

November 2022 Draft Public Comments

From: [REDACTED]
To: [DCD Transportation](#)
Cc: [REDACTED]
Subject: Bike Trail Marsh Creek road
Date: Tuesday, October 25, 2022 8:28:51 AM

As a homeowner off Marsh Creek Road that has dealt with many traffic issues as well as lack of Contra Costa County support for problems with roadways I am very surprised to see this proposal. In addition, our land runs next to Marsh Creek and am double surprised no notice was sent to the property owners. I do not support the plan as laid out. While I am a bike rider and would love to be able to ride this corridor, it is unsafe. The county has never taken road safety seriously and I find this a dangerous plan. I am also on the Watershed council and support our environment as well as having our community be able to recreate in the outdoors. In order to have this plan be worthy of consideration there is so much missing in ensuring rights of property owners are protected as well as all the citizens that live along the path way. To date it is a crap shoot to depart our road "Aspara Drive" and enter onto Marsh Creek. Bikes make this area a huge danger. We have met with county Supervisors and CHP on the dangers on Marsh creek road which are yet to be improved. Again, I would love such a pathway to exist yet my vote is no with the current plan.

Best Regards,

David Sondergeld
Strategic Technology Executive, Board Advisor

[REDACTED]
[REDACTED]

From: [Alicia Nuchols](#)
To: [Jamar Stamps](#)
Subject: Re: Marsh Creek Public Draft
Date: Tuesday, October 25, 2022 3:23:01 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Good afternoon Jamar,

We've looked at the draft report and it looks good. Supervisor Burgis wanted to make sure that it mentioned the installation of paved pullout areas for traffic enforcement in the improvements section with the other recommended improvements which I noted was in the report. We have no other questions at this time.

Let me know if we can help share the document for public input.

Best,
Alicia~

Alicia Nuchols~
Deputy Chief of Staff



CONTRA COSTA
BOARD OF SUPERVISORS

Office of Supervisor Diane Burgis Contra Costa County, District 3
3361 Walnut Boulevard, Suite 140
Brentwood, CA 94513
Phone (925) 655-2330
Direct (925) 655-2335

From: Jamar Stamps <Jamar.Stamps@dcd.cccounty.us>
Date: Monday, October 17, 2022 at 5:54 PM
To: Alicia Nuchols <Alicia.Nuchols@bos.cccounty.us>, Lia Bristol
<Lia.Bristol@bos.cccounty.us>
Subject: FW: Marsh Creek Public Draft

Good evening Alicia and Lia,

Its been a while but we're finally close to wrapping up the Marsh Creek Trail Feasibility Study. A public draft is available at the link below. I'm working with the consultant (Fehr & Peers) on getting the public draft out this week and setting up a virtual public workshop in early November. However, before we send the draft out for public review I wanted to ask if you think either of your offices would want to review and possibly discuss the draft plan exclusively before we publish for public comment. If you would like to set up a virtual call to discuss before we publish let me know what

dates/times work best for you in October. If you could let me know sometime this week that'd be great.

Thank you, please let me know if you have any questions.

Jamar I. Stamps, AICP
Contra Costa County
Conservation & Development Department
30 Muir Rd., 2nd Floor
Martinez, CA. 94553-4601
Main: (925) 655-2917
Cell: (925) 877-8250

What should Contra Costa County be and look like in 20 years?
Check out [EnvisionContraCosta2040.org](https://www.envisioncontracosta2040.org) and let us know!



From: Ryan McClain <R.McClain@fehrandpeers.com>
Sent: Sunday, October 16, 2022 1:19 PM
To: Jamar Stamps <Jamar.Stamps@dcd.cccounty.us>
Cc: Kari McNickle <K.McNickle@fehrandpeers.com>
Subject: Marsh Creek Public Draft

Hi Jamar,

I've saved a pdf of the Public Draft report and a combined appendix in the shared folder here:

[📄 Marsh Creek Report](#)

Probably best to keep them as separate files given the size. Let me know if you have any questions or need anything else.

Thanks!

Ryan

Ryan McClain, PE | Principal

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From: [REDACTED]
To: [DCD Transportation](#)
Subject: Morgan Terrifies Rd
Date: Friday, November 4, 2022 2:27:16 AM

I can't tell looking at the map, would there be an access point at the intersection of Morgan Territory and Marsh Creek? There are a huge number of cyclists (and equestrians) that would benefit

Sent from my iPhone

From: [REDACTED]
To: [DCD Transportation](#)
Subject: I am at work Thursday during the meeting regarding the trail near Marsh Creek.
Date: Thursday, November 3, 2022 8:31:38 PM

Any chance there is a map of the proposed route somewhere and information regarding the proposed width and surface?

I live on Morgan Territory and walk and ride to Clayton a few times a week, I'm Mai Lu interested in that section

Thanks,
Pat Duggan

From: [margaret kruse](#)
To: [Jamar Stamps](#)
Subject: Zoom meeting
Date: Monday, November 7, 2022 11:35:08 AM

Hi Jamar,

Perhaps you are aware of this but there is a fair amount of buzz in our Marsh Creek Neighbors group about the trail and the potential for eminent domain. The group is holding a zoom meeting with an attorney this week, prior to your county zoom. I am sharing this with you in the hopes that your presentation will address this concern clearly and upfront. I know the feasibility study implies there would not be eminent domain, but what kind of actual assurances exist?

Also, even though I expressed this to you and the consultants at the time of the first draft, I was dismayed to see that the proposed alignment maps are still so poorly done. It is so difficult to view the actual proposed alignments in some cases due to the sizing of the map online as well as the use of colors. Perhaps it is yet another technology challenge I am having. I just can't see why the maps in the study documents are not larger and with better clarity.

See you later in the week!

From: [Toni Chimienti](#)
To: [Jamar Stamps](#)
Subject: Re: Map of proposed trail
Date: Monday, November 7, 2022 8:56:40 AM
Attachments: [image002.png](#)
[image002.png](#)
[image002.png](#)

Thank you!

Sent from my iPhone

On Nov 7, 2022, at 8:54 AM, Jamar Stamps <Jamar.Stamps@dcd.cccounty.us> wrote:

Because of the amount of information on these maps a single map would be too large of a file. The best map to get a visual scope of the study corridor is in [Figure 6-1](#) of the draft study. You bring up a good point though, we'll try to see if we can get a manageable web version of the entire study corridor so it can be viewed in one shot.

Thank you,

-Jamar

What should Contra Costa County be and look like in 20 years?

Check out [EnvisionContraCosta2040.org](https://www.contracosta2040.org) and let us know!



From: Toni Chimienti [REDACTED]
Sent: Monday, November 7, 2022 8:44 AM
To: Jamar Stamps <Jamar.Stamps@dcd.cccounty.us>
Subject: Re: Map of proposed trail

Hi Jamar,

Thank you for getting back to me. I was able to find this, but I had wanted to see the whole map of the proposed trail, not segments at a time. Is there one like that available to the public?

Thanks!

Toni

Sent from my iPhone

On Nov 7, 2022, at 8:38 AM, Jamar Stamps <Jamar.Stamps@dcd.cccounty.us> wrote:

Good morning Toni,

Sorry the website is giving you trouble. The map files are very large documents so it may take a few minutes to load. If you go to Appendix C Clayton Palms is in the "[Clayton Palms to Round Valley](#)" corridor map (see below).

→ ENGAGE WITH THE COUNTY → EVENTS ↓ RESOURCES

DRAFT Marsh Creek Corridor Multi-Use Trail Feasibility Study
(Task 7) DRAFT Marsh Creek Corridor Multi-Use Trail Feasibility Study (November 2022)

- Appendix A - Natural Resources Inventory
- Appendix B - Demand Analysis
- Appendix C - Corridor Maps
 - Phase 1 - Clayton City Limits to Clayton Ranch
 - Phase 2 - Clayton Palms to Round Valley
 - Phase 3 - Dark Canyon
- Appendix D - Cost Estimates
 - Phase 1 - Clayton
 - Phase 2 - Round Valley
 - Phase 3 - Dark Canyon
- Appendix E - Environmental Assessment
 - Phase I Environmental Assessment
 - Radius Report (Potentially Hazardous Materials Sites)
 - Historical Topography Maps
 - Corridor Figures

Thank you,

Jamar I. Stamps, AICP
Contra Costa County
Conservation & Development Department
30 Muir Rd., 2nd Floor
Martinez, CA. 94553-4601
Main: (925) 655-2917
Cell: (925) 877-8250

What should Contra Costa County be and look like in 20 years?
Check out [EnvisionContraCosta2040.org](https://www.contracosta2040.org) and let us know!



-----Original Message-----

From: Toni Chimienti [REDACTED]

Sent: Friday, November 4, 2022 4:20 PM
To: Jamar Stamps <Jamar.Stamps@dcd.cccounty.us>
Subject: Map of proposed trail

Hello,

I'm having difficulty seeing the trail in its entirety. I live at Clayton Palms and would like to see exactly what is proposed before I weigh in. Can you send me a link or copy of the map. This website is not user friendly and I only could see a tiny segment. Very unrealistic. If this is not something that you can help me with, please point me in the direction of the person that can.

Thank you.

Toni Chimienti
Sent from my iPhone

From: [Kari McNickle](#)
To: [Erik Owens](#)
Cc: [Jamar Stamps](#)
Subject: RE: Marsh Creek Draft Plan Workshop Confirmation
Date: Thursday, November 10, 2022 5:14:52 PM

Thank you for your comment, Erik!

I am adding Jamar to this email as well, and we will add this to our log.

Best,
Kari

Kari McNickle
Associate Transportation Planner
D 925.357.3374 | C 209.406.3951
k.mcnickle@fehrandpeers.com

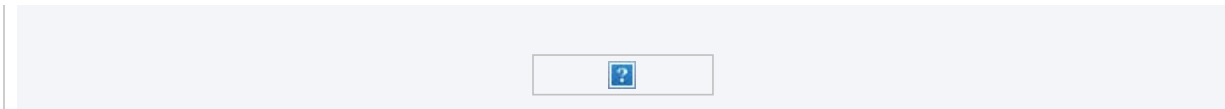


From: Erik Owens [REDACTED]
Sent: Thursday, November 10, 2022 5:13 PM
To: Kari McNickle <K.McNickle@fehrandpeers.com>
Subject: Re: Marsh Creek Draft Plan Workshop Confirmation

[EXTERNAL EMAIL]

Hello Kari,
My comments:
As a citizen of Concord, and Contra Costa Country, I appreciate these efforts. I used to ride my bike through this area. After circumnavigating MT Diablo multiple times I have stopped. I have had repeated experiences in this area where I am climbing on a bike over a hill and have had drivers pass me at very high speeds, tires squalling, on a road with no shoulder. We need to prioritize bikes and pedestrian traffic over vehicle traffic, or we will keep seeing repeated fatalities on our roads.
Thank you,
Erik O

On Mon, Nov 7, 2022 at 9:19 PM Kari McNickle <no-reply@zoom.us> wrote:



Hello Erik Owens,
Thank you for registering for Marsh Creek Draft Plan Workshop. You can find information about this meeting below.

Marsh Creek Draft Plan Workshop

Date & Time	Nov 10, 2022 04:00 PM Pacific Time (US and Canada)
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Meeting ID 841 0774 4731

[Add to Calendar\(.ics\)](#) | [Add to Google Calendar](#) | [Add to Yahoo Calendar](#)

You can [cancel](#) your registration at any time.

Please submit any questions to: k.mcnickle@fehrandpeers.com.

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Meeting 841 0774 4731

ID:

[International numbers](#)

Thank you!



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From: [Bruce Ole Ohlson](#)
To: [Jamar Stamps](#)
Cc: [BEB Advocacy Department](#); [Robert Prinz](#); [Delta Pedalers Bicycle Club](#); [Bike Concord](#); [EBRPD Sean Dugan](#); [John Cunningham](#); [SupervisorMithoff](#); [BoS3 Diane Burgis](#)
Subject: Marsh Creek Road Feasibility Study
Date: Wednesday, November 16, 2022 9:53:12 AM

Jamar,

You conducted yourself well during the Marsh Creek Road Feasibility Study. Man, you have a lot of freaked out land owners with whom to deal. www.contracosta.ca.gov/MCT_Study

So, if we can't build a Class 1 trail entirely separate from Marsh Creek Road between EBRPD's Round Valley Preserve and the town of Clayton, the next thing to study is building a Class 4 trail along the side of Marsh Creek Road where we are not allowed access to private property. Such a "trail" would provide a lower quality experience for the trail user, however, building the required segments as Class 4 would provide a continuous link between the two points, which is our ultimate goal. I'll leave it to you and your planners to determine how much to widen Marsh Creek Road where the Class 4 trail is installed. On the one hand, we do not want to have to rip out and replace the Class 4 at some time in the future if we decide to upgrade and widen this road. On the other hand, a decision to upgrade Marsh Creek Road might include authorization to put the trail outside of the road corridor through the condemnation process wherever needed. That decision is for the policy makers, though, not the end users.

A principal concern for whatever trail corridor with which we end up is with the safety of the trail user as he or she crosses Marsh Creek Road. This concern is principal whether or not we have the trail completely off road (Class 1) or need to include portions of the trail along the road (Class 4). Please include a traffic signal at each crossing as part of the planning and cost estimate for construction. And, of course, Class 4 trails have reinforced concrete K-rail separating the vehicle portion of the road from the people portion of the road.

As you know, there are only four routes between East County and Central County. Marsh Creek Road is one. The others are Kirker Pass,

Bailey Road, and Willow Pass. Alas, currently, the SAFEST route includes riding one's bicycle along the shoulder of a one-mile segment of 8-lane Highway 4. It is hoped that the construction of a trail paralleling the Marsh Creek Road corridor will help to remedy this.

Thank you very much for all the effort and work you are putting into this study.

All best wishes,

~0le

Bruce "0le" Ohlson

Bike East Bay

Delta Pedalers Bicycle Club

Contra Costa Countywide Bicycle Advisory Committee

CCTA Bicycle & Pedestrian Advisory Committee

Caltrans District 4 Bicycle Advisory Committee

TRANSPLAN appointee to Highway 4 Integrated Corridor Management Study

Healthy and Livable Pittsburg Collaborative

From: [Erik Owens](#)
To: [Bruce Ole Ohlson](#)
Cc: [Jamar Stamps](#); [BEB Advocacy Department](#); [Robert Prinz](#); [Delta Pedalers Bicycle Club](#); [Bike Concord](#); [EBRPD Sean Dugan](#); [John Cunningham](#); [SupervisorMithoff](#); [BoS3 Diane Burgis](#)
Subject: Re: Marsh Creek Road Feasibility Study
Date: Wednesday, November 16, 2022 10:04:02 AM

The safety issue was mentioned on this road. I have cycled through here a few times, and wonder how many people have been injured/killed.

Thank you,
Erik O

On Wed, Nov 16, 2022 at 9:53 AM Bruce Ole Ohlson [REDACTED] wrote:

Jamar,

You conducted yourself well during the Marsh Creek Road Feasibility Study. Man, you have a lot of freaked out land owners with whom to deal. www.contracosta.ca.gov/MCT_Study

So, if we can't build a Class 1 trail entirely separate from Marsh Creek Road between EBRPD's Round Valley Preserve and the town of Clayton, the next thing to study is building a Class 4 trail along the side of Marsh Creek Road where we are not allowed access to private property. Such a "trail" would provide a lower quality experience for the trail user, however, building the required segments as Class 4 would provide a continuous link between the two points, which is our ultimate goal. I'll leave it to you and your planners to determine how much to widen Marsh Creek Road where the Class 4 trail is installed. On the one hand, we do not want to have to rip out and replace the Class 4 at some time in the future if we decide to upgrade and widen this road. On the other hand, a decision to upgrade Marsh Creek Road might include authorization to put the trail outside of the road corridor through the condemnation process wherever needed. That decision is for the policy makers, though, not the end users.

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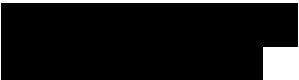
Thank you very much for all the effort and work you are putting into this study.

All best wishes,

~Ole

Bruce "Ole" Ohlson
Bike East Bay
Delta Pedalers Bicycle Club
Contra Costa Countywide Bicycle Advisory Committee
CCTA Bicycle & Pedestrian Advisory Committee
Caltrans District 4 Bicycle Advisory Committee
TRANSPLAN appointee to Highway 4 Integrated Corridor
Management Study
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November 17, 2022

Jamar I. Stamps, AICP
Senior Planner
Contra Costa County
Department of Conservation and Development
Transportation Planning Section
30 Muir Rd., 2nd Floor
Martinez, CA. 94553-4601

RE: Comments regarding the Draft Marsh Creek Corridor Multi-Use Trail Feasibility Study

Dear Mr. Stamps,


The East Bay Regional Park District (Park District) has taken the opportunity to review the draft Marsh Creek Corridor Feasibility Study (Study). The Study proposes to connect the trail system within the City of Clayton to Round Valley Regional Preserve via multi-use trail through the 12.5-mile-long Marsh Creek Road corridor for recreational and commuting purposes. The study shows that there is significant demand for such a facility, and that the type of facility (width, surface etc.) may vary throughout the corridor depending on the topography, environmental impacts, right-of-way and more. The goals for Study include, but are not limited to, conducting extensive public engagement to understand the needs of the community and stakeholders, developing a trail alignment that uses a public lands first approach, minimizes impacts to private property and the environment, and identifying a phased approach.

As mentioned in a pervious comment letter, dated December 4th, 2020, a portion of the conceptual alignment crosses Marsh Creek Rd from Mount Diablo California State Park to Park District property. This property, referred to as Clayton Ranch in the Study, is not currently open to the public. Park District staff, in partnership with the East Contra Costa County Habitat Conservancy (Habitat Conservancy), is developing a Preserve Management Plan (PMP, formerly referred to as the Black Diamond Mines Land Use Plan Amendment in the previous letter) for a portion of this property because it was purchased in partnership with the Habitat Conservancy. The ECCC Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP) is primarily a mitigation and conservation plan to address development impacts and prioritize species and habitat protection, limiting recreation and recreation development. The conceptual alignment identified in the Study uses trails and roads in Clayton Ranch that are proposed for closure, per the PMP’s conceptual public access plan, due to the quality of the surrounding habitat. The County should coordinate with Park District staff to identify an alignment that does not conflict with the goals and implementation strategies of the PMP.

The Study anticipates that the Park District will implement the multi-use trail within Clayton Ranch. The timing of implementation and typology of the trail should be closely coordinated with the Park District, and additional funding may need to be provided if the scope is beyond what is identified in the PMP, but still allowable.

The Park District appreciates the opportunity to provide comments on the Draft Marsh Creek Corridor Multi-Use Feasibility Study. Please provide any future information to the Park District for review. If you have any questions or concerns, please contact Suzanne Wilson at (510) 544-2609, or by e-mail at swilson@ebparks.org.

Respectfully,


Suzanne Wilson
Sr. Planner – Trails Development
East Bay Regional Park District

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DEPARTMENT OF PARKS AND RECREATION

Armando Quintero, Director

Diablo Range District
14311 Tesla Road
Livermore, CA 94550

November 18, 2022

Jamar Stamps, AICP
Principal Planner
30 Muir Road
Martinez, CA 94553
Via email to jamar.stamps@dcd.cccounty.us

RE: Marsh Creek Corridor Multi-Use Trail Feasibility Study

Dear Mr. Stamps,

This letter provides comments by the Diablo Range District of the California Department of Parks and Recreation (State Parks) on the Marsh Creek Corridor Multi-Use Trail Feasibility Study. The Marsh Creek Corridor includes two State Park properties: Mount Diablo State Park to the west and Marsh Creek State Park to the east. State Parks recognizes the importance of promoting corridors that provide access to long distance hiking, biking, and riding experiences and that connect people from population centers to lands with outstanding values. We are supportive of this effort to evaluate those opportunities within the Marsh Creek Corridor.

State Parks recommends that the feasibility study highlight opportunities to connect with park trails as identified in the 2016 Mount Diablo State Park Road and Trail Management Plan, and the 2012 Marsh Creek State Park General Plan. While Marsh Creek State Park is not currently open to the public, the General Plan includes facilities and resources that would support public use in the future. We encourage close coordination with State Parks as planning efforts progress.

If you have any questions about this comment letter or would like to discuss potential trail alignments as they relate to State Park properties, please contact Diablo Range District Environmental Coordinator Gina Benigno at 925-409-8392 or gina.benigno@parks.ca.gov

Sincerely,

DocuSigned by:
A handwritten signature in black ink that reads "Clinton Elsholz".
DB5FF6A6A92248B...

Clinton Elsholz
District Superintendent (Acting)
Diablo Range District

From: [cheryl allegro](#)
To: [Jamar Stamps](#); k.mcnickle@fehrandpeers.com
Subject: Marsh Creek Feasibility Study
Date: Friday, November 18, 2022 3:10:31 PM

November 18, 2022

Jamar Stamps,

Jamar.stamps@cd.CCCounty.us

Kari McNickle

k.mcnickle@fehrandpeers.com

Re. Marsh Creek Corridor Multi-use Feasibility Study

Property owners: [REDACTED]

Property address: [REDACTED]

[REDACTED]

Parcel Number: [REDACTED]

[REDACTED]

Dear Jamal and Kari,

Thank you for meeting with us on your Feasibility study. It was great for me to see the turnout. I am writing to you on my thoughts although I know you have heard them from others.

<!--[if !supportLists]-->1. <!--[endif]-->Property Value and Beauty downgraded.

<!--[if !supportLists]-->2. <!--[endif]-->Liability- Our insurance agent advised for us to be on “your” policy as additional insured. We already maintain an umbrella policy for it is to protect us in a lawsuit accusing us of negligence. We lease all our properties for cattle grazing. If a fence is down and it doesn’t get replaced, a cow gets out and a car hits it, we could be sued. If public is allowed to transverse property lines, gates have to be closed and they aren’t, a cow gets out and a car hits it, with deep pocket litigious action, we would have to hire a lawyer anyway. Your insurance gets sued, we get sued etc.

<!--[if !supportLists]-->3. <!--[endif]-->Homeless potential

<!--[if !supportLists]-->4. <!--[endif]-->Fire Safety Risks-We have had numerous fires directly affecting our property. One was caused by fire crackers sent off from a car in the turnout. Another a Mylar balloon tangled with a power line.

<!--[if !supportLists]-->5. <!--[endif]-->Trail Maintenance- Unless the trails have hours of operation, there should “eyes” all along the trail where it dissects private property. Bathrooms? Garbage cans and how often are they dumped? Litter? When we get rain, the trails get broken up, whose responsibility is it to repair?

<!--[if !supportLists]-->6. <!--[endif]-->Cattle vs Human- There are seasonal situations with grazing cattle. Calving season, Mamas are very aggressive. Bull season, they can be mean. If dogs are allowed, who is going to make sure they are on lease as the EB Parks website mandates?

<!--[if !supportLists]-->7. <!--[endif]-->Turnoffs and Parking- You mentioned providing them in your plan. I travel Marsh Creek Rd and often see the “turnouts” being used by hikers to gain access to a “part” of the trail. How will the parking be controlled?

<!--[if !supportLists]-->8. <!--[endif]-->Trespassers- I have real live stories about dealing with trespassers. One time they couldn’t see why they couldn’t be on property as there were no signs (right where they were standing). We were advised to place the signs every so many feet along the fence line on the public road. Are we going to need to do that along ALL property lines the trail in on? Another parked below our house in a turnout and proceeded to relieve herself and clean out her car. When we confronted her, she blamed us for no garbage cans and bathrooms! I know that people who hike and bike have more respect for the environment and their own actions but when you open up this opportunity, it can be a problem. One last example of a friend who runs marathons and uses Round Valley to practice mentioned a time when she came upon a closed gate, private property, and really wanted to climb and keep going. Her running friend talked her out of it but the temptation was there. It is the human nature I worry about.

<!--[if !supportLists]-->9. <!--[endif]-->Law Enforcement- We have been told

numerous times where the Sheriff Department is concerned it is at least a 20-30 minute response time and good thing we are armed because we are on our own until they arrive. Who will be the law enforcement with issues on the trails?

Regards,

Tony and Cheryl Allegro



From: [Nanette Bosworth](#)
To: [DCD Transportation](#)
Cc: [Margaret Kruse](#); [REDACTED] [peter Dailey](#)
Subject: Marsh Creek Corridor Multi-Use Trail 18400 Marsh Creek Road
Date: Friday, November 18, 2022 3:03:59 PM
Attachments: [18400 Marsh Creek Rd - Property Owner Comment Letter.pdf](#)
[Lot Line Adjustment - LLA11.pdf](#)

Dear Jarmar and Kari,

I am enclosing a copy of my previous letter to you with comments on the Marsh Creek Corridor. While I appreciate that you have changed the proposed path from the last draft which had the trail directly through our property, I still have the same concerns with the new proposal with the trail way up behind our property in a very secluded area of Margaret Cruz's property. Homeless camps, fire risk, privacy infringement and security risks are still my major concerns with the proposal.

In addition, you now have a dual path on the road in front of our home, which still brings concerns regarding privacy as well as some the concerns mentioned above, particularly having a dual path on both sides of our property. Also, you will see from the attached survey, that there are 2 operating wells right on the edge of Marsh Creek Road that service our property. I would expect that any path construction on the south side of Marsh Creek Road would require a relocation of those wells.

Based on the conversations on the call on the 10th, it does not appear that you have provided any comfort to the property owners regarding the concerns in the attached letter, particularly fire risk, illegal homeless encampment control, livestock control and personal and property safety from those who do not respect the property and person of others. Plans and programs to address these areas must be a part of this plan if there is any chance that the property owners along the proposed trail will support it.

I would also suggest that your team take the time to travel the proposed trail (walk, horseback, etc) to actually see the path you are proposing. It does frustrate property owners when the path as proposed goes through their homes, (i.e. Lisa Rossi [REDACTED] [REDACTED] and the Sunshine House Fire Station) or in my case would affect our water producing wells.

As of this time, we will not support the proposal and feel there are better areas in our county to provide the recreation opportunities that those that support this proposed trail are looking for, particularly as the original east/west "commuter path" purpose has been abandon as you indicated on the call.

Please feel free to contact me with any questions, or if you would like to discuss.

Regards, Nanette

Nanette Bosworth [REDACTED]

November 25, 2020

Jamar Stamps, AICP
Contra Costa County
Jamar.stamps@dcd.CCCounty.us

Kari McNickle
Fehr & Peers
k.mcnicke@fehrandpeers.com

RE: Draft MARSH CREEK CORRIDOR Multi-use Trail Feasibility Study

Property Owners: [REDACTED]
Property Address: [REDACTED]
Parcel Number: [REDACTED]

Dear Jamar and Kari,

We are writing this letter in response to your request for property owner comments on the Proposed Shared Use Path for the Marsh Creek Corridor. As the property owners of [REDACTED], we are opposed to the proposed path. The following are the reasons why:

1. **Diminished Property Beauty and Value.** The corridor map provided shows that the proposed path leaves Marsh Creek Road on the western edge of our property, cuts through approximately 700 ft on the secluded private southern side and then returns to follow Marsh Creek Road at the eastern border of our property. Thus separating us from approximately 25% of our property. A paved and/or gravel path will diminish the beauty and natural landscape of this portion of the property and significantly decrease our privacy and property value.
2. **Not Feasible to Construct.** The path across our property is proposed for the northern bank of Marsh Creek. The north bank is steep and we feel that a significant cut of even 5 feet into the bank to make an unpaved path is not feasible. Such a cut would cause bank erosion in this steep area and will cause damage to the improved area of our property, i.e. fencing, motorhome cement pad, garage foundation, septic tank and yard improvements. In addition, Marsh Creek receives a large amount of water runoff that passes through the property during the rainy season and any proposed trail on the north bank will be under water. The water flow during this period is very swift would also cause a safety issue for trail users during this time. (See pictures attached.) Also, it is unclear on the map how you plan to get users from the west end where the trail is on the south side of Marsh Creek to the north side onto our property for further trail to the east. Again this area gets significant water runoff in the rain months and a foot path will be washed away and passage would not be possible. A significant bridge would need to be constructed on the west side of our property to cross over to the proposed north side of the creek where there is a steep bank with no area to place a bridge support.

3. **Privacy Infringed.** We have significant concern that the proposed placement of the path on the north bank of Marsh Creek, through our property, will eliminate the privacy we now enjoy. It appears that the path would come within 5 to 10 feet of the house. The south side of our property is the beautiful, private and natural portion of the home. We have outdoor living space, a pool, and the homes open windows facing the creek are all protected because of the privacy the creek provides. A path with public access will eliminate this privacy completely resulting in an undesirable change in life style for us as well as diminished property value.
4. **Security Infringed.** Providing public access on the very private side south side of the property exposes our home to heightened security issues. While we would like to think that only good people will use the trail, this proposed out of site portion of the trail will make our home a perfect target for the less desirable users of the trail. We are very concerned about the increased threat of thefts and security to our person that will come with public access.
5. **Homeless Potential.** Creeks, including Marsh Creek, in East Contra Costa County are often areas for homeless encampments. This protected portion of the creek, off the road and unseen, with some protection from weather, is ideal for such an encampment. A potential homeless encampment is a significant objection we have to the proposed path.
6. **Fire Safety Risks.** Fire is a major concern for homeowners in this area. This past year, we had a fire within 100 yards of the house. We are constantly monitoring and working to provide our properties with the best fire prevention possible. Public access or a potential homeless encampment will increase the risk of fire to the land and our home. It will also potentially increase the cost of insuring our home against fire with increased traffic with public access.
7. **Increase Liability Risk.** Allowing public access across our private land increase our liability risk. While there may be a way to protect property owners from this liability, there is no way to stop people from suing the land owner. Liability insurance cost would likely increase.
8. **Additional Path Concerns:** The above issues are direct comments regarding the specific property at 18400 Marsh Creek Road. However, the following are comments about the path in general:
 - a. **Fire Risk.** Fire risk is significant in the Marsh Creek Canyon. We have a number of fires throughout the canyon every year. Home owners are constantly doing all we can to prevent and mitigate fire risks. Allowing public access to such a large stretch of Marsh Creek, significantly increases the risks we all deal with each year to protect our property.
 - b. **Road Crossings.** Marsh Creek is a very busy road during rush hour traffic. Speed limits and double yellow lines are ignored, particularly in the straight away stretch between the Clayton Palms and our property. Marsh Creek Road crossings should be kept to an absolute minimum.
 - c. **Creek Flow.** During the rainy season, Marsh Creek flow is high. Do not be fooled by the dry nature of Marsh Creek during the summer. Water levels are high and flow is swift. Creek crossings need to be at a minimum and bridges will be needed at all crossings.
 - d. **Cattle Grazing.** Much of the property along Marsh Creek, particularly on the east end is used to graze cattle. This will have an added risk for the public and the ranchers to keep fence lines secure and cattle safe.

- e. **Steep and Confined Terrain.** Much of Marsh Creek is confined and has very steep banks as well as drop offs along the road. The proposed path does not seem to take into account these terrain issues. In several areas, the opposite side of Marsh Creek Road would be a much better choice than where the path is proposed. Has Fehr and Peers done a full onsite review of the proposed path and evaluated bridge, hill grading and road shoulder constraints that will be required to actually build this path?

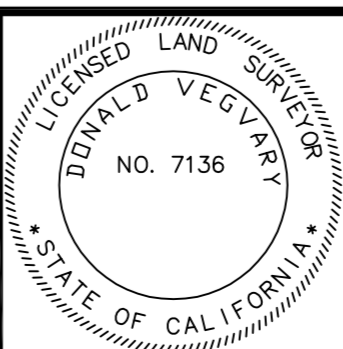
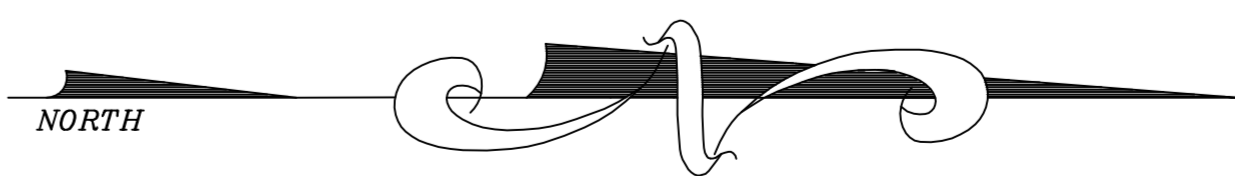
We appreciate what Contra Costa County is trying to do to provide a safe path through the Marsh Creek Corridor and we appreciate your efforts to reach out to property owners that would be affected by the proposed path. However, we feel that this feasibility study to date has not sufficiently evaluated the course of the trail in this area or some of the more overall issues a trail will pose throughout the Marsh Creek Corridor and specifically to our property.

We would like to invite you both, Jamar at the county and Kari at Fehr and Peers, to come out for a site visit to better understand the issues that exist with the proposed path. Please contact me, Nanette, at [REDACTED] to arrange a time.

Regards,

Nanette Bosworth and Gerald Stein

NOTE
 THIS MAP WAS PREPARED FOR THE EXCLUSIVE USE OF NANETTE BOSWORTH.
 USE BY ANY OTHER PARTY FOR ANY PURPOSE WHATSOEVER IS PROHIBITED AND NOT WARRANTED.



JOB: 13010
 SCALE: 1"=20'
 ENGINEER: D.V.
 DATE: 3/26/13

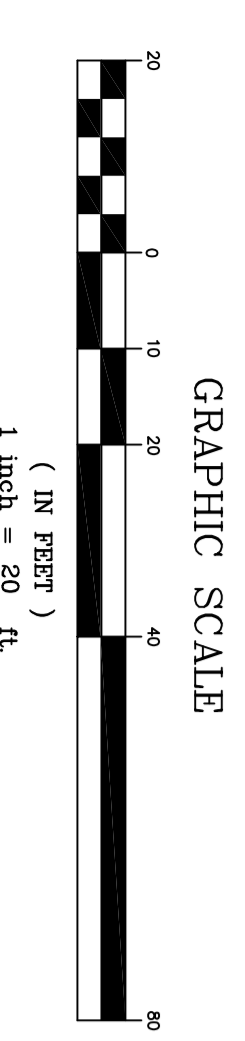
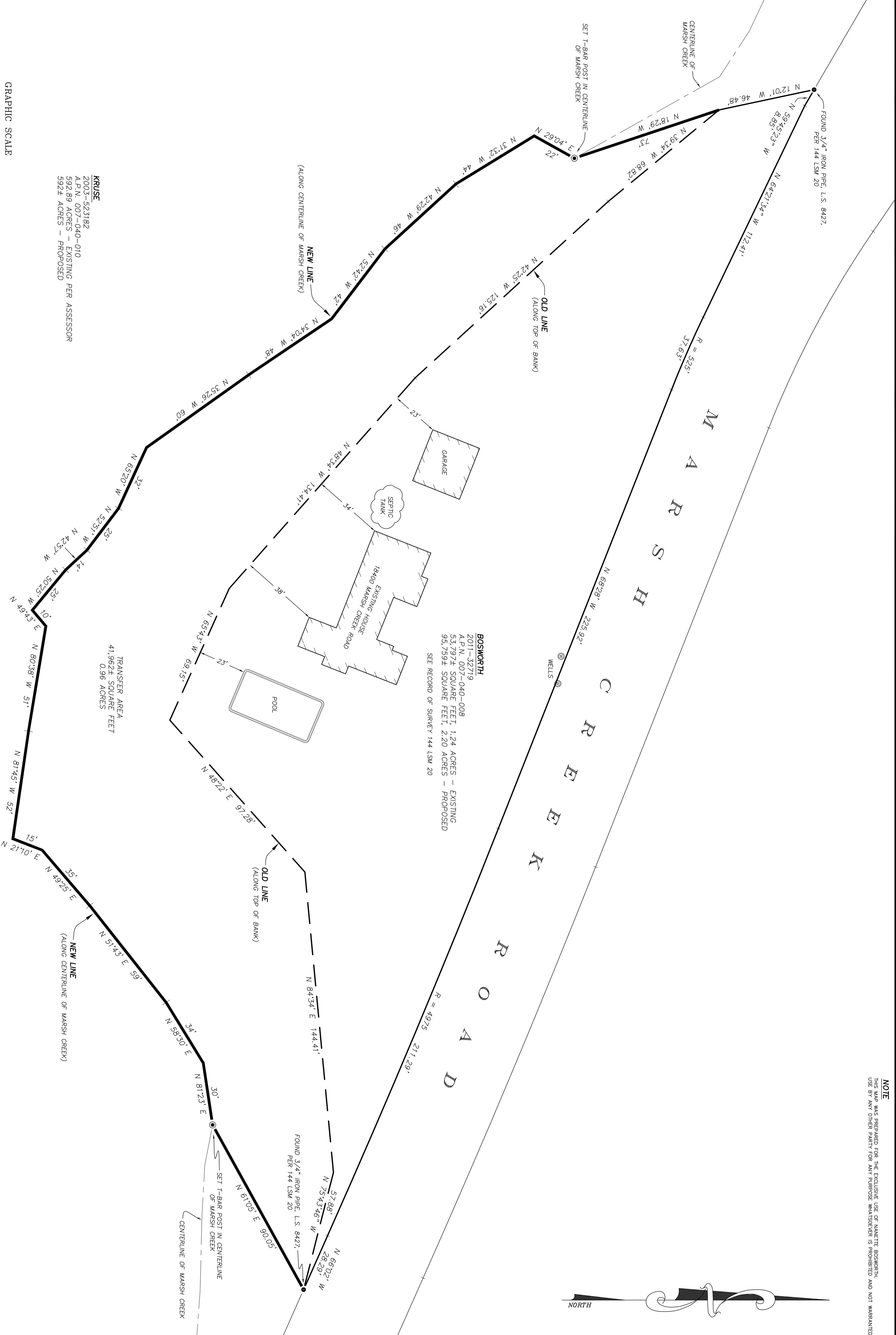
REVISIONS

LOT LINE ADJUSTMENT
 FOR NANETTE BOSWORTH
 LOCATED IN THE NE 1/4 OF SEC. 5, T1S, R2E - MDB&M
 18400 MARSH CREEK ROAD
 BRENTWOOD - CONTRA COSTA COUNTY - CALIFORNIA

LAND SURVEYOR
 3527 MT. DIABLO BLVD., #368
 LAFAYETTE, CALIFORNIA
 925-947-1051



SHEET 1
 OF 1 SHEETS



From: [Eileen Hanson](#)
To: [DCD Transportation](#)
Subject: Marsh Creek Trail
Date: Friday, November 18, 2022 5:04:30 PM

My husband and I live on Marsh Creek Road and have been here since 1999. We do business as Hanson Family Farms and we sell meat at some of the local Farmer's Markets. Our kids went to school in Brentwood, as does my granddaughter currently. In the past, we were very active in local 4H groups as well as the Contra Costa County Farm Bureau. We have chosen a ranching lifestyle and have chosen to live quietly on Marsh Creek Road. Our son and his family live on the property also, as it is a multi-generational ranch.

We were eminent domained on Highway 4 in 1999. My parents researched the potential rerouting of Highway 4 before the property was acquired, as even forty years earlier it was obvious at some point it would become a major thoroughfare. We had four generations living on the farm, two businesses and two residences. We spent three years in court, but we won and the state and county had to buy all the property and not leave us with just the hills with no promise of forever access to our own property.

We chose the property on Marsh Creek Road because we wanted to stay in the area that my parents had lived in all their lives and we felt Brentwood would be a good match as it was a farming community. Our boarding kennel had to be closed. So my mom's main source of income was gone, but she was able to live off rentals that my dad had acquired over the years. We on the other hand, brought our livestock and children thinking we would fit into the community. Our land in in the Williamson Act and we raise meat that we sell at local Farmer's Markets. My parents are now both deceased, but we still have three generations living on the property. A property that was chosen because we did not want neighbors or lots of human activity nearby (the trailer park is about a quarter mile from where we live and they are good about staying in their own area, but enjoy watching the circle of life on the farm next door), a place nestled on three sides by private property so we and our livestock were protected, and a place beyond the urban limits so there would be no development in our lifetimes.

The Marsh Creek Trail will take these privileges away from us. There will be human traffic at all times of the day seven days a week, our safety and privacy will be taken away and development will be on our property. These are just the obvious reasons, let us look into this a bit deeper...

- 1. One of the things they are trying to call this is a possible commute trail for bicyclists. This is really a pipedream. We are ten miles from anywhere and once it is dark out there, it is very dark. Street lights are not there and wildlife runs amok as soon as the sun goes down and would be on the path causing problems and creating distractions that cause car accidents, these accidents could be even more abundant and less accessibility if someone was injured on a dark trail.**
- 2. All the users of this path would be on what is our property. This absolutely infringes on our privacy. We already have**

people that pull into our driveway and want to have a picnic. Now you are allowing them to do this at all hours.

3. You are allowing access to a very large percentage of our property. This affects our safety, as well as that of our livestock. You never know who is going to come off the path looking for trouble or stealing livestock or chasing them because it is funny. I have bulls, rams and bucks out there. None of them have any sense of humor when anything bothers their harems. And I have guardian dogs that have even less. Who is going to come immediately if I find someone messing with my livelihood? Who is going to fix the fences immediately when someone falls through it or cuts the wire to extend their adventure. Is there going to be someone with authority to come out when we call to tell them someone is messing with our cows?
4. How is the sheriff or the fire department going to get back there when there is no vehicle access? The only fire we have had on our property was when someone from the trailer park went down in the creek and started a fire that got away from them. People do things when they don't think they are visible and don't think they will get caught.
5. Who is going to pick up the garbage and keep the area policed of litter? How can we be sure there will be no food scraps left to attract skunks, raccoons and coyotes? We can police ourselves, but not someone else.
6. Has anyone looked at a topographical map of the area? Behind the trailer park is a very steep incline and then the creek. You are talking major renovation to keep that trail right behind the trailer park. There is also the fact that in a rainy year, Marsh Creek can be a raging river and it is dangerous to be anywhere near it. One certainly could not plan to cross it year-round.
7. Who is responsible for the fencing? Who is responsible for the upkeep of it after a storm, or heaven forbid, a fire? Who is going to check that no-one has dug a little hole under it so they can get into the secluded area and take a nap? You are adding a lot of responsibility and liability to every land owner out here.
8. You are decreasing the value of our property. It will no longer be a ranch or farm, but a piece of land chiseled away at by the powers that be "for the good of all". It is NOT for the good of

those of us who have chosen to work seven days a week for the love of the land and the livestock. We had to start closing our gates on weekends because people would come in and want tours. We can't close off the section of trail that interferes with our lives. We have put our blood, sweat and tears into this land and now you want to take part of it so someone who would never work as hard as us can recreate? Who is going to want to buy a ranch that has a bike path and all the headaches attached? You are taking away the natural beauty of the area.

9. What a great place for a homeless encampment! No one can see you. You have water in the creek at least part of the year. You can pee in the creek and throw your garbage in it. That is all really good for the environment. You are creating a perfect scenario for homeless encampments. Out of sight and out of mind. This creates danger for all the local inhabitants.
10. You are creating another reason to increase our fire insurance premiums, as well as our liability. Insurance companies are already looking for reasons to get us off their rosters. Falling into Marsh Creek, having a cow rush the fence and have them fall off their bicycle or horse and break a leg, stopping for a smoke and throwing their butt on the dry grass. All these are going to have an effect on our ability to get insurance, or at least to be able to afford it.
11. In front of our property, Marsh Creek Road is pretty straight and speeding is a fact of life. We have people going through our fence every year. Having this path right along the road is going to cause even more distracted driving. There are several jerks that honk everyday that want to see our animals run. Thankfully our animals have gotten used to it and ignore it. What about the horse that freaks and bucks off his owner, or the bicyclist that is startled by the honk? This plan is certainly not very well thought through, even if I was not a property owner that is being affected.
12. The idea that you would think we would donate a portion of our land is laughable. You are raping our land, you are putting our livestock in more danger as access to them is hidden from the road and us, and you are taking away our safety as the creek access would give cover to someone coming down the creek to break into the houses or barns. Trying to call it an alternate

commute opportunity is laughable. I understand you want there to be a path from Brentwood to Mt. Diablo, but this plan is full of holes.

In case I have not made myself clear, the owners of [REDACTED], [REDACTED] are totally not in favor of this path. It adds great liability, destroys our safety net and increases danger potential to our livestock. There is danger to the whole corridor in increased accidents due to distracted driving on Marsh Creek Road, increased fire danger, destruction of habitat along the creek and danger to the users when the creek is high and the aftermath of its power. You are putting more pressure on local fire departments, the Sheriff Department and even CHP. All of these are already incredibly overworked and understaffed in this area.

Any questions, feel free to contact me at [REDACTED], or you can call me at [REDACTED]. Please be aware that to come on my property, an appointment must be made in advance.

Thank you,

James and Eileen Hanson

P. S. After I finished this, my husband brought up the fact of when we are pulling in and out of our driveway, we are crossing the path. At least 4 times a week, we are pulling a trailer in and out. Our gates allow for our trailer to be off the road as we lock and unlock the gates. We will either be blocking the path or the road. Neither is safe and we are not the only ones on the corridor that this would be an issue.

November 17, 2022

Jamar Stamps, AICP

Contra Costa County

Jamar.stamps@dece.cccounty.us

transportation@dcd.cccounty.us

Re: Draft MARSH CREEK CORRIDOR Multi-use Trail Feasibility Study

Property Owner: [REDACTED]

Property Address: [REDACTED]

Parcel Number: [REDACTED]

Dear Jamar,

I am writing this letter in response to your request for property owner comments on the Proposed Shared Use Path for the Marsh Creek Corridor. As the property owner of [REDACTED], I am opposed to the proposed path. The following are the reasons why:

1. **The current proposed path is currently running right through my house.** The path cuts fairly deep through my property. I am not interested in selling my rights to the land or giving access rights for use of the path as it is proposed.
2. **Diminished Property Beauty and Value.** The corridor map provided shows the path running on two sides of my property front and back. The back path would ruin the value of my property for seclusion and serenity. I purchased the property to have privacy and serenity from the city life. Having foot traffic or bike traffic behind me would diminish the reason I sought out this property. A paved and /or gravel path will diminish the beauty and natural landscape of this portion of the property and significantly decrease our privacy and property value.
3. **Not Feasible to Construct.** The proposed path would need a significant cut into hillside in order to make such a path. Based on slope of the hill that has a natural runoff of water in the winter season that gushes like nigari falls that runs directly through my property down to Marsh Creek

it would be likely that we would be looking at erosion which would create issues on my property.

4. **Privacy Infringed.** I have significant concern that the proposed placement of the path even on the backside of my property, will eliminate the privacy we now enjoy. It appears now that the path runs through my house but even if it is relocated behind my property, it would have the same effect. We enjoy our outdoor living in the back with a pool and a spa and we enjoy our privacy of not having other humans in our space. It is the reason we sought such a property to enjoy the natural surroundings and vast privacy. A path with public access will eliminate this privacy completely resulting in an undesirable change in life style for me as well as diminished property value.
5. **Security Infringed.** Providing public access on the very private back side of my property exposes my home to heightened security issues. While we would like to think that only good people will use the trail, this proposed out of site portion of the trail will make my home a perfect target for the less desirable users of the trail. I am very concerned about the increased threat of thefts and security to my person that will come with public access. We had two incidents in that past two years were 51/50 people were left in the park unattended for the neighbors to be asked to leave for our safety. These are new concerns and the fact that law enforcement is strapped for resources and the ability to police correctly, neighbors are left to fend for themselves.

The path runs along Marsh Creek Road in front of property. This a road that already has many safety issues that don't have adequate services to control the issues that encompass this road. (speeding, illegal passing on double lines, numerous crashes, illegal dumping). Adding another element of travel to the roads current state does not make a lot of sense until there are improvements to the current conditions.

6. **Homeless potential.** The proposed path located on the backside of the property would potentially expose me to homeless encampments, dumping along path, endangering my livestock by people feeding things to my animals through the fence that are not part of their diet, exposing my belongings to potential theft as people pass and see the contents located on my property. East Contra Costa is often an area for homeless encampments. This protected portion of the creek, off the road and unseen, with some protection from weather, is ideal for such an encampment. A potential homeless encampment is a significant objection I have to the proposed path.
7. **Fire Safety Risks.** Fire is a major concern for homeowners in this area. This past year, we had a fire within 100 yards of the house. We are constantly monitoring and working to provide our properties with the best fire prevention possible. Public access or a potential homeless encampment will increase the risk of fire to the land and our home. It will also potentially increase the cost of insuring our home against fire with increased traffic with public access.

8. **Additional Path Concerns:** The above issues relate to my property specifically these are additional general concerns with the proposed path.
- a. **Fire Risk.** Fire risk is significant in the Marsh Creek Canyon. We have a number of fires throughout the canyon every year. Home owners are constantly doing all we can to prevent and mitigate fire risks. Allowing public access to such a large stretch of Marsh Creek, significantly increases the risks we all deal with each year to protect our property.
 - b. **Road Crossings.** Marsh Creek is a very busy road during rush hour traffic. Speed limits and double yellow lines are ignored, particularly in the straight away stretch between Clayton Palms and our property. Marsh Creek Road crossings should be kept to an absolute minimum.
 - c. **Creek Flow.** During the rainy season, Marsh Creek flow is high. Do not be fooled by the dry nature of Marsh Creek during the summer. Water levels are high and flow is swift. Creek Crossings need to be at a minimum and bridges will be needed at all crossings.
 - d. **Steep and Confined Terrain.** Much of Marsh Creek is confined and has very steep banks as well as drop offs along the road. The proposed path does not seem to take into account these terrain issues. In several areas, the opposite side of Marsh Creek Road would be a much better choice than where the path is proposed. Has Fehr and Peers done a full onsite review of the proposed path and evaluated bridge, hill grading and road shoulder constraints that will be required to actually build this path?

I appreciate what Contra Costa County is trying to do to provide a safe path through the Marsh Creek Corridor and I appreciate your efforts to reach out to property owners that would be affected by the proposed path. However, I feel that this feasibility study to date has not sufficiently evaluated the course of the trail in this area or some of the more overall issues a trail will pose through the Marsh Creek Corridor and specifically to my property.

Regards,

Lisa Rossi

Halo Farms LLC

[REDACTED]

[REDACTED]

[REDACTED]

Gwen & Peter Dailey

November 18, 2022

Jamar Stamps, AICP
Contra Costa County
Jamar.stamps@dcd.CCCounty.us

Kari McNickle
Fehr & Peers
k.mcnicke@fehrandpeers.com

RE: Draft MARSH CREEK CORRIDOR Multi-use Trail Feasibility Study

Dear Jamar and Kari:

This letter is in response to a call for comments on the Marsh Creek Corridor Multi-Use Trail Feasibility Study dated November 2022. As Homeowners at [REDACTED], we would be adversely impacted by this trail. The following are just some of our concerns:

1. Lack of privacy - Much of the trail travels through private property. Having the public biking, hiking, horseback riding, dog walking etc. through private ranches and ranchettes cancels the use and enjoyment of our properties. There are many issues related to this, such as decreased property values.
2. Gates - Having the trail travel through private property entails the use of gates in the existing fence lines. These fences keep our livestock both off the road and out of neighboring properties, often with their own livestock. Trail users, especially those bicyclists who are commuters and, in a hurry, will not want to be stopping frequently to open and close gates, especially on the smaller properties. They will be tempted to prop open the gates, leading to animals getting out into the neighbors and onto the road. As you know, Marsh Creek Road is a very fast and dangerous road. Loose livestock on the road can lead to dead livestock and vehicle damage, injuries and even fatalities. Legal liabilities will also result.
3. Types of livestock - It should be noted that not all the livestock residents keep are cattle. Many of us have sheep, goats, horses and donkeys, camelids, pigs, and poultry. We also have our own dogs and cats. It is not suitable for many of these animals to be exposed to the public and the disturbances and liabilities that could result. For example, horses may bite, kick and trample. Sheep, goats, and poultry are very vulnerable to being chased and killed by dogs from the public, as well as being harassed and stolen by those with wrong intent.

4. Lack of security - Having the public on private property greatly increases security and safety issues. Property owners become much more vulnerable to theft and bodily harm. Unfortunately, not all trail users have good intent.
5. Ability of the county to enforce rules and deter crime on the trail - The county can't even keep people from illegally dumping trash on Marsh Creek Road. It is a big problem. How will the county monitor another route along this same corridor?
6. Homeless encampments - trails alongside Marsh Creek are prime areas for homeless encampments, as has happened in East County. This brings crime, drug use, fire dangers and environmental pollution such as trash and excrement that invariably ends up in the creek.
7. Fire danger - As you know, the Marsh Creek corridor has a great vulnerability to fire and has had many fires recently. Giving more people access to secluded vulnerable areas makes it a target for arsonists, the major cause of fires in our area. Homeless encampments also greatly increase fire risk as they use fires for cooking and warming.
8. Impact of the trail on wildlife and the riparian habitat - The Study maps show much of the trail being very close to the Creek. It also notes that according to the Habitat Conservation Plan and Natural Community Conservation Plan (page 30) the setback requirement for Marsh Creek is 75 feet from the edge of the bank. There is no explanation of how to resolve this problem. Constructing a trail so close to the creek will be detrimental to both the flora and fauna of the creek. Several rare species and species of concern are documented to inhabit the riparian areas of Marsh Creek. Also, retaining walls have been proposed for some of the trail. These would impede the migration of some of the smaller species such as the Red Legged Frog and the California Tiger Salamander.
9. Road crossings - several road crossings are shown on the maps. Unless full stop traffic signals are installed, crossing the road would be dangerous. Ask any resident or commuter on Marsh Creek Road. Speeding, tailgating, lack of regard for passing rules all contribute to dangerous conditions.

Thank you for your consideration,

Gwen Dailey

Peter J. Dailey

Gwen & Peter Dailey



From: [Glenn Fox](#)
To: [DCD Transportation](#)
Subject: Comments on Marsh Creek multi-use corridor
Date: Thursday, November 17, 2022 9:24:27 PM

Jamar Stamps, AICP
Contra Costa County
Jamar.stamps@dcd.CCCounty.us
Kari McNickle
Fehr & Peers
k.mcnicke@fehrandpeers.com

RE: Draft MARSH CREEK CORRIDOR Multi-use Trail Feasibility Study

Dear Jamar and Kari,

We are writing this letter in response to your request for property owner comments on the Proposed Shared Use Path for the Marsh Creek Corridor. As residents of Marsh Creek Road, we are greatly concerned and opposed to the concept of such a shared use path on Marsh Creek, as it is currently designed.

1) **The plan is not physically practical or fiscally responsible.** Having lived on Marsh Creek Road for over twenty years, it is clearly a dangerous rural road. A “multi-use corridor” is a classic example of an idea that “looks good on paper” to some, but not close to the reality of the outcome. From my personal experience over the years, I cannot count the number of accidents (both motorcycle and vehicular) that have occurred in the proposed area of the corridor, as well as dangerous driving (speeding, passing on double yellow lines, tailgating) that happens daily. Marsh Creek Road (abbreviated in the rest of the document as MCR). MCR, and associated areas of Morgan Territory and Briones Valley, are already under-resourced related to public safety and protection (and such a project would make it much worse. It is impractical to think that such a corridor would be safely used for pedestrian, bicycle and equestrian use. Numerous parks and public land access is currently available for public use and could be improved for “multi-use” at a much lower price tag with ultimate greater safety for equestrians, bicyclists and pedestrians.

The actual topography of MCR and the surrounding area is also not conducive for such a project and clearly would require multiple millions of dollars for project design, approval permitting and construction, way more than articulated in the plan. If that type of funding is actually available, improving current public land and parks, and improvement to MCR itself and public safety and protection would be of greater value to the community and county. Improving the resourcing and support to the Marsh Creek, Morgan Territory and Briones Valley community would be critical to any future

new area/trail planning. If this project is also, as represented in the recent community Zoom meeting, multiple years or decades off, the cost will be even more than described in the current plan.

2) **Fire Safety Risk.** Fire risk is one of the biggest issues we face in the Marsh Creek Community, as well as Morgan Territory and Briones Valley areas. Over the past several years, we have also seen the increase of arson and fires caused by visitors to the area. We have personally had acres of our property burn by arson and property close by burn by people setting off fireworks, throwing cigarettes out of windows, etc. By developing unsecured and unpatrolled miles of corridor, the risk of fire will rise dramatically, as well as the cost of patrol, support and community costs such as property/homeowners insurance.

3) **Increased Liability and Property Protection.** In a litigious society and state in which we live, MCR property owners that live adjacent to the corridor plan would be susceptible to increased litigation if someone is injured on privately owned land. Second, it would be great if all people using the corridor would be upstanding citizens, but evidence points otherwise. Dozens of articles can be found about issues around similar public corridors (e.g., the Iron Horse Trail as one example), populated with homeless encampments, litter, fire concern and crime. This is not a comment on homelessness, but the documented issues that come with a public corridor like the Iron Horse trail. (I am happy to provide articles that document these issues.) If these issues are prevalent on a corridor such as Iron Horse Trail that has much more community protection and safety, the MCR corridor is much more susceptible to these issues because of the isolation of the residents in the area.

4) Other property issues.

- a. Cattle and livestock. The MCR corridor is used to graze cattle and other livestock. Issues of liability, fencing, gating with increased public population near these areas will add risk to keep livestock safe and secure.
- b. Road crossing and access. As discussed earlier, MCR is a busy and dangerous road, especially during rush hours. Adding road crossings, turnouts or other similar road features would be more people at risk of injury.
- c. Property infringement. The current plan has the corridor nonsensically running through the middle of the Sunshine Fire station and other homes along the path, as well as feet away from other residential homes. Even if these were mistakes, having such a corridor run so closely to residential homes is problematic for many of the reasons listed above.

We appreciate the opportunity to comment on the corridor plan. It is currently over-scoped in deliverables (the plan is incorporating too much-- bike, equestrian, pedestrian—along a dangerous corridor.) and clearly, under-scoped in cost. Second, the Marsh Creek, Morgan Territory and Briones Valley community is under resourced and having a dialog with our communities about foundational investment in protection, public lands, etc., would be an

appropriate and important next step for Contra Costa County.

Sincerely, Glenn & Terisa Fox, Marsh Creek Residents

From: [Glenn Fox](#)
To: [Jamar Stamps](#)
Subject: Re: Comments on Marsh Creek multi-use corridor
Date: Friday, November 18, 2022 6:11:38 PM
Attachments: [image001.png](#)

Hi Jamar,

Thanks for the response. I didn't do a deep dive on the topic, but did searches related to crime and the Iron Horse Trail. Articles popped up about arrests of homeless for menacing (<https://patch.com/california/danville/homeless-man-arrested-on-iron-horse-trail>), and of a sexual assault (<https://www.mercurynews.com/2018/01/18/iron-horse-trail-attempted-rape-suspect-facing-life-in-prison/>). It is unclear the status of this individual, only that he was from SF) as an example. More information is probably out there with more detailed or specific research. While these may be individual cases, you can also look at community threads and some on Reddit (as well as pics related to these topics as well as one I haven't mentioned-- junk/midnight dumping, an issue we already deal with on a daily basis on MCR). Here's a YouTube video of a kind-hearted bicyclist saying "...A lot of brothers and sisters who are unfortunately camping out in the bushes and on the trail..." (<https://www.youtube.com/watch?v=NT04LZPgwcQ>) The community comments make the point of neighborhood and community concerns not captured by the media or news articles.

Further, doing a quick search on other similar community trails around the western US seem to have problems similar to this topic. I found several articles, and we have seen recently in the bay area the issue of fire and encampments.

Again, I want to be clear-- I am not broad-brushing homeless people and crime. How to appropriately assist and help the homeless and what we should do as a society is a topic for a different day. A remote area like ours is already susceptible to the issues of crime, fire, trespassing, dumping, and we deal with it on a daily basis. The qualitative evidence is that areas with similar corridors experience higher number of incidents of the issues described above.

Sincerely, Glenn

On Fri, Nov 18, 2022 at 2:48 PM Jamar Stamps <Jamar.Stamps@dcd.cccounty.us> wrote:

Good afternoon Glenn & Terisa,

Thank you very much for taking the time to put together your thoughtful comments and attend last week's workshop. A few years ago I worked on a study for the Iron Horse Corridor and don't recall hearing the same concerns about homeless encampments from adjacent residents and trail users. If you could share the articles you're referring to that would be appreciated.

Thank you again, have a great weekend and a happy holidays.

Jamar I. Stamps, AICP

Contra Costa County
Conservation & Development Department
30 Muir Rd., 2nd Floor
Martinez, CA. 94553-4601
Main: (925) 655-2917
Cell: (925) 877-8250

What should Contra Costa County be and look like in 20 years?

Check out [EnvisionContraCosta2040.org](https://www.envisioncontracosta2040.org) and let us know!



From: Glenn Fox [REDACTED]
Sent: Thursday, November 17, 2022 9:24 PM
To: DCD Transportation <transportation@dcd.cccounty.us>
Subject: Comments on Marsh Creek multi-use corridor

Jamar Stamps, AICP

Contra Costa County

Jamar.stamps@dcd.CCCounty.us

Kari McNickle

Fehr & Peers

k.mcnicke@fehrandpeers.com

RE: Draft MARSH CREEK CORRIDOR Multi-use Trail Feasibility Study

Dear Jamar and Kari,

We are writing this letter in response to your request for property owner comments on the Proposed Shared Use Path for the Marsh Creek Corridor. As residents of Marsh Creek Road, we

are greatly concerned and opposed to the concept of such a shared use path on Marsh Creek, as it is currently designed.

1) **The plan is not physically practical or fiscally responsible.** Having lived on Marsh Creek Road for over twenty years, it is clearly a dangerous rural road. A “multi-use corridor” is a classic example of an idea that “looks good on paper” to some, but not close to the reality of the outcome. From my personal experience over the years, I cannot count the number of accidents (both motorcycle and vehicular) that have occurred in the proposed area of the corridor, as well as dangerous driving (speeding, passing on double yellow lines, tailgating) that happens daily. Marsh Creek Road (abbreviated in the rest of the document as MCR). MCR, and associated areas of Morgan Territory and Briones Valley, are already under-resourced related to public safety and protection (and such a project would make it much worse. It is impractical to think that such a corridor would be safely used for pedestrian, bicycle and equestrian use. Numerous parks and public land access is currently available for public use and could be improved for “multi-use” at a much lower price tag with ultimate greater safety for equestrians, bicyclists and pedestrians.

The actual topography of MCR and the surrounding area is also not conducive for such a project and clearly would require multiple millions of dollars for project design, approval permitting and construction, way more than articulated in the plan. If that type of funding is actually available, improving current public land and parks, and improvement to MCR itself and public safety and protection would be of greater value to the community and county. Improving the resourcing and support to the Marsh Creek, Morgan Territory and Briones Valley community would be critical to any future new area/trail planning. If this project is also, as represented in the recent community Zoom meeting, multiple years or decades off, the cost will be even more than described in the current plan.

2) **Fire Safety Risk.** Fire risk is one of the biggest issues we face in the Marsh Creek Community, as well as Morgan Territory and Briones Valley areas. Over the past several years, we have also seen the increase of arson and fires caused by visitors to the area. We have personally had acres of our property burn by arson and property close by burn by people setting off fireworks, throwing cigarettes out of windows, etc. By developing unsecured and unpatrolled miles of corridor, the risk of fire will rise dramatically, as well as the cost of patrol, support and community costs such as property/homeowners insurance.

3) **Increased Liability and Property Protection.** In a litigious society and state in which we live, MCR property owners that live adjacent to the corridor plan would be susceptible to increased litigation if someone is injured on privately owned land. Second, it would be great if all people using the corridor would be upstanding citizens, but evidence points otherwise. Dozens of articles can be found about issues around similar public corridors (e.g., the Iron Horse Trail as one example), populated with homeless encampments, litter, fire concern and crime. This is not a comment on homelessness, but the documented issues that come with a public corridor like the Iron Horse trail. (I am happy to provide articles that document these issues.) If these issues are prevalent on a corridor such as Iron Horse Trail that has much more community protection and safety, the MCR corridor is much more susceptible to these issues because of the isolation of the residents in the area.

4) **Other property issues.**

- a. Cattle and livestock. The MCR corridor is used to graze cattle and other livestock. Issues of liability, fencing, gating with increased public population near these areas will add risk to keep livestock safe and secure.
- b. Road crossing and access. As discussed earlier, MCR is a busy and dangerous road, especially during rush hours. Adding road crossings, turnouts or other similar road features would be more people at risk of injury.
- c. Property infringement. The current plan has the corridor nonsensically running through the middle of the Sunshine Fire station and other homes along the path, as well as feet away from other residential homes. Even if these were mistakes, having such a corridor run so closely to residential homes is problematic for many of the reasons listed above.

We appreciate the opportunity to comment on the corridor plan. It is currently over-scoped in deliverables (the plan is incorporating too much-- bike, equestrian, pedestrian—along a dangerous corridor.) and clearly, under-scoped in cost. Second, the Marsh Creek, Morgan Territory and Briones Valley community is under resourced and having a dialog with our communities about foundational investment in protection, public lands, etc., would be an appropriate and important next step for Contra Costa County.

Sincerely, Glenn & Terisa Fox, Marsh Creek Residents

From: [John Cunningham](#)
To: [Jamar Stamps](#)
Subject: FW: Comment on Marsh Creek Bike trail
Date: Monday, December 12, 2022 11:15:54 AM

Just an fyi. I'll include the second note in the meeting record, the first part seems to just be a message to me.

From: [REDACTED]
Sent: Monday, December 12, 2022 10:41 AM
To: John Cunningham <John.Cunningham@dcd.cccounty.us>
Subject: Comment on Marsh Creek Bike trail

Hi John,

Below is the comment I read at today's Transportation meeting. Please understand we (the community) are aware that this is a feasibility study not action to build the trail. I am concerned that the county and the project lead (Jamar) make it seem like a great deal of community outreach has occurred which has not. I mentioned the topic at a watershed council meeting and members were unaware. I brought this up to the exec director of CCRCD Chris Lim, and he was unaware. I met with Jamar last month and he stated he had met with landowners for feedback yet no meetings with the majority of landowners occurred until I pressed to have one. As I mentioned I am passionate for the county and trail use yet this team needs assistance and better leadership. If I can help in any way, please let me know.

Hello Chair Supervisor Diane Burgis and committee. My name is David Sondergeld, my wife Kit and I live on Aspara Drive off Marsh Creek Road. I am a very passionate outdoors person an avid cyclist, hiker and Trail runner though slower at the age of 62. Since moving to this beautiful corridor, I fell in love with the views of mt Diablo and the rambling Creek of Marsh creek, I have become active coordinating cleanups in the upper Watershed of marsh creek and am now helping to form the Marsh Creek Watershed Council which I plan to continue to be a passionate leader and volunteer with. As a hiker/Cyclist I have navigated approx. 90% of the trails in Contra Costa County. I would love to see more trails and access created for public use. With this said, Supervisor Burgis understands my concerns for the Marsh Creek Corridor as I have met with her and her staff in the past over the many issues with Marsh Creek road, The commuter traffic using the country

road, the lack of turn outs, lack of shoulders, increase fire danger, break ins, trespassing, Mud slides and more. Note we lost 80% of our property in the 2018 Marsh Fire, it took us 3 years to rebuild with 0 County assistance. I have brought more than a handful of concerns to the county in the past few years with no action or support for those of us out in the unincorporated area. After the Mud slide, Diane did visit our house which we appreciated and that was the last we saw or heard from the county. I offer my support to the county in any way I can to help to improve communication as well as action. Before we even consider a bike trail (Which I oppose for this corridor as it stands), I would suggest focusing on the needed improvements to make this corridor safer as well as continue to preserve the country environment. I am aligned with the property owners in this area that this corridor is not fitting to consider such a trail. Thank you.

Best Regards,

David Sondergeld
Strategic Technology Executive, Board Advisor

