

# Public Comment - Group 3

#6

**Brianda Negrete**

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**From:** Wesley Bredall <wbredall@yahoo.com>  
**Sent:** Thursday, October 27, 2022 4:13 PM  
**To:** sbcob  
**Subject:** OPPOSE Modoc Road Multi-Use Path



**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

County Clerk,

Please do all that you can to halt Phase 2 of the Modoc Road Multi-Use Path project before irreversible damage is done! Both of the two proposed options to connect this "multi-use path" from Via Senda to the Obern Trail would be devastating to the natural beauty that the Modoc Preserve Conservation Easement was created to save!

There are too many details and concerns that have yet to be addressed in this proposal, and an incredible natural asset at risk.

Please vote against proceeding with this project until all concerns can be addressed!

Thank you.

Wesley Bredall  
4130 Modoc Road  
(805) 298-3110

## Brianda Negrete

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**From:** Jeff <jeff@jeffnelsonlaw.com>  
**Sent:** Thursday, October 27, 2022 4:20 PM  
**To:** sbcob  
**Subject:** FW: Modoc Preserve Item 6, Nov. 1  
**Attachments:** Oak Creek Company Comments on Bike Path MND Oct. 14 2022 Nelson.pdf

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

FYI for the public record.

Jeff Nelson  
The Oak Creek Company  
Santa Barbara, Ca.

**From:** Jeff  
**Sent:** Thursday, October 27, 2022 4:19 PM  
**To:** ghart@countyofsb.org; bnegrete@countyofsb.org; jhartmann@countyofsb.org; bob.nelson@countyofsb.org; SupervisorWilliams@countyofsb.org; steve.lavagnino@countyofsb.org  
**Cc:** Wageneck, Lael <lwageneck@countyofsb.org>; Jason <jason@oakcreekco.com>; jralexander@countyofsb.org  
**Subject:** Modoc Preserve Item 6, Nov. 1

Greetings all,

We are a significant stakeholder in the Modoc Preserve with one of our local infill housing projects investing hundreds of thousands of dollars in the environmental restoration of the Preserve; our attached letter was to the Decision Makers with substantive comments and is in page 389 of the MND, I wanted to bring it to your attention.

Thanks.

Jeff Nelson  
The Oak Creek Company  
Santa Barbara California  
Estates, Enclaves and Retreats  
(805) 698-0795

*THE OAK CREEK CO.*  
*Santa Barbara, California*

October 14, 2022

To: County of Santa Barbara

Re: Input on Modoc Road Multi-Use Path Project (Mitigated Negative Declaration)

Dear Lael Wageneck, Morgan Jones and Decision Makers:

This letter is in support of the County approving Alignment B, including the necessary environmental review documents.

The Oak Creek Company is a significant stakeholder in the area, as leading infill developer in Hope Ranch Annex, and developer of the Boulders Project (formerly Parkhill Estates<sup>1</sup>), which has funded the Grassland Mitigation of the Modoc Preserve over the last 9 years. This mitigation transforms that area from an unmitigated weed patch to a rich natural preserve.

Alignment B is a natural and logical path between two rows of trees, one of which is palm trees near the edge of Modoc. Historically, Hope Ranch and Hope Ranch Annex, which is the setting for the Modoc Preserve, were planned together such that the Modoc Preserve is a low spot that would receive overflow waters from Hope Ranch in extreme storms. While this was the original civil engineering, I believe it is correct that no such significant overflow has occurred in recent decades.

Additionally, palm trees were planted along Las Palmas, hence the name, and they wrap around on to Modoc on the edge of the Modoc Preserve. Harold Chase, primary developer of Hope Ranch, had his sister, Pearl Chase, more actively involved in Hope Ranch Annex planning (for which it once won a national planning award).

So while the palm trees are not native, they are part of the historical context where both Hope Ranch and Hope Ranch Annex were planned to provide a sense of arrival in an otherwise fairly stark setting.

This project will address serious safety issues of biking adjacent to Modoc Road in this area. I live in the area and bike west towards UCSB many times a week, but always avoid this stretch of Modoc because it is relatively unsafe. Additionally, from an auto driving vantage point, there are times when early morning sun shining in to cars driving east along Modoc make the bike lane invisible because of shadows. Indeed, I have avoided driving on Modoc at certain times because of the lack of visibility of bikers.

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<sup>1</sup> MND page 13, Cumulative Projects List – Parkhill Estates, 15 single family residences

In 2013, La Cumbre Mutual Water District agreed to have our Boulders project do off-site mitigation on their property to replace weeds with native vegetation. This restoration has been remarkably successful through the years and has been augmented with a separate wetland restoration project on this site.

The bike path currently goes through the property at the western end, where the bike path turns from its location near Vieja Valley School towards Modoc, so this would not be a first-time co-existence of the bike path and adjacent La Cumbre Mutual Modoc Preserve property.

I support Alignment B as set forth in the Mitigation Negative Declaration.

Thank you for your consideration.

A handwritten signature in black ink that reads "Jeffrey C. Nelson". The signature is written in a cursive style with a large, stylized 'J' and 'N'.

Jeffrey C. Nelson

## Brianda Negrete

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**From:** Allan Nishimura <modocmultiusepath@gmail.com>  
**Sent:** Thursday, October 27, 2022 4:46 PM  
**To:** sbcob  
**Cc:** nishimu@westmont.edu  
**Subject:** In Support of the Modoc Multi-Use Path

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hello,

I support Alignment B of the Modoc Multi-Use Path because:

The current path from Cliff on Los Positas and Modoc should be extended and connected to Obern Bike Path. The separate path allows for people of all ages, including younger children to ride to UCSB and Goleta from Santa Barbara without riding adjacent to Modoc which is every busy and with cars going 40 mph (speed limit) which can easily move into the current bike path.

From: Allan Nishimura  
Zip code: 93105-4432

\*\*\*Please note that this email was sent by Allan Nishimura via a Google form (found at modocmultiusepath.com), so while the sender of this email appears to be modocmultiusepath@gmail.com, clicking "Reply" will in fact reply to Allan Nishimura's email address:  
nishimu@westmont.edu

## Brianda Negrete

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**From:** Emily Sommermann <emily.sommermann@gmail.com>  
**Sent:** Thursday, October 27, 2022 7:32 PM  
**To:** sbcob  
**Subject:** Modoc Road Bikeway

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Please save the trees along Modoc Road. Do not approve the Modoc Road Multi-use Trail. Cyclists don't like riding in gutters, so please use the money to widen Modoc just a little bit more to create a 3-5 foot wide bike lane on both sides of the road. Add soft swells to slow traffic. Do not build a super bikeway in the Preserve. Cyclists need safe routes-yes! But not at the expense of protected land.

Bicyclists (and now e-bikes) need safe roads to travel on. We need safe street designs. Look to Europe for how it's done over there. The motorist and the cyclists can co-exist. (soft curbs, soft swells, wide sidewalks for happy pedestrians).

Hoping for the best! Thanks!

Sent from [Mail](#) for Windows

**Brianda Negrete**

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**From:** Maureen Groves <maureenandmark@cox.net>  
**Sent:** Thursday, October 27, 2022 8:11 PM  
**To:** sbcob  
**Subject:** OPPOSED

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

*Dear Clerk for SB County Board of Supervisors*

*I am opposed to the Modoc Road bike path project.*

*Alignment B would harm the Modoc Preserve and would be legally impossible;*

*Alignment A would destroy 48 trees, including 29 historic palm trees.*

*I oppose both alignments.*

*Sincerely,*

Maureen and Mark Groves  
maureenandmark@cox.net

Sent from my iPad Pro

## Brianda Negrete

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**From:** Lauren Fey <modocmultiusepath@gmail.com>  
**Sent:** Thursday, October 27, 2022 10:40 PM  
**To:** sbcob  
**Cc:** laurensmith2014@gmail.com  
**Subject:** In Support of the Modoc Multi-Use Path

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hello,

I support Alignment B of the Modoc Multi-Use Path because:

Transportation alternatives to cars are key for fighting climate change! If biking is safe and comfortable (i.e., not next to a busy 45mph road), more people will choose to get out of their cars and bike instead.

From: Lauren Fey  
Zip code: 93117

\*\*\*Please note that this email was sent by Lauren Fey via a Google form (found at modocmultiusepath.com), so while the sender of this email appears to be modocmultiusepath@gmail.com, clicking "Reply" will in fact reply to Lauren Fey's email address: laurensmith2014@gmail.com



**Brianda Negrete**

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**From:** susan kean <susan.kean@live.com>  
**Sent:** Friday, October 28, 2022 12:43 AM  
**To:** sbcob  
**Subject:** Modoc Road Bike Path Project

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

*Dear Supervisor Williams,*

*I am opposed to the Modoc Road bike path project.*

*Alignment B would harm the Modoc Preserve and would be legally impossible;*

*Alignment A would destroy 48 trees, including 29 historic palm trees.*

*I oppose both alignments.*

*Sincerely,*

*Susan Kean*

Sent from my iPhone

## Brianda Negrete

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**From:** Wageneck, Lael  
**Sent:** Friday, October 28, 2022 9:45 AM  
**To:** sbcob  
**Cc:** Sneddon, Chris; Jones, Morgan  
**Subject:** Fw: Modoc Multi-Use Trail Phase II Update

New comment.  
Thank you,  
Lael

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**From:** Andreas Forsland <andreas@cognixion.com>  
**Sent:** Thursday, October 27, 2022 8:09 PM  
**To:** Wageneck, Lael <lwageneck@countyofsb.org>  
**Subject:** Re: Modoc Multi-Use Trail Phase II Update

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Hello

Which alignment is being considered?

I do **not** support alignment A.

I support alignment B, contingent on a low impact surface material that allows for drip line water seep through from the canary palms to allow moisture to reach their roots, plus an agreement to repopulate the Modoc preserve with an equal number of native trees selected and planted by their botanist as the number of trees removed (greater than the 28 trees noted in the plan). We also need a dedicated crosswalk at each of the 3 or 4 Modoc neighborhoods across from the preserve for equitable and safe access, including crosswalk signs and flashing lights.

Can you register this comment?

Andreas Forsland  
4297 Encore Drive  
Santa Barbara, CA 93110

BTW - I'm sending this via my phone

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**From:** Wageneck, Lael <lwageneck@countyofsb.org>  
**Sent:** Thursday, October 27, 2022 7:30:33 PM  
**To:** Wageneck, Lael <lwageneck@countyofsb.org>  
**Subject:** Modoc Multi-Use Trail Phase II Update

Please note that public comments for the Modoc Multi-Use Trail Phase II are in multiple sections on the County Clerk of the Board site.

Comments sent during the noticing period are included in the revised MND document (Attachment A - Modoc Road MUP Final MND 10.19.22 signed). Comments sent outside of that period are included in separate PDFs. My apologies for any confusion.

Thank you,  
Lael

Lael Wageneck  
Public Information Officer  
Santa Barbara County Public Works

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**From:** Wageneck, Lael  
**Sent:** Thursday, October 27, 2022 10:07 AM  
**Subject:** Modoc Multi-Use Trail Phase II Update

You are receiving this email because you have shown interest in the Modoc Road Multi-Use Trail Phase II project.

The agenda for Tuesday's Board of Supervisors' hearing has been published. You can find the agenda item for the trail project by clicking on [this link](#). I have also attached the Board of Supervisors' agenda to this email. Please note that the trail project is listed as the final item and follows an estimated four hours of other agenda items.

Thank you,  
Lael

Lael Wageneck  
Public Information Officer  
Santa Barbara County Public Works

## Brianda Negrete

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**From:** Shelly Cobb <shelly.cobb@me.com>  
**Sent:** Friday, October 28, 2022 10:02 AM  
**To:** Hart, Gregg  
**Cc:** Supervisor Das Williams; Lavagnino, Steve; Hartmann, Joan; Nelson, Bob; sbcob; laura@lauracapps.com  
**Subject:** Pls vote NO on the Modoc Path MND

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Supervisor Hart,

On August 24th, you graciously accepted my invitation to ride the Modoc Rd Alignments together. As we paused by the Canary Island Palms you said to me, "I will NEVER vote for Alignment A or allow even ONE of these Canary Island Palms to be cut down". That was a happy day for me.

Will you remain true to your word? 🙏

The MND only offers up two choices:

1. Alignment A, which includes removal of up to 48 trees, including 29 Canary Island Palms; or
2. Alignment B, which will harm the Modoc Preserve and very likely to end up to a legal battle between the County and the Land Trust. The Land Trust said in their letter:

Alignment B of the proposed Path—Santa Barbara County’s preferred alignment—likely conflicts with the Conservation Easement. Alignment B encroaches upon the Preserve, and Alignment B’s construction and use would likely violate the prohibitions listed in the Conservation Easement.

As discussed further, the Land Trust is legally required and authorized to act against violations of the Conservation Easement by third parties, including the County. The Land Trust does not oppose the Path in principle, and it has no interest in unnecessary litigation. But as presented in the MND, Alignment B appears to conflict with the Conservation Easement, and the MND does not contain sufficient information for the Land Trust to evaluate the construction and use of Alignment B and whether acceptable alternatives exist for the Path to be consistent with the Conservation Easement.

Because the MND lacks such information, the Land Trust requests the County postpone approval of the MND. The County must first provide sufficient information to the Land Trust for it to determine if Alignment B or alternatives are consistent with the Conservation Easement. Such information should have been included in the MND. Unless the County first provides that information, or in the absence of appropriate information by the County to take the area of the Preserve affected by Alignment B, the Land Trust cannot agree with Alignment B as described in the MND.

Please, do not abandon the Community Association for the Modoc Preserve as you leave your post as 2nd District Supervisor. I beg of you, please do the right thing and vote NO, or demand a full EIR and allow the CEQA process to unfold as it should. If we need a sales tax increase to pay for EIR’s as they have done in San Francisco, then please, let’s get that done. Ref:

<https://sf.streetsblog.org/2011/10/25/funding-approved-for-masonic-eir-and-cargo-way-protected-bikeway/>

In the County’s rebuttal to California Fish & Wildlife’s letter describing concerns about bats they observed on the Modoc Preserve, Mr. Morgan Jones simply stated, “There are no bats” with no counter evidence for to refute CDFW biologist’s statement. Mr. Jones’ statement is blatantly false. I see bats often on the Preserve, with my own eyes, each time I visit the Preserve in the evenings. I’ve done extensive research on bat habitats and bats absolutely do roost in palm trees. I am not a biologist, but a simple internet search will confirm this.

I cannot respect a report that contains blatantly false statements. I hope you feel the same and vote no.

Sincerely,  
Shelly Cobb, CAMP volunteer  
4232 Encore Dr

## Brianda Negrete

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**From:** Kira Pusch <modocmultiusepath@gmail.com>  
**Sent:** Friday, October 28, 2022 12:02 PM  
**To:** sbcob  
**Cc:** kirapusch@gmail.com  
**Subject:** In Support of the Modoc Multi-Use Path

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hello,

I support Alignment B of the Modoc Multi-Use Path because:

It just makes sense. This project has the potential to dramatically improve Santa Barbara's bicycle and pedestrian network by connecting two trails that, frankly, ought to have been connected from the beginning.

I commute via bicycle from Noleta out to the Velo Pro Cyclery bike shop on Hitchcock (across from the Whole Foods) for my part time job there and I (and many of my coworkers who are students at UCSB) bike on the Obern trail out to Modoc and ride the proposed Modoc MUP stretch frequently while commuting to work. We're all experienced bike commuters, so we can tolerate the abrupt shift from the safe, quiet, enjoyable Obern path to the loud, dangerous, pebble/litter-filled street shoulder on Modoc, but that doesn't mean the space can't be improved, especially if we want to make the bicycle/walking/jogging/rollerblading/non-car living and moving experience more enjoyable and accessible to everyone. I am ardently in favor of this project, specifically Alignment B because an abundance of case studies show that protected, separated bike lanes are significantly safer for cyclists, pedestrians, AND car drivers. I am looking forward to having a more complete pedestrian network.

Thank you!

From: Kira Pusch  
Zip code: 93110

\*\*\*Please note that this email was sent by Kira Pusch via a Google form (found at modocmultiusepath.com), so while the sender of this email appears to be modocmultiusepath@gmail.com, clicking "Reply" will in fact reply to Kira Pusch's email address: kirapusch@gmail.com

## Brianda Negrete

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**From:** Anthony Bladon <modocmultiusepath@gmail.com>  
**Sent:** Friday, October 28, 2022 1:34 PM  
**To:** sbcob  
**Cc:** shmirashmush@gmail.com  
**Subject:** In Support of the Modoc Multi-Use Path

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hello,

I support Alignment B of the Modoc Multi-Use Path because:

Safety: Avoid the current need to cross fast traffic at C de los Amigos and at Obern.

Public amenity: Las Positas has become popular with walkers due to the path. There is no option to walk on Modoc.

From: Anthony Bladon  
Zip code: 93109

\*\*\*Please note that this email was sent by Anthony Bladon via a Google form (found at modocmultiusepath.com), so while the sender of this email appears to be modocmultiusepath@gmail.com, clicking "Reply" will in fact reply to Anthony Bladon's email address:  
shmirashmush@gmail.com

## Brianda Negrete

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**From:** tropseastx@aol.com  
**Sent:** Friday, October 28, 2022 1:13 PM  
**To:** sbcob  
**Subject:** Opposed - New MND for Modoc Multi-Use Bike Path

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

October 28, 2022

Dear County Clerk's Office,

We are **vehemently** opposed to the Modoc Multi-Use Bike Path Project in its present form, and the new MND.

**Alignment A:** Is not a viable choice as it would destroy 48 fully grown trees, including 29 historic Canary Island Palms that were planted 100 years ago by Pearl Chase's brother. They even survived the Paradise Fire!! They have about 200 more years in their lifespan. They provide a shade canopy as well as habitat for the Orioles, Owls, Woodpeckers & a myriad of Hawk species, as well as the Eucalyptus Trees which also provide a home for the Monarch Butterflies. There is no replacement for these Treasures!!

**Alignment B:** Would harm the Modoc Preserve and is **illegal** according to the contract with the Land Trust for many reasons. No asphalt, no electric vehicles, no degradation of soil, no changing of the drainage are just a few.

**We oppose Both Alignments** and think that if we all put our heads together, we can arrive at a better alternative for this Multi-Use Path.

**Please vote NO on this project.** We hope you will always vote to protect the disappearing Open Space and Wildlife Habitat that makes this area the Special Gem that it is.

Thank you for your consideration,

Bill & Janet Shalhoob

4118 Vista Clara Rd., Santa Barbara, CA 93110