u>	<u>General Fund Impact?</u>
Simple Majority Vote	No General Fund Impact

RECOMMENDATION

Take the following actions: (1) Open a public hearing; (2) close the public hearing; and (3) adopt a resolution which finds a public easement, being a portion of Tamarack Avenue, located in the Burney area (Easement) and specifically identified in the Legal Description attached to the Resolution submitted herewith, is not necessary for current or future public use and orders the vacation of the Easement for road and utility purposes, reserving the rights for any existing utilities, located in the unincorporated area of Shasta County.

DISCUSSION

The County acquired the Easement for Tamarack Avenue in the unincorporated area of Burney via an Offer of Dedication in 1976. In 2001, as part of a safety project, Caltrans acquired an easement and realigned the southerly portion of Tamarack Avenue where it intersects with State Highway 299E. After completion of the safety project, a portion of the Easement is no longer needed. It is superseded by the new alignment. The Pit River Tribe (Tribe) recently purchased land along Tamarack Avenue and are in the process of placing the land in its trust. During this process, the Bureau of Indian Affairs requested the abandonment of the Easement. Staff has contacted local utility companies. There are existing underground utilities in the Easement. Public Works has no use or planned use of the Easement. Staff recommends abandoning the Easement with a reservation for the existing utilities.

The Public Works Director has determined the abandonment to be minor in nature, as it is no longer needed for street widening or alignment projects, as per Resolution No. 83-271. The abandonment is exempt from CEQA, as this is not a Public Works project. Public hearing notices were published and posted in accordance with Streets & Highways Code Sections 8322 & 8323.

ALTERNATIVES

The Board may decline to abandon the Easement. The Easement will remain. This would hinder the ability of the Tribe to place their property in trust.

OTHER AGENCY INVOLVEMENT

County Counsel has approved the resolution and public notice as to form. The recommendation has been reviewed by the County Administrative Office.

FISCAL IMPACT

Sufficient appropriations are included in the Fiscal Year 2024-25 Roads Budget for the abandonment process. Abandonment fee

revenue from the petitioner covers all costs.

ATTACHMENTS:

1: Draft Resolution