

General Public Comment - Group 2



Brianda Negrete

From: Kathleen Rosenthal <ksrvaquera@gmail.com>
Sent: Friday, January 6, 2023 10:09 AM
To: sbcob
Subject: Fwd: Recreation Plan Trail Policy Letter for January 9th, 2022 CRAHTAC Meeting
Attachments: 1 12 2023 CRAHTAC Letter.pdf; Table Objections to the Santa Barbara County Trails Council Report.pdf

Follow Up Flag: Follow up
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Please forward the attached letter and attachment to the Board of Supervisors for their information.

The attached letter was submitted to the County Riding and Hiking Trails Advisory Council (CRAHTAC) on Thursday, January 5, 2023 with concerns about processing and policy development for the Santa Barbara County-wide Recreation Master Plan. It is intended to augment information and to highlight concerns with the Rec Plan's process as contained in the CRAHTAC letter of December 30, 2022 submitted to your Board.

Thank you-
Kathy Rosenthal

WE Watch

PO Box 830
Solvang, CA 93464
we-watch.org



January 5, 2023

RE: Observations & Objections to the Santa Barbara County Trails Council Report
Streamlining Trail Development in Santa Barbara County, October 2022

Dear CRAHTAC Committee Members:

WEWatch is dedicated to the maintenance of healthier land use and to an enhanced quality of life. We recently became aware of the above referenced report¹ submitted to your advisory committee by the Santa Barbara County Trails Council (SBCTC) at your last meeting on December 12, 2022 (the Report).

WEWatch wants to ensure that our community's needs and wants are included in the County-Wide Recreation Management Plan (Rec Plan) via clear policies. Our most pressing concerns are increasing public review, prioritizing connecting existing trail sections such as easements, and developing single, dual or multi-use trails as appropriate, to avoid trail conflict and ensure safety for all trail users. WEWatch supports increasing trails of various types in the Santa Ynez Valley and throughout the County. However, we also expect transparency and public participation into how those trails are changed and developed. Streamlining should not eliminate or restrict public input or environmental review.

What is the purpose of this report? Is the Report intended to be a recommended policy document for the Rec Plan based on the public meeting comments collected on trail policy over the past few months? If so, there are significant public comments and issues that have been omitted and/or misrepresented. For the Rec Plan, can SBCTC offer an unbiased analysis and synthesis for the consultant to prepare an objective document? Or is the SBCTC submitting the Report as a standalone document, representing their independent opinion? If the latter is the case, WEWatch has significant concerns that the SBCTC did not make this clear in the report.

WEWatch hosted a community meeting on July 19, 2021, that was facilitated by 3rd District Planning Commissioner John Parke with the intent to gather comments about recreation facilities for the Rec Plan. WEWatch provided the comments to SBCTC, and the comments indicated more public involvement was desired as well as separate trails for equestrians, pedestrians and mountain and E-bikes to minimize trail conflict and ensure safety. The Report includes photos of hikers, trail runners and equestrians but no mountain bikes or E-Bikes. This message seems to avoid addressing conflict and safety on our trails between mechanized travel and other trail users but must be addressed through practical policies.

WEWatch has objections to the Recommendations on Page 13 of the Report. The attached Table 1 identifies the SBCTC recommendations and our objections, recommended deletions and revisions. In Table 2, are discussion and amendments to the text based on our analysis and the comments previously submitted to develop the Rec Plan.

Overall, the most disturbing aspect of the Report is focusing on "cost savings" via eliminating or restricting the public's right to participate in trails decisions by designating trails projects as

“ministerial”. Ministerial projects are not considered a project under CEQA and therefore, public notification/review would be eliminated. Public participation should never be considered as a cost saving measure and indeed if proper public review procedures were followed, expenditure of public funds on recent legal challenges concerning trails could have been avoided. WEWatch suggests expanding efforts to advertise public review opportunities for trails and develop independent County- or community-wide trails planning committees to allow all who are interested in contributing to our trail system a chance to participate in trail planning, prioritize the existing segments of trail right-of-way for development and allow flexibility to determine the types of trails and allowed uses on each trail.

Sincerely,
WEWatch Board

CC: Santa Barbara County Board of Supervisors
Santa Barbara County Planning Commission
Santa Barbara County Parks Commission

¹Streamlining Trail Development in Santa Barbara County, Santa Barbara Trails Council Report, October 20,2022

<p>Table 1 Objections to the Santa Barbara County Trails Council Report Streamlining Trail Development in Santa Barbara County, January 2, 2023 Recommendations (Page 13)</p>	
<p>Report Recommendation</p>	<p>WEWatch Objection/Revised Recommendation</p>
<p><i>1a) Require only a ministerial permit (where a permit is required) for trails and associated improvements.</i></p>	<p>Ministerial permits are not considered a project under the California Environmental Quality Act (CEQA) and thus designating trails projects as such will eliminate the public's opportunity for notification and the ability to participate on trail projects. As seen in the recent court decisions more public noticing and comment would reduce costs and is warranted for any trails' change in use or for new trail construction or realignment.</p> <p>In addition, the need and the community's wish for transparency and public participation in trails development has been documented and submitted as Rec Plan comments at the public meetings held by the consultant Wood Environmental Services, and directly to the SBCTC, CRAHTAC, the Parks Commission, Board of Supervisors.</p> <p>Recommendation 1a) proposed in the Report does not accurately reflect the public comments submitted during the scoping phase of the Rec Plan and should be deleted from consideration.</p>
<p><i>1b) Include development standards that ensure impacts to biological, cultural, visual, agricultural, and other resources (as needed) are minimized.</i></p>	<p>Development standard effectiveness is based on recognition of impacts to biological, cultural, visual, agricultural, and other resources. The phrase "as needed" in Recommendation 1b) would give the County, at the staff level, the discretion to determine if such impacts may occur without the benefit of public notification and comment. If trails projects are ministerial under Recommendation 1a), there would be no recourse for the public challenge the County's trail decisions. The Recommendation, therefore, makes no sense.</p> <p>Recommendation 1b) proposed in the Report does not accurately reflect the public comments submitted during the scoping phase of the Rec Plan and should be deleted from consideration. The public must be allowed to participate in management and development of our trails. Additionally, the proposed zoning amendments require closer scrutiny to protect natural resources on public lands i.e., those lands zoned REC and RMZ and in all areas of the County for consistency with the entire Land Use Plan.</p>
<p><i>2. Conduct program-level environmental review as part of the</i></p>	<p>From the California State Office of Planning and Research (OPR)', a jurisdiction may organize its general plan in any format, including consolidated elements, so long as all of the relevant statutory</p>

<p><i>Countywide Recreation Master Plan that can be relied upon for future trail projects and may guide identification of development standards for incorporation in the Land Use Codes.</i></p>	<p>issues are addressed (<u>Gov. Code § 65301; Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692</u>).</p> <p>The elements and issues should form an integrated, internally consistent plan, and inconsistencies cannot be remedied by a statement giving one element precedence over the others (<u>Gov. Code § 65300.5; Sierra Club v. Board of Supervisors of Kern County (1981) 126 Cal.App.3d 698</u>). A concise Comprehensive Plan can avoid repetitive discussions of topics by consolidating the statutory requirements into a few functional elements. (Emphasis added)</p> <p>When revising or creating a new, single element such a recreation plan, local agencies need to examine and, if necessary, revise the other elements, including optional elements, to avoid internal inconsistencies. The statutory elements call for interrelated content. For example, consideration given in the Conservation Element to the vegetation that supports an endangered wildlife species, other elements also involve analyzing topography, weather, fire hazards, availability of water, and density of development—issues which arise in other elements. All these issues require review as contemporary trail construction and new or increased human intrusion into wildland areas and/or grazing lands have potential for significant, adverse environmental impacts.</p> <p>In light of OPR criteriaⁱⁱ, the question is - Is the Rec Plan the appropriate vehicle to facilitate sweeping changes to other Elements by virtue of trails' intrinsic intrusion into natural and preserve areas? Is this the tail wagging the dog? Should the Rec Plan be subordinate to the over-arching Land Use Plan and treated as an element of that Plan? Should recreation be included in a larger, more comprehensive land use plan update? The cascading effects of the proposed Rec Plan policies on other elements of the land use plan and any of the report's strategies and recommendations must be disclosed to the public and environmental impacts evaluated.</p> <p>As to appropriate follow-up to trail program - level review, any proposed trail project must include follow-up project-specific review as is expected under a programmatic Environmental Impact Report (EIR). Additionally, any trails project reviewed under a programmatic EIR must provide opportunity to reassess impacts given current environmental conditions (i.e., drought, fire danger) and include in its project description, all applicable programmatic mitigation measures to protect resources, and new mitigations required to address new impacts.</p>
<p>3. Where trail easement dedications result from discretionary development</p>	<p>This recommendation on its face is sound. However, past performance has shown when relying on environmental documents prepared for discretionary development that is approved at a point in time</p>

<p><i>projects, clearly assess, and identify environmental impacts of the trail as part of the project's environmental document and secure trail zoning permits concurrently.</i></p>	<p>and when the project is built can be several years or decades. When the project is finally developed, years after approval, there is often public discourse. The surrounding public changes, values change, environmental resources become increasingly sparse and traffic increases. This recommendation should be reframed to require that development plans be implemented as soon as possible following approval (i.e., within five-years).</p>
<p><i>4. Consider incentives for private development projects that include trail easement dedication and/or construction, such as permit streamlining, additional allowable uses, permit down-shifts.</i></p>	<p>This recommendation on its face is sound and appears consistent with other County Long-range planning projects currently in process (i.e., Ag Enterprise Ordinance). Again, however, as trails would most likely be located on or near property lines and possibly effect neighboring properties and neighborhoods, public participation in trails' development is of the utmost importance and it is necessary to expand public participation in trail planning as policy.</p>

¹¹ Office of Planning and Research, Required Elements, chapter 4, Designing Healthy, Equitable, Resilient, and Economically Vibrant Places, https://www.opr.ca.gov/docs/OPR_C4_final.pdf, downloaded 12/31/ 2022.

Table 2
Objections to the Santa Barbara County Trails Council Report
Streamlining Trail Development in Santa Barbara County, January 2, 2023
Edits, Errors, and Omissions

Issue	Analysis
<p><i>Multi-Use Trails and existing Land Use Policy (Page 3)</i></p>	<p>The Report correctly cites via footnote that <u>current Land Use policy DOES</u> require that “<u>Opportunities for hiking and equestrian trails should be preserved, improved and expanded wherever compatible with surrounding uses</u>”.</p> <p>However, the Report issued by the SBCTC, interprets trail policy as meaning all trails must be multi-use trails noting that “...the importance of expanding the inventory of multi-use public trails are acknowledged in adopted Santa Barbara County land use plansⁱⁱ and policies and mandated by State law...”.</p> <p>This statement is not completely true as it inserts the term “multi-use” trails in application of the County’s Land Use Plan where it’s clearly not required in the policy language. Inserting the term “multi-use” trails into the sentence gives the false impression that separate or single or user trails are not allowed and cannot be considered for trail planning. This is not the case.</p> <p>For clarity, “multi-use” trails are limited to the Community Plan areas such as Santa Ynez Community Plan and other more urban Community Plan areas throughout the County. <u>No current policy exists to require multi-use trails in non-coastal, rural, unincorporated lands of Santa Barbara County, most of which is agricultural lands (grazing or cultivated agriculture).</u></p> <p>Under the current Land Use policy an argument can be made that separate trails for hikers and equestrians are indeed not only allowed but promoted. Single or dual use trails currently comply with the Land Use Plan. It is questionable if the County has applied the policy correctly in the past.</p> <p>Community comments indicate that separate trails are preferred for different users. Separate trail must be codified in policy to provide necessary trail user separation and provide user safety by minimizing conflicts and confrontations. The flexibility for separate trails for equestrians, hikers and mechanized travel should be included as policy for the Rec Plan based on community feedback.</p>
<p><i>Project Costs</i></p>	<p>The Report focuses on the cost and funding aspects as barriers to trail development and focuses strictly on the cost burden of compliance with County policies, public participation and</p>

	<p>the environmental review associated with trail building. It does not take into consideration the environmental impacts trails have on natural areas due to their desired location, human intrusion, mechanical construction methods or repetitive maintenance, nor does it take into consideration that the public overwhelming wants the opportunity to provide input to evaluate, help develop and oversee trail projects. The report cites costs associated with recent projects but does not consider the thousands of dollars in legal expenses of environmental challenges when the County chooses not to follow State law (i.e., CEQA) or its own policies and processes currently on the books.</p> <p>To reduce costs and preserve funding for trail construction, trail development must be conducted through a fair and transparent public process and comply with current policies and regulations. The Report failed to promote the Baron Trail Master Plan as one of the most successful trail projects in recent years. The process to develop this trail was inclusive, holding several public workshops, input was used to develop the trail and then draft and final plans were issued for public comment. WE Watch would support such a process for trail development.</p> <p>The result would be a significant savings to tax-payer funding and timelines shortened. Often times, the primary barrier to trails is lack of public notices and/or failure to comply with existing regulations and Plan documents (i.e., Cachuma Recreation Master Plan).</p> <p>A policy must be included to identifying and prioritize connecting acquired trail segments. Public comments indicate there is a strong desire to fill in gaps and complete a comprehensive and connected trails system in the Santa Ynez Valley between Buellton, Solvang, Los Olivos, Santa Ynez and east of Highway 154.</p>
<p><i>Conflict</i></p>	<p>The Report is not comprehensive as it does not recognize or acknowledge conflict and safety among trail users. Mountain bikes and E-bikes (mechanized travel) are not included in photos or mentioned in this Report. They bring an element of speed, trespass and hazards on trails that often results in injury or death to equestrians and hikers.</p> <p>Conflict is a recognized issue that the County must address in the Rec Plan. Policies must address trail user conflict and ensure trail user safety. Other policies must focus on protecting existing land uses, minimizing neighbor and neighborhood impacts, or protecting the valuable habitat areas, water quality and wildlife that are the attractions for trail users when they venture out for a hike or ride.</p> <p>At our community meeting commentors emphasized the need for separate trails among</p>

<p>mountain/E-bikes and equestrians/ hikers and expressed strong preferences for single- and dual-use trails. Policy must be developed and included in the Rec Plan for separate trails. In the long-term separate trails will minimize trail conflicts and costs associated with legal action against the County.</p> <p>There are additional policies in the Conservation Element of the County's Land Use Plan that are appropriate and require that such protections be maintained and strengthened via additional policies for the Rec Plan.ii</p>	
<p>There are sections of dedicated trail via easement, right-of-way, or other dedication mechanism throughout the County. To efficiently add to the existing trail system and realize cost savings to expand the trail system, trail segments already in place should be identified and trail system connectivity prioritized for system expansion before additional trails in new areas are contemplated.</p>	<p><i>Identifying and prioritizing new trail projects</i></p>
<p>There is nothing proposed in the policy recommendations to address the costs of operating and expanded trail system. There is nothing in the Report that addresses long-term increased <u>costs created by trails</u>, only how much it <u>costs to create trails</u>.</p> <p>Increase in the number of trails, trail users, and trail user conflict management and safety, will require more staffing and funding to ensure trail user safety and to maintain an expanded trail network. Single user trails would minimize trail conflict and the need for enforcement, as well as reduce trail maintenance required by mechanized travel users. Protecting existing land uses, valuable habitat areas, water quality and wildlife that are the attraction for trail users when they venture out for a hike or ride will also increase costs and increase the need for additional staffing and trail rule and regulation enforcement on the trails.</p> <p>A policy to establish a dedicated funding source (such as a bed tax or similar) must be identified and implemented to provide additional staff, public outreach, and education programs. Policies for trail monitoring must be included in the Rec Plan. In addition, policies to create opportunities to use volunteers to patrol trails and to build relationships with interested citizens and organizations to form "Friends of the ___ Trail," and allow fund-raisers at County Recreation sites to defray costs must be included.</p>	<p><i>Funding, staffing and enforcement</i></p>

Brianda Negrete

From: Otis Calef <crahtac@explore-santa-barbara-county.com>
Sent: Thursday, January 5, 2023 6:13 PM
To: sbcob
Cc: Wilson, Jeffrey; Lindgren, Jeffrey
Subject: Countywide Recreation Master Plan and Policy | Regulatory Framework Amendments
Attachments: CRAHTAC-Countywide-Rec-Master-Plan-and-Policy-Regulatory-Framework-Amendments-12-30-22.pdf

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Honorable Members of the Board:

Please find attached a letter from the County Riding and Hiking Trails Advisory Committee (CRAHTAC) regarding the **Countywide Recreation Master Plan and Policy | Regulatory Framework Amendments**.

We believe that the County has a once in a generation opportunity to strengthen the existing policy framework to promote the development of new parks, recreation, and trails and must act decisively and adopt solid policies and regulatory changes to make this happen.

Sincerely,



Otis Calef

Chair

CRAHTAC | County Riding and Hiking Trails Advisory Committee

805.708.5009 | [website](#)

The County Riding and Hiking Trails Advisory Committee (CRAHTAC) was established by the Santa Barbara County Board of Supervisors in an advisory capacity to review programs, policies, and procedures affecting county recreational riding and hiking trails.



CRAHTAC

COUNTY RIDING AND HIKING TRAILS ADVISORY COMMITTEE



December 30, 2022
Submitted via email

CHAIR
Otis Calef

VICE CHAIR
Faith Deeter

SECRETARY
Kirk Nordgren

1st DISTRICT
Kevin Snow

2nd DISTRICT
Jack Bish
Otis Calef
Dan Gira

3rd DISTRICT
Faith Deeter
Kirk Nordgren
Jason Osborne
Desiree Woodill

4th DISTRICT

5th DISTRICT

STAFF
Jeffery Lindgren

Santa Barbara County Board of Supervisors
105 East Anapamu Street
Santa Barbara, CA 93101

RE: Countywide Recreation Master Plan and Policy | Regulatory Framework Amendments

Honorable Members of the Board:

As your Board is aware, the Santa Barbara County Riding and Hiking Trails Advisory Committee (CRAHTAC) is a standing committee appointed by your Board to advocate for recreational trails and advise the County on matters related on recreational trails issues. CRAHTAC is typically composed of three or four members from each supervisorial district and is recognized by the County as having a key role in advising on trail matters.

CRAHTAC is writing the Board to provide broad initial recommendations regarding the proposed Countywide Recreation Master Plan (Master Plan), particularly potential supporting amendments to the County's Comprehensive Plan Policy framework and regulations within Land Use Development Code (LUDC). CRAHTAC understands that much of the County's policy framework, regarding recreation and trails, is over 40 years old and that the LUDC seriously inhibits trail permitting and construction, adding unnecessary restrictions to trail development and adding costs and delays to such public benefit projects. Therefore, we firmly believe that now is the time to take decisive action to update these outdated policies and change regulations to strongly promote and not inhibit trail development.

First, CRAHTAC would very much like to thank the Board for initiating this potentially far-reaching program which could have significant positive benefits for existing residents and future generations! It is now well documented that trails are known to be important recreational resources used by thousands of County residents daily and that such public trails are essential to public health and welfare, as well as, to underserved and disadvantaged communities. Parks, Recreation, and Trails are of tremendous benefit to the communities within Santa Barbara County and are of great interest to County residents. We believe that this is demonstrated by the immense interest shown by County residents in the public outreach effort and surveys initiated by the County as part of the Master Plan, where we understand that over 8,500 residents submitted surveys, a huge response! CRAHTAC

understands that thousands of survey respondents from North and South counties indicated that trails were a top recreational activity and were a high priority for future recreational improvements.

Trails throughout the County, such as those in the Orcutt Hills, Santa Barbara foothills, Purisima Mission, and Midland School in the Santa Ynez Valley, are hugely important to residents, and trails in even remote locations such as Point Sal are used by over 20,000 visitors annually.

CRAHTAC believes that trails' public health and welfare benefits and their demonstrated importance to County residents warrant the incorporation of a robust policy framework into future Comprehensive Plan Amendments to support trail development and protect existing public trails. A complete overhaul of LUDC regulations governing trails also appears warranted. We believe that the Master Plan offers a once-in-a-generation opportunity to make such changes and that the County should be visionary and far-reaching in terms of its approach. CRAHTAC recommends that County strengthen historic policy tools such as the exaction of trails from new development and the use of development-related fees. In addition, CRAHTAC recommends that the County vigorously pursue innovative new tools, including public-private partnerships that facilitate new development in exchange for new parks and trails. CRAHTAC recognizes that such new development would involve tradeoffs. Still, as demonstrated by the acquisition of Orcutt Community Park and the Orcutt Hills Trail system and their heavy use by the public, the public benefits of such partnership actions are significant.

To reflect these broad themes, CRAHTAC would like to make the following points and general policy recommendations. The County should adopt policies that:

1. Strongly support the acquisition of new parks, recreation opportunities, and trails.
2. Strengthen policies to encourage/require trail easement dedication as part of new development.
3. Provide incentives to private property owners to dedicate and build new trails through providing incentives such as increased development and preferential permitting.
4. Encourage and explore interagency (e.g., city, County, state park, or national forest) and coordination for trail development.
5. Protect the aesthetics of existing and planned trails from new development, consistent with reasonable use of private property.
6. Work with nonprofit land managers (e.g., Land Trust, Nature Conservancy) to open up reserves to trail access.

7. Recognize the importance of trails to public health and to Disadvantaged Communities.
8. Prioritize the California Coastal Trail completion along the Gaviota Coast from Goleta to Jalama Beach County Park.

In addition to these issues, the County should:

- Adopt new Countywide Trail Design Guidelines developed in coordination with all Trail Organizations in the County as part of the Recreation Master Plan.
- Amend the LUDC to streamline permitting for new trails and broaden land uses and areas where trails are allowed.

In closing, we believe that the County has a once in a generation opportunity to strengthen its policy framework to promote the development of new parks, recreation, and trails and must act decisively and adopt solid policies and regulatory changes to make this happen.

Thank you for your consideration of our recommendations.

Sincerely,



Otis Calef, Chair
CRAHTAC

Cc: Jeff Lindgren, Assistant Director, Santa Barbara County Comm. Services, Parks Division
Jeff Wilson, Assistant Director, Santa Barbara County Planning and Development

Gaviota Coast Conservancy
Guadalupe Dunes Center
Lompoc Trails
Los Padres Forest Association
Montecito Trails Foundation
Move for Santa Barbara County
Sage Trail Alliance
Santa Barbara Audubon Society
Santa Barbara County Trails Council
Santa Maria Valley Open Space
Santa Ynez Valley Riders
Sierra Club | Santa Barbara Group
The Bucket Brigade

The Land Trust for Santa Barbara
U.S. Forest Service
County of Santa Barbara Parks
Commission
City of Guadalupe Parks & Rec
City of Santa Maria Parks & Rec
City of Lompoc Parks & Rec
City of Buellton Parks & Rec
City of Solvang Parks & Rec
City of Goleta Parks & Rec
City of Santa Barbara Parks & Rec
City of Carpinteria Parks & Rec