

Tab 69

March 17, 2023

California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

Subject: Modoc Multi-use Path
Reference Nos. 2.2c(5) and 2.5w(1)

Honorable Commissioners:

Trees and Trails is a coalition of local citizens and non-profit groups in Santa Barbara County that was formed to support the completion of the Modoc Multi-use Path project. The coalition includes shareholders of the La Cumbre Mutual Water Company (landowner), users of region's cherished multi-use path system and many groups which advocate for sustainable transportation, the mobility challenged, seniors and school children as well as for environmental justice and climate sustainability. (See attached letter for complete list of project supporters).

Trees and Trails wants to convey its full support for staff's recommendations for the March 22-23 commission meeting and requests that the commission approve the Modoc Multi-use Path project for future funding and allocation of ATP funds for the project design and right-of-way phase.

There are many benefits for the path project including access, connectivity, safety, inclusivity and encouraging active transportation. Support for this project is extensive in the community. The Santa Barbara County Board of Supervisors voted unanimously to approve the MND on November 1, 2022. The County is now ready to complete final design and right-of-way acquisition and needs an allocation of funds for this work.

The project will close a 3/4-mile gap in a 20+ mile multi-use path network. The project will also provide controlled public access to increasingly rare urban open space for users of all ages and abilities consistent with the provisions of the Conservation Easement that was overwhelmingly approved by shareholders in 1999.

Trees and Trails appreciates the Commission's partnership with our regional and local agencies in closing gaps and extending our urban multi-use path network and making safe, active transportation a viable option for so many in the community.

Sincerely,



Autumn Brook
Trees and Trails Coalition



Attachment: Coalition Support Letter for Modoc Multi-use Path project (Oct 28, 2022)

cc: Das Williams, Chair, Santa Barbara County Board of Supervisors; and Chair, Santa Barbara County Association of Governments
Laura Capps, Second District County Supervisor
Chris Sneddon, Deputy Director, County Public Works Department
Meredith Hendricks, Executive Director, Land Trust for Santa Barbara County
Alex Rodriguez, President, La Cumbre Mutual Water Company Board



October 28, 2022

Santa Barbara County Board of Supervisors
 105 E Anapamu Street
 Santa Barbara, CA 93101
 Submitted via email to sbcob@countyofsb.org

RE: November 1, Agenda item #6: Consider recommendations regarding the Modoc Road Multi-Use Trail Phase II - SUPPORT

Dear Santa Barbara County Board of Supervisors,

We the undersigned organizations, representing thousands of residents of Santa Barbara County, thank you for working to improve pedestrian and bicyclist safety through your Active Transportation planning and for securing grant funding for the Modoc Path connecting the City of Santa Barbara's path near Calle De Los Amigos to the widely used Obern Trail at Encore Drive. We urge you to approve the revised MND and complete this project to close the gap in our Coastal Route. The benefits are many:

- **Connectivity:** This new path will provide safe, enjoyable, access for all. It will enable the young and old, residents and visitors, able and less able-bodied to access the beach, the Mesa, schools, shopping, jobs and most importantly, the outdoors. The Modoc Path will create a vital link between two existing multi-use paths, creating a more complete network of safe, off-street facilities spanning from Carpinteria to Goleta. It will connect the Las Positas-Modoc, Obern and Maria Ygnacio multi-use path systems, providing a continuous connection between homes, jobs, schools and open spaces. The Modoc Path gap closure will result in 14.5 miles of linked multi-use paths.
- **Safety:** The Modoc Path will replace unsafe on-road facilities and allow people of all ages and abilities to travel with ease by foot, by bicycle or wheelchair. This section of Modoc Road has discontinuous sidewalks, inadequate crosswalks and the bike lanes are narrow and unprotected next to 45 mph traffic. Bike lanes along roads with vehicle speeds in excess of 35 mph are not recommended for most cyclists, especially children. A crash between a vehicle and bicyclist or

pedestrian at over 40 mph has an 80% chance of being fatal. On Modoc Rd, there have been 9 crashes involving cars and bicyclists in the last 11 years. If we fail to build this path and take advantage of a funding source for signalized crosswalks, our youth and others will continue to be at greater risk on this stretch of road.

- **Climate:** In California, 40% of our emissions come from our transportation system. Automobile dependency is a major factor in our climate goal shortcomings. [Studies](#) find that swapping the car for walking, cycling and e-biking even just one day a week makes a significant impact on personal carbon emissions. Cyclists have 84% lower CO2 emissions from all daily travel than non-cyclists. Other cities that have added safe, separated bike paths have demonstrably reduced car trips. For instance, in the city of Davis, which extended separated bike paths from its UC campus to the rest of the city, fully [20% of commutes](#) are made by bike.
- **Conservation:** Conservation and forestry experts approve of this plan, which provides a funding opportunity to extend native plant restoration and educational signage along the path, and to remove non-native trees, an explicit goal of the Modoc Preserve Conservation Easement. In addition to fire risk, non-native trees like eucalyptus and palms can use so much groundwater that they dry out wetlands, kill and crowd out other trees and plants, and require constant maintenance. Aging trees also pose dangers of falling or dropping limbs. Many of the trees removed would be eucalyptus, a non-native and highly flammable tree, and these would be replaced with oak trees, which are quick-growing, and both native and fire resistant. This is a better long-term choice given climate change and hotter, windier conditions.

We concur with the County that Alignment B is the preferred alternative, as it provides greater separation from the road, reduces the need for retaining walls and tree removals, especially palms, and would not negatively impact existing trails within the Modoc Preserve. We believe it would help meet the goals set when the Conservation Easement was created by providing equitable public access while promoting conservation values, and we hope that the Land Trust for Santa Barbara County and the La Cumbre Mutual Water Company will facilitate Alignment B. However, we think Alignment A is a valid alternative, and either option will provide many of the benefits specified above.

Thank you for your consideration.

Respectfully,

Heather Deutsch
Executive Director
MOVE, Santa Barbara County (formerly SBBIKE+COAST)

Katie Davis
Chair, Sierra Club Santa Barbara-Ventura Chapter

Michael Chiacos
Director of Climate Policy
Community Environmental Council

Mark Wilkerson
Executive Director
Santa Barbara Trails Council

Dustin Hoiseth
Public Policy Manager
SANTA BARBARA SOUTH COAST CHAMBER OF COMMERCE

Nancy Black
Board President, Committees for Land, Air, Water and Species (CLAWS)

Maricela Morales
Executive Director
Central Coast Alliance United for A Sustainable Economy (CAUSE)

Dan McCarter
President
Santa Barbara Urban Creeks Council

Irene Cooke
Founding Member
Society of Fearless Grandmothers Santa Barbara

Sharon Broberg
Steering Committee Member
350 Santa Barbara

Daniel Gonzalez
Director of Organizing & Advocacy
Future Leaders of America

Gurleen Pabla
President, UCSB Associated Students

Alyssa Jain
Actions Lead, Sunrise Movement Santa Barbara

Luca D'Agruma
Political Lead, Sunrise Movement Santa Barbara

Vicki Allen
VP Communications
League of Women Voters of Santa Barbara

John Seigel Boettner
Founder
Cycling Without Age Santa Barbara

Sullivan Israel
Strong Towns Santa Barbara
Urban Planning Advocacy

Dillon Osleger
Executive Director
Sage Trail Alliance

Autumn Brook
Modoc Preserve Original Master Plan Designer & Consultant
30 Year Resident on Obern Trail

Brigitta Van Der Raay
Former Wildlife Biologist, US Forest Service

From: [David Parker](#)
To: [California Transportation Commission@CATC](mailto:California.Transportation.Commission@CATC)
Subject: Item 69 Modoc Preserve
Date: Thursday, March 16, 2023 4:39:58 PM

EXTERNAL EMAIL. Links/attachments may not be safe.

I want to know what right the Board of Supervisors have to come into a protected preserve, disturb flora and fauna, destroy trees, and use sneaky back room tactics to achieve their goals. This agenda is aimed to satisfy the special interest groups while the people that live here, pay property taxes, and led to believe they have a voice. But when they use that voice they are dismissed and told what is best for them. I don't want this multiuse path through our preserve. It will open the gates to trampling, littering, polluting, and defiling of this natural treasure.

Thank you. Lets not pave paradise and put up a MUP

David Parker

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Hello I am writing regarding ITEM 43, which was the deferred project allocation for PS&E and RW funding (Item 96). This is the funding for Santa Barbara Modoc Preserve Phase B. This allocation marks the beginning of the Design and Right-of-Way phases.

Our organization "CAMP" still has a lawsuit pending, challenging the accuracy and completeness of their MND. This has not changed one bit. The county has pretty much decided not to try to resolve this matter. The county still has no agreement with the land owner La Cumbre Water Company nor the Santa Barbara Land Trust. There is the 1999 Deed of Conservation Easement . As you will recall the county had never discussed this matter with the Land Trust who oversees the property. You would think this easement would be required prior to any funding?

The county has a history in this project of not notifying all the parties involved. In my eyes they are dealing in bad faith.

Santa Barbara County has already received one extension. We are told that is all they are entitled to. So I'm really confused about what is going on now.

Please read the California Fish and Wildlife report. Since the county chose to ignore it.

Item 13 now mentions sidewalks which is not included in their MND and was never mentioned previously nor was it mentioned at the BOS meeting on Nov. 1st.

I reviewed the plans for this project. I also live close by. I couldn't help to notice the high pressure gas pipeline that goes through a portion of this project. There are warning markers on over a 100 foot section. I took it upon myself to contact the CPUC. MR. MAHMOUD INTABLY (he goes by Steve) at the CPUC responded rather quickly. He emailed and called.

(Mahmoud.intably@cpuc.ca.gov) (213-364-0027)

I explained the project, pictures, and I sent him the plans and information that I had. He was concerned, they didn't hear a word. I also had pictures of how phase 1 was progressing: the flooding, mudslides and all the heavy duty machinery. (These high pressure gas pipelines don't allow heavy machinery within 14 feet)

Next I got 3 calls from three Southern California Gas Company officials. They had no word regarding this project. Knew nothing about it. I sent them information as well.

Matthew - <MVardens@socalgas.com>

It's interesting to note that Mahmoud called me several times. His last call he said they usually don't like to get involved in county affairs but since this is next to the train tracks and the 101 highway they will be taking a very active role in this. That statement really scared me at first but later I felt relieved. Finally common sense will prevail.

Since I got involved in this process I was so disappointed in how my local government was acting. I kept getting the feeling they were just "winging this". No plan, no discussions with the property owners, the Land Trust, so many people in the nearby neighborhood. The hp gas pipeline really upset me. Such a lack of responsibility, safety protocols.

I am completely opposed to this project. I believe it can be done just not the way they are trying to wing it.

I believe this project should be started completely over with a full EIR.

It is my understanding that March is the deadline for the project to receive an allocation of PS&E and Right of Way funding. This has been so mishandled.

Thank you

Donald E Miller 821 Chelham Way Santa Barbara, Ca. 93108

From: Modoc Preserve <modocpreserve@gmail.com>
Sent: Monday, March 20, 2023 2:48 PM
To: Oseguera, Jose@DOT <Jose.Oseguera@catc.ca.gov>
Cc: Espinoza, Jaime@DOT <jaime.espinoza@dot.ca.gov>; Jones, Reinie R@DOT <reinie.jones@dot.ca.gov>; Pennebaker, Laura@DOT <Laura.Pennebaker@catc.ca.gov>; Warren Thomas <wthomas@modocpreserve.com>; dthomas@modocpreserve.com
Subject: Mitigated Negative Declaration for the Modoc Road Multi-Use Path – Phase II Project, Item 69...related Item 13...

Good afternoon Jose,
 As I have mentioned previously in email correspondence (included at bottom of this email) , I am a co-founder of CAMP (Community Association for the Modoc Preserve) which has nearly 6000 petition supporters in favor of our efforts to Save the Modoc Road Trees from being destroyed by a proposal to build a Multi-Use Path on private property in a protected nature preserve in Santa Barbara County...

<https://www.change.org/SaveModocRoadTrees>

<https://modocpreserve.com/community-association-modoc-preserve>

It has been status quo on this project since your January 25th CTC meeting...Item 43...

We continue to have active litigation against Santa Barbara County Public Works and the SB County Board of Supervisors challenging the legality of the MND that was prepared by them and approved by them...we have a December 13, 2023 trial date before Judge Thomas Anderle in the Superior Court in the County of Santa Barbara.

The only thing that has changed is that there has been one more bike/vehicle collision (2/9/23) near the entrance to the Class I Obern Trail MUP caused by cyclists having to cross two lanes of traffic to make a left turn heading westbound on Modoc Road...as I have documented before, this was one of the primary reasons SB County Public Works gave in their 2018 ATP grant application. Another recent accident happened (11/9/22) in the exact location...both accidents were determined to be cyclist fault...but, the real fault is the westbound Class II lane that should be REPLACED, like SB County public works asked for...

<https://modocpreserve.com/modoc-road-bike-accidents>

This link has a video and gallery documenting 24 potential collision points in the 3/4 mile segment that SB County is asking for project funding for the Modoc Road MUP...

<https://modocpreserve.com/modoc-road-bike-lane-negligence>

Regarding Item 13...this is the first time that SB County has mentioned sidewalks...

It was never mentioned in the MND...nor were they mentioned in the Public Works presentation to the SB County BOS on November, 1...

13	Modoc Road Multimodal Path Gap Closure (Phase II).	05-2992	2021-22	
\$621,000	Modoc Road from Via Senda to the Obern Trail (Encore Drive). Construct 0.6 miles of Class I (multi-use) path along Modoc Road for bicyclists, runners and pedestrians of all ages and abilities.	ATP/20-21	102-0001 GF	\$543,000
County of Santa Barbara		PS&E	102-0001 GF	\$78,000
SBCAG		R/W	20.30.720.100	
05-Santa Barbara	Small Urban and Rural	\$78,000		
		0519000128		

Outcome/Outputs:
 The project will replace a roadway shoulder with 5,600 feet of Class I multi-use trail and 3660 feet of new sidewalks.

CEQA - ND, 11/02/2022

Time extension for FY 20-21 PS&E and R/W expires on February 28, 2023

Concurrent consideration of funding approved under Resolution E-23-35; March 2023.

We feel that until the CEQA lawsuit challenging the accuracy and completeness of this project's environmental review is finalized...any, and all, funding for it should continue to be deferred...

Thanks for taking the time to review the material above...

Warm regards,

Warren and Debra Thomas

Founders CAMP (Community Association for the Modoc Preserve)

<https://modocpreserve.com>



Preserve the Preserve



March 21, 2023

California Transportation Commission
1120 N Street MS-52
Sacramento, CA 95814

Subject: Modoc Multi-Use Path
Reference Nos. 2.2c(5) and 2.5w(1)

Honorable Commissioners,

MOVE Santa Barbara County advocates for equitable county-wide infrastructure for walking, cycling, and public transit, and empowers and educates residents to choose active and sustainable forms of transportation.

MOVE is in full support of staff's recommendations for the March 22-23 commission meeting and requests that the commission approve the Modoc Multi-use Path project for future funding and allocation of ATP funds for the project design and right-of-way completion.

MOVE envisions a county that is a vibrant, connected network of communities where sustainable transportation is safe, accessible, and efficient for all. We dream of a future where people can choose from multiple modes of transportation to arrive at their destination with enjoyment and ease. The Modoc Multi-Use Path is a critical component of our vision, has been planned for 16 years and will complete a 3/4-mile gap in an over 20-mile network of trails. Modoc Road is a dangerous corridor where cars travel at high speeds. The Modoc Multi-Use Path will ensure that pedestrians and bicyclists have a safe route to and from school, work and play that is separated from traffic. The required Mitigated Negative Declaration was approved by the County Board of Supervisors in November and the County Staff is ready for the next and final phase of design.

Thank you for your time and consideration.

Sincerely,

Heather Deutsch
Executive Director
MOVE Santa Barbara County

Cc:

Das Williams, Chair, Santa Barbara County Board of Supervisors; and Chair, Santa Barbara County Association of Governments

Laura Capps, Second District County Supervisor

Chris Sneddon, Deputy Director, County Public Works Department

Meredith Hendricks, Executive Director, Land Trust for Santa Barbara County Alex Rodriguez, President, La Cumbre Mutual Water Company Board