

TEMPORARY RULE REGARDING PUBLIC ACCESS AND USE OF UNDEVELOPED SECTIONS OF THE GREAT REDWOOD TRAIL

A. Background:

1. The Great Redwood Trail, a 300-mile trail from San Francisco to Humboldt Bay, would convert the old rail corridor overseen by the North Coast Railroad Authority into an asphalt and dirt pathway from Larkspur, through the Eel River Canyon north of Willits, and ending just outside Eureka.
2. The North Coast Railroad Authority ("NCRA") and the City of Ukiah ("City") entered into a License Agreement pursuant to which NCRA issued a license to the City to use the old rail corridor for the Ukiah NWP Rail Trail Project, which is now designated part of the Great Redwood Trail.
3. Section 7(a) of the License Agreement with NCRA allows the City to construct trail segments, as funding allows, and expressly provides that "Individual trail segments shall not be open for public use until completion of the trail improvement in said segment."
4. Furthermore, Section 9(c) provides that: "The park designation in UCC §1965 may include a provision specifying that portions of the License Property that are not being used for a multi-modal public path or related enhancements are closed to public use and shall not be subject to Ukiah City Code Section 1966."
5. The segment of the Great Redwood Trail that is within the City limits has been designated a City parks and recreation facility that is subject to regulation by the City. As such, all current provisions of the City Code that regulate City parks generally apply to that portion of the Great Redwood Trail.⁷ In addition, the Ukiah City Code, at Section 2000.4, includes regulations that apply specifically to the Great Redwood Trail, including a prohibition on public use of the open space area outside the designated trail area in the park.
6. Ukiah City Code Section 1965.Q defines the Great Redwood Trail as the real property subject to the license agreement between the City and the NCRA, described as the entire rail corridor within the City limits.
7. Because of the increasing public use of the unimproved segments of the Great Redwood Trail within the City in violation of the License Agreement with NCRA, and because the City wishes to address health and safety issues that have arisen due to the increasing public use of the undeveloped areas of the Trail, the City staff wishes to adopt a temporary rule prohibiting public use of and entry upon those undeveloped segments of the Great Redwood Trail within the City, until such time as those segments are developed for use as a public path.

8. This Rule shall remain in force for one hundred eighty (180) days after adoption, unless, within that time, it is approved by resolution of the City Council.

B. Temporary Rule

IT IS ORDERED by the Director of Community Services for the City of Ukiah, as follows:

1. Public use of the unimproved segments of the Great Redwood Trail, i.e. those portions that are not developed for use as a public path or enhancements to this path, is prohibited until further notice.
2. Signs shall be posted at the unimproved segments of the Great Redwood Trail indicating as follows:

By rule of the Director of Community Services, public use of and entry into this unimproved section of the Great Redwood Trail is prohibited and shall be considered a trespass. Violators of this rule shall be guilty of an infraction, punishable by a fine not exceeding one hundred dollars (\$100.00) for a first violation of the rule, two hundred dollars (\$200.00) for a second violation or five hundred dollars (\$500.00) for each additional violation.

With your help the trail will be preserved for everyone's enjoyment.

UCC §§ 2000, 2000.4.G



Neil Davis, Director of Community Services



Sage Sangiacomo, City Manager



Date