

To: Larry Jordan, Chairperson Foresthill Forum

From: Duane Frink, Chairperson Foresthill Forum's Ad Hoc Committee on McKeon Ponderosa Road

Subject: Final Report on Ad Hoc McKeon Ponderosa Road Committee activities and recommendations.

The McKeon Ponderosa Ad Hoc Committee was established by the Foresthill Forum at its August 1, 2016 meeting. The purpose was to help in the discussion with the community and to help resolve concerns regarding McKeon Ponderosa Road.

The Ad Hoc Committee organizational meeting was held August 25, 2016. Subsequent meetings were held August 29, 2016, September 22, 2016, November 10, 2016, November 19, 2016 and January 19, 2017.

The Ad Hoc McKeon Ponderosa Committee members were Larry Jordan and Duane Frink - Forum members, Jenifer Beltrano, Jeff Burnette, Ruth Dyke, Gary Lord, Lori Lunsford, Ronnie Mingo, Jeff Roche, and Stephanie Williams. Committee Officers were: Secretary – Stephanie Williams then Lori Lunsford; Vice Chair – Lori Lunsford and Chair – Jeff Roche then Duane Frink. (See Placer County web page for meeting agendas, minutes and videos of some of the meetings.)

At the final Mc Keon Ponderosa Ad hoc Committee Meeting held January 19, 2017 previously discussed issues and topics were reviewed by the Ad Hoc Committee.

A summary follows:

Under OLD BUSINESS a Stop Sign request at Bradley and McKeon Ponderosa Road was presented by Kevin Taber, P.E. Engineering Manager, Department of Public Works and Facilities, Road Maintenance Division. He described the sign placement possibilities. After a group discussion, the committee voted to recommend to the Forum a stop sign be placed on Bradley at the intersection with McKeon Ponderosa Road. (Note - by e-mail dated November 17, 2016 Mr. Ken Grehm, Director DPWF agreed the Placer County would pursue the stop sign but he wanted to be sure the greater community was engaged to hear of any concerns.)

Kevin Taber noted the County is reviewing the concern about a segment of "narrow road" located from between Red Rock Road to vicinity of the "barn". He plans to include remedial measures in the County's summer work program to address this concern.

The Committee learned McKeon Ponderosa Road consists of three types of road. 1. Public road maintained by the County. 2. Public not maintained (Series 8000) and 3. Private, where there is no Placer County maintenance responsibility. Interested parties are: property owners served by McKeon Ponderosa Road, the "public", Bureau of Reclamation/State Parks, Bureau of Land Management and Placer County.

Maintenance of McKeon Ponderosa Road public portion is by Placer County. The public not maintained road (Series 8000) road segment located from Big Oak to Bradley is CSA funded with service work performed by Placer County. The road portion from near the "barn" to Big Oak is open to the public; it is not up to county standards and has unresolved funding. The private segment south of Bradley is maintained by owners (historically some work was performed by Placer County).

Chip sealing McKeon Ponderosa road, the subject of an owner petition "McKeon Ponderosa Way – Bradley Back to Gate Resolution Chip Seal Bradley to White Oak Flat", was presented to the Forum. The Forum voted to recommend the County consider the request. The request was denied on the basis the County has no maintenance responsibility pursuant to previous BoS action. (See letter from Ken Grehm P.E. Director Department of Public Works and Facilities, Placer County).

A Traffic/speed survey was conducted by Placer County with findings reported to the Committee:

Traffic distribution: approximately 1/3 of the traffic flows to Todd Valley via Red Rock Road/Cold Springs Road; 1/3 accesses Todd Valley via McKeon Ponderosa Road/Bradley/Glen Drive and 1/3 continues on McKeon Ponderosa to the private segment south of Bradley.

Speed was reported as high for road conditions. For example 12 vehicles were observed in the 41 to 50 mph range on a part of McKeon Ponderosa Road near Bradley. Solutions suggested included report incidents of speeding; posting signs on public, private and public not maintained public road and use of barriers (not recommended). Conducting a formal speed limit recommendation was

cautioned with the observation the results often set a higher limit than locally desired. Enforcement – is provided by CHP/Sheriff on the public road segments maintained by the County and by Sheriff on not public 8000 Series road portions and private segment.

Legal topics of liability, public right of access and maintenance responsibility were covered in depth by Mr. Gerald Carden, County Council, Placer County at November 17<sup>th</sup>, 2016 meeting (see video on web page BoS Foresthill Forum , Ad Hoc Committee McKeon Ponderosa Road for details).

McKeon Ponderosa Road once connected Placer and El Dorado Counties until the bridge was washed out circa 1964. Rafting companies used the road to transport rafting customers to the river. This use created traffic issues for the property owners. The owners sought help with the County and other public agencies to abate the issue. The traffic concern was reduced by agreement to reroute river rafting traffic. This led to Placer County abandoning its interest in maintaining the road.

This series of Ad Hoc meetings had attendees who reflected today's public interest in using the private portion of McKeon Ponderosa Road. Historic horse and pedestrian trails cross portions of the road below Bradley.

Mr. Carden noted the Board of Supervisors by Resolution 89-312 at a regular meeting voted to abandon a portion of McKeon Ponderosa Road "from Bradley Way to the Bureau of Land Management, Auburn Dam "Take line"". This action had been previously described by Mr. Taber and Mr. Grehm at earlier meetings.

As to a gate on McKeon Ponderosa Road south of Bradley, that is up to the owners of the private road. Blocking the public's access could bring objections and or law suit. Mr. Taber noted no gates are allowed on a public road.

Mr. Carden emphasized each property owner should consult their attorney regarding topics of trespass, sharing road maintenance, liability or similar matters. He noted Civil Code 845 addresses sharing private road repair/maintenance responsibilities by owners. And that Civil Code Section 1714 and 846 addresses owner responsibility for injury on their land.

Asbestos – at a previous meeting Mr. Todd Nishikawa, Deputy Air Pollution Control Officer, addressed the Ad Hoc Committee noting: The Prop. 65 notice was required because of the findings of asbestos fibers in the state conducted air monitoring. The presence of asbestos in gravel or naturally occurring is not necessarily a health issue, but airborne asbestos fibers is a concern as there is no lower safe limit established for asbestos inhalation. There is no standing “requirement” to cover existing serpentine gravel on private roads. For a private road, a “finding” of there being a public health risk would be required for any action by the Air District.

Under NEW BUSINESS the Ad Hoc committee added to the Agenda that the Ad Hoc Committee ask the Forum to recommend the Placer County Board of Supervisors agendaize the chip seal/asbestos question on McKeon Ponderosa Road from Bradley to Gate 102 at a future Board of Supervisors meeting. A motion was made, seconded and carried (See Ad hoc Committee Recommendations for motion text).

Continuing with new Business, there was no interest by Committee members or by owners from South of Bradley to form a PRD Agreement. Note, owners living on a road not maintained by the County can petition the County for service of road improvement and/or maintenance in a written agreement (See attached PRD for details).

As to north of Bradley on the 8000 series road with unresolved funding, three residents volunteered to explore formation of a PRD with the results going directly to Mr. Taber.

January 19, 2017 Ad Hoc Committee recommendations

January 19, 2017  
Recommendation to the Foresthill Forum  
McKeon Ponderosa Way Ad Hoc Committee

- The McKeon Ponderosa Ad Hoc Committee would like the Foresthill Forum to make a recommendation to have an Agenda Item to the Placer County Board of Supervisors to address the asbestos issue on McKeon Ponderosa Way. We want the Board of Supervisors to find a permanent solution to the asbestos issue on the road.
  - 1) Bradley to Gate 102-Retesting and review of past history of the chip seal.
  - 2) As a whole, the asbestos issue the length of McKeon Ponderosa Way.
  - 3) We want final documentation for the implementation of the permanent solution for the asbestos issue in the in the maintenance of McKeon Ponderosa Way.
- The McKeon Ponderosa Ad Hoc Committee would like to make a recommendation for a stop sign to be placed at the bottom of Bradley Way where it meets McKeon Ponderosa Way.
- A recommendation by the Committee was that the issue of asbestos will be made more clear in future meeting notices.

Appendix – handouts received at meetings\*

1. Map showing road types on McKeon Ponderosa road.
2. Average daily traffics volumes 3 pp
3. Placer County Speed Survey 3pp
4. Chip Seal request denial letter
5. Board of Supervisors Resolution 89-289 dated August 8, 1989 with related records
6. Stop Sign at Bradley/McKeon Ponderosa DPWF confirming ownership e-mail
7. Placer County Permanent Road Division (PRD)

\* Handouts hand delivered to Forum Chair, Larry Jordan