

Sheila de la Guerra

# General Public Comment

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**From:** Kira Pusch <kirapusch@gmail.com>  
**Sent:** Monday, September 18, 2023 4:24 PM  
**To:** sbcob  
**Subject:** Public Comment - Sept 19 BOS Meeting  
**Attachments:** Board of Supervisors Public Comment\_Modoc Multi-Use Path.pdf

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Hello,

Please find a public comment attached for distribution to the Board of Supervisors prior to the September 19, 2023 meeting.

I am also interested in making a general public comment related to this letter (on a topic which is not listed on the meeting agenda); if you could please provide instructions on how to do so, that would be greatly appreciated!

Thank you and all the best,  
Kira Pusch



September 19, 2023  
Santa Barbara County Board of Supervisors  
105 E Anapamu Street  
Santa Barbara, CA 93101

Subject: Modoc Multi-Use Path; Request for ADA compliance and public participation

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Dear Chair Williams and Members of the Board,

My name is Kira Pusch - I am writing on behalf of Strong Towns Santa Barbara, a local chapter of the national non-profit Strong Towns. Representing over 100 citizens, our group aims to help Santa Barbara become more walkable, livable, and environmentally and fiscally resilient.

We write this public comment (for submission to the Sept 19, 2023 Board of Supervisors (BOS) meeting) regarding **Phase II of the Modoc Multi-Use Path**, an ongoing Active Transportation Program (ATP) project in District 2 for which the BOS unanimously approved the revised MND last November (2022). Specifically, we ask that the project designs:

1. **Be compliant with the Public Right-of-Way Accessibility Guidelines (PROWAG) and American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities.**
2. **Pursue public input to ensure accountability in the design process**

### **1. PROWAG and AASHTO Guidelines**

PROWAG and AASHTO guidelines facilitate the creation of safe and accessible shared-use paths. We request that both sets of guidelines be incorporated into the designs currently under development for the Modoc Multi-Use Path.

SB County and Caltrans already cite AASHTO in their respective guidelines, but current Modoc Path designs do not show compliance with the separation requirements between the Class I and Class II facilities.

PROWAG updates were published in the Federal Register by the U.S. Access Board and became effective on September 7, 2023. These updates mark a major milestone in the disability rights movement and expand upon the Americans with Disabilities Act of 1990 (ADA) by specifying the location and design of curb ramps for shared-use paths. They will become enforceable upon adoption by the U.S. Department of Transportation and the U.S. Department of Justice.

Per the ATP grant application, the Modoc Multi-Use Path is meant to “*reduce barriers along the [Modoc] corridor ... with a more safe and attractive separated path, suitable for people of all ages and abilities.*” Indeed, Supervisor Capps emphasized the importance of equitable access when speaking on the project. In this light, it seems only logical that the Board embrace both guidelines and ensure that multi-use facilities located in the public right-of-way are readily accessible to, and safely usable by, all active transportation users including people with disabilities and others dependent on wheeled devices including strollers.

Adhering to PROWAG and AASHTO guidelines prior to completing designs and beginning construction will benefit future Modoc path users; it will also reduce SB County’s legal liability and the potential need to replace inadequate facilities in the future by proactively securing complete design immunity and ADA compliance. Further, maximizing path safety will encourage the public to use it, thereby reducing vehicle miles traveled in accordance with ATP funding, SB Vision Zero, and SB Climate Action Plan goals, including reducing our collective impact on global warming.

## **2. Public Input**

It has come to our attention that the planning steps for this crucial project have thus far occurred behind closed doors, without adequate broad stakeholder representation or meaningful public notice/input since the November 1, 2022 BOS meeting 11 months ago. While we appreciate that the County has likely had its hands full negotiating with other decision-makers, involving the community in decision-making is a part of the ATP process and ensures that the path aligns with the values and needs of the people it serves. We ask that the SB BOS, ATP staff, and relevant Public Works officials provide public presentation(s) and host public workshop(s) to enable the wider community to understand and inform path design.

As noted, a public outreach campaign is required, and especially needed *now* as the current designs available online were posted without explanation as to the process underpinning design decisions to date, or their context in relation to applicable historical documents (eg. the 1999 Modoc Conservation Easement which governs appropriate use of the adjacent privately owned open space). Importantly, the designs do not appear to address crosswalk design, how 2-ft shoulders will be incorporated, pull-out spots, where fencing will be installed, or how equestrian cross-traffic will be accommodated. Crosswalks are critical safety infrastructure, particularly in this instance where many young students cross Modoc to reach Vieja Valley Elementary. That said, we also encourage public works to generate path and crosswalk designs using not only AASHTO, but also PROWAG and NACTO standards - namely the NACTO March 2023 Micromobility Design Updates.

## **Summary**

We respectfully urge the SB BOS to apply PROWAG and AASHTO guidelines and prioritize transparency and public input in the designs of the Modoc Multi-Use Path. These steps are vital to establishing a high standard for accessibility, safety, and usability in this and future SB County ATP projects. Making use of this generational opportunity, the Modoc Multi-Use Path will become a precedent-setting example designed with the best interests of all SB County residents in mind.

Thank you for your attention to this matter. We look forward to your thoughtful consideration of our requests and remain eager to participate in making Santa Barbara an even more vibrant and accessible place for all.

Signed:

**Kira Pusch**, *Member*

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