



MEMO

To: NCRA Board of Directors
From: Executive Director Mitch Stogner
Date: February 11, 2015
Subject: **Item E.4 – City of Eureka Abatement Order**

On February 5, 2015 the Ad-Hoc Humboldt Bay Rail Corridor Committee, Chaired by Director Marks, met to discuss the Eureka Balloon Track property and develop a course of action in response to the Abatement Order issued by the City of Eureka on December 3, 2015.

After receiving information from NWP Co. President, John Williams and a representative from the Balloon Track Property owner, Dane Grytness, the Ad-Hoc Committee made the following recommendations regarding the rail equipment legally stored on the Balloon Track easement owned by NCRA in downtown Eureka:

1. That a letter be sent to the owner of 4 of the locomotives, Mr. Matt Monson, requiring that he remove his equipment from the easement owned by NCRA within a specified time period;
2. That the 1 locomotive and 3 rail cars owned by NCRA be moved to a central location on the easement owned by NCRA for repainting and proper storage with advice and assistance from THA.

Staff Recommendation:

That the full Board endorse the recommendations advanced by the Ad-Hoc Humboldt Bay Rail Corridor Committee at its meeting of February 5, 2015.

Please note the Ad-Hoc Committee also recommended a change to the THA MOU which has been provided under Consent Item F.5.



MEMO

To: NCRA Board of Directors
From: Executive Director Mitch Stogner
Date: January 14, 2015
Subject: Agenda Item E.1 – City of Eureka Abatement Notice

NCRA owns a trackway easement through property in downtown Eureka commonly known as the Eureka Yard and "Balloon Track." The surrounding property, upon which the easement resides, is now owned by a local company planning to develop the Balloon Track property, Security National.

Since at least 1998, the Balloon Track easement owned by NCRA has been occupied by 5 aging locomotives, 4 of which are owned by a private party and 1 of which is owned by NCRA. NCRA also owns 3 freight cars located on the Balloon Track, 2 side dump cars and 1 BNSF center-beam car.

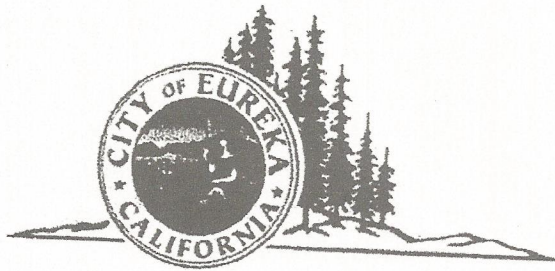
In December of 2005, the NCRA contracted with the environmental consulting firm, Kleinfelder Inc. to manage an extensive surface clean-up of the Eureka Rail Yard. That extensive surface clean-up 9 years ago did not, however, include removal of the rolling stock which still sits on the Balloon Track.

On December 3, 2014 the City of Eureka, Building and Housing Department sent a notice to the owner of the 4 locomotives (Matt Monson), NWP Co. and NCRA which said: "The parcels listed above (parcels currently owned by Security National except the trackway easement) are currently home to multiple inoperable locomotive engines and other railroad apparatus which attract graffiti and transient activity creating a visual blight and public nuisance. Remove all engines, cars, and other train parts from these parcels."

The notice gives 45 days to remove the "engines and other apparatus" or be subject to "Administrative Citation and Fine."

Mr. Monson, the owner of 4 of the locomotives, has exchanged e-mails with Security National indicating that he is willing to cooperate with removal of his locomotives provided Security National pay for their shipment to Stockton. Jake Park and John Williams have indicated that they also want to keep the NCRA locomotive and the 3 freight cars. Mr. Park is currently looking at estimates for shipment of the 3 freight cars from Eureka to the Schellville Yard.

A representative from Security National is planning to attend the January 14 meeting to update the Board and answer questions.



CITY OF EUREKA
BUILDING & HOUSING DEPARTMENT
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building@ci.eureka.ca.gov • www.ci.eureka.ca.gov

December 3, 2014

Case # CE14-0246

*****FIRST & FINAL NOTICE*****

CUE, VI LLC
323 5TH ST
EUREKA, CA 95501-

Subject: Request to abate Code Violations at 4 WEST 2ND, APN(s) 001014002, 003021009, 003031006

Dear Sir or Madam,

As a result of a complaint to the Building Department, you are being notified that the following code violation(s) exist at the above mentioned property:

EMC 150.163	Public nuisances specified. The parcels listed above are currently home to multiple inoperable locomotive engines and other railroad apparatus which attract graffiti and transient activity creating a visual blight and public nuisance. Remove all engines, cars and other train parts from these parcels.
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The above conditions are considered to be a public nuisance as defined in EMC Section 150.163 and a violation of EMC Section 10.99. We are requesting your cooperation and community spirit in correcting the violation(s) by **removing all engines and other apparatus within forty five (45) days**. Be advised that your failure to correct the violations in the time specified in this notice **will result** in further action by this office, including, but not limited to, issuance of **an Administrative Citation and Fine** pursuant to EMC Section 10.45 and abatement of the nuisance through removal and disposal of the train parts by the City, the costs of which will be placed as a lien/assessment against the property.

The City's goal is to keep neighbourhoods clean and safe for everyone. We appreciate your prompt attention to this matter. If you have any questions, please contact our office at 441-4155.

Sincerely,

Brian Issa
Code Enforcement Program Manager

cc:

Matt Monson
2640 Tiffany Court
Turlock, CA 95302

NWPRCO
250 Cambridge Ave Suite 104
Palo Alto, CA 94306

NCRA
419 Talmage Road
Ukiah, CA 95482