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Lee Ulansey, Chairman, TPZ
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Artist/Woodworker

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Rural Property Owner

Steve Horner, Professional
Forester

Rick Poe, TPZ Landowner,
Contractor

Charlie Tripodi, Real Estate
Professional

Dennis Ryan, Professional Civil
Engineer, TPZ Landowner

Kirk Girard
Director, Humboldt County Community Development
Services Department
3015 H Street
Eureka, CA 95501-4484

Wendy Chaitin
Humboldt County Counsel
825 5th Street
Eureka, CA 95501

12 October, 2011

Re: Public Records Act Request

Dear Mr. Girard and Ms. Chaitin:

Please provide to the undersigned the following records in
your possession:

1. Copies of all written and electronic correspondence
between any employees, representatives, and/or contractors
of each of your respective departments and the California
Department of Transportation (Cal-Trans) and/or any of its
employees, representatives, and/or contractors commencing
1 January 2002 up to and including the date of this request
which includes within any portion of such correspondence
any discussion on the subject of Shaded Parcels, illegal
parcels, parcels of questionable status, or a parcel of which
there is a dispute as to the legality of its creation either
individually or collectively.

Please be advised that:

A. This is a request made under the California
Public Records Act, [Government Code 6250-
6277].

B. By law you have 10 calendar days in which to
respond to this request. [Government Code 6253(c)].

C. The Public Records Act mandates that public records be open to
inspection and that every person has a right to inspect any public record
unless the record is specifically exempt from disclosure. Unless exempt,
upon a request for a copy of records that "reasonably describes an
identifiable record or records" you are required to make the records
promptly available to any person upon payment of fees covering costs of
duplication. [Government Code 6253].

**D. CALIFORNIA CONSTITUTION ARTICLE 1, DECLARATION OF RIGHTS
SEC. 3 provides that:**

(a) The people have the right to instruct their representatives, petition government
for redress of grievances,
and assemble freely to consult for the common good.

(b) (1) The people have the right of access to information concerning the conduct
of the people's business,
and, therefore, the meetings of public bodies and the writings of public officials
and agencies shall be open
to public scrutiny ..

(2) A statute, court rule, or other authority, including those in effect on the
effective date of this subdivision, shall be broadly construed if it furthers the
people's right of access, and narrowly construed if it limits the
right of access. A statute, court rule, or other authority adopted after the effective
date of this subdivision that limits the right of access shall be adopted with findings
demonstrating the interest protected by the limitation and the need for protecting
that interest.

(Adopted as a part of Proposition 59, which was overwhelmingly
approved by 83% of the voters on November 2, 2004.)

E. In the event that there is any uncertainty as to the identity of any record
sought, you are affirmatively required to assist the requesting party in better
defining the request so that the records can be located and made available.
[Government Code 6253.1].

F. You are required to justify in writing the withholding of any record.
[Government Code 6253]. The burden of establishing an exemption is on the
public agency. [*Vallejos v. California Highway Patrol*, 89
CA3d 781, 787 (1979)].

G. The Public Records Act does not limit access to a public record based upon
the purpose for which the record is being requested, if the record is otherwise
subject to disclosure. [Government Code 6257.5].

H. Agencies are not permitted to delay or obstruct the inspection or copying
of public records. The notification of denial of any request for records shall
set forth the names and titles or positions of each
person responsible for the denial. [Government Code 6253(d)].

I. If a reasonably segregable portion of a record is exempt by law from
production, that portion shall be deleted and the balance of the record shall
be provided for inspection. [Government Code 6253(a)].

J. The legislative policy behind the Public Records Act favours disclosure.
[*Berkeley Police Assn. v. City of Berkeley*, 76 CA3d 931,941 (1977)].

K. Authorized fees will be paid to you on delivery, pursuant to an itemized invoice.

Dated: 10/12/11

Signed: 

Cc: Supervisors Jimmy Smith, Clif Clendenen, Mark Lovelace, Virginia Bass and Ryan
Sundberg.