

D.4

To the Board of Supervisors

July 13, 2020

Dear Sirs,

Re: D-4- Iron Horse Corridor Active Transportation Study: Since this study was first brought to our attention, you can see by the public comment from the Alamo area that there are many concerns. I believe that you would have had similar input if this study had been readily available for review by other communities. I notice that the Alamo MAC meeting was not included. MAC and residents' requests for a second MAC presentation were denied. Where are the inputs from each city that will be impacted?

In addition to the process, I feel the importance of changes to the surrounding environment, property values and effects on those adjacent to the trail is not seriously considered. The complete lack of planning for supervision, law enforcement and maintainence is untenable. The costs associated with these factors is dismissed. How will the individual segments be integrated without destroying community benefits of the existing trail.

We were told that "it's only a study". We have been told that it's only going to the BOS for "acceptance". We were misled because it is now presented to the BOS for "approval"- a very different proposition. I ask that the word "approval" be changed to "acceptance". This will allow for each entity along the trail to present this to their citizens and for further consideration to be given to the problems.

Thank you

Sandra Fink

Alamo, Ca. 94507

D.4

June McHuen

From: Jason Bezis
Sent: Monday, July 13, 2020 3:53 PM
To: John_Gioia
Cc: Clerk of the Board
Subject: July 14th BOS Meeting - Item D.4 - Postpone Action Until County Addresses My Suppressed February 13th Public Comment Letter
Attachments: Bezis-Comment Letter-Iron Horse Corridor Study-Feb 13 2020.pdf

Dear Supervisor Gioia:

You represent Contra Costa County on BAAQMD where you presumably are working towards decreasing air pollution and climate change-inducing gases. Effective public transit is a proven method of reducing air pollution and greenhouse gases.

Item D.4 on the July 14th Contra Costa County Board of Supervisors meeting agenda would tend to preclude future mass transit in the San Ramon Valley. The County is intentionally failing to study mass transit potential in that corridor despite the fact that the State gave tens of millions of dollars to the County to purchase that rail corridor on the condition that mass transit uses be considered.

CCTA and the County intentionally limited this "Iron Horse Corridor" study in 2017 to non-transit uses. CCTA and the County then worked behind the scenes in 2019 to pass AB 1025 in Sacramento to remove legal requirements to include mass transit in this corridor.

What the County, CCTA, EBRPD and others are hiding is the key fact that this corridor has very few grade crossings and has sufficient width (100 feet wide in most places) from downtown Danville to East Dublin BART to accommodate rail or express buses. The grade crossings and narrow right-of-way are issues only between Danville and Walnut Creek. That's why a 1987 study of BART in this corridor looked at BART in the SPRR right-of-way from the county line to Danville and then use of the I-680 corridor from Danville to Walnut Creek. But the County and CCTA fail to consider the reality that much of this corridor can feasibly accommodate public transit.

Please see my attached comment letter. I timely submitted it on February 13th as part of the public comment process, but you won't find any mention of it in public comments portion of the Agenda Packet for Item D.4. The County even acknowledged timely receipt of the attached comment letter. Why is the County suppressing my public comment that simply calls for the County and CCTA to consider public transit options in this corridor before making irreversible decisions that could destroy the ability of future generations to use this historic rail corridor for public transit?

Therefore, I call upon the Board of Supervisors to delay action on Item D.4 until the County addresses my February 13th public comment letter.

This is one of those "pivot point" moments in your political career when your long-term credibility as a "clean air champion" and "transit advocate" is on the line.

Sincerely,
Jason Bezis
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February 13, 2020

Mr. Jamar Stamps, AICP
Senior Planner
Contra Costa County
Department of Conservation & Development
30 Muir Road
Martinez, CA 94553
VIA E-MAIL TO: jamar.stamps@dcd.cccounty.us

Re: Comments on Draft Iron Horse Corridor Active Transportation Study

Dear Mr. Stamps:

This letter is to serve as comments concerning the Draft Iron Horse Corridor Active Transportation Study. I am familiar with the Iron Horse Trail corridor as an East Bay native who remembers the days when its train tracks were the defining feature. Over the past 11 years, I have ridden every foot of it by bicycle from the northern end near Highway 4 in Concord to its southern end near Stanley Boulevard in Pleasanton. I regularly ride my bicycle on many of its segments. I know its grade crossings and its width from years of personal observation.

This Study needs to be broadened to include mass transit uses of the corridor. This Study seems to be purposely and intentionally narrow and disjointed. The main purpose of this Study seems to avoid any serious consideration of mass transit uses of the Iron Horse Trail corridor. I am deeply concerned that the tacit, ulterior motive of this study is to destroy its viability as a mass transit corridor based upon quiet but far-reaching political machinations that have occurred in recent months. This Study appears to be a “smokescreen” (or “greenscreen”) where the public sees seemingly laudable and innocuous “green” bicycle and pedestrian uses in the foreground, while plans to undermine the corridor’s 130 year-history as a mass transit facility are executed in hiding in the background.

When this Study apparently began in 2017, the longstanding policy of the State of California had been to use this corridor for a transit rail line or busway. That policy had been in place for nearly 40 years. Before that, this corridor had been a rail corridor for nearly 90 years. However, in the middle of this study, a bill (AB 1025) was quietly rushed through the Legislature and across Governor Newsom’s desk. The bill had a mysterious origin and peculiar timing. Nearly 130 years of actual and intended mass transit use was swept aside. The Legislature made “findings” that do not appear to be supported by actual evidence.

The Senate Floor Analysis of AB 1025 dated September 1, 2019 asserts without providing factual basis or details, “Following extensive study and citizen input, Contra Costa County determined

that constructing a busway or exclusive mass transit guideway that uses the San Ramon Branch corridor was infeasible.”

https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201920200AB1025#

When exactly did this “extensive study and citizen input” occur by the County of Contra Costa? When was this finding made that “constructing a busway or exclusive mass transit guideway that uses the San Ramon Branch corridor was infeasible”? I cannot recall an opportunity for public comment on mass transit use in the Iron Horse corridor over the past fifteen years other than this Study. If the County and Legislature are referring to feasibility studies last done in the 1980s, then this important decision was based on extremely out-of-date information. Central Contra Costa County has changed considerably over the past 30 years in terms of population, land use, regional transportation needs, and otherwise.

AB 1025, Section 1(i) says “the County of Contra Costa has identified, and restricted the use of, a 34-foot wide transit area throughout the right-of-way for a busway or exclusive mass transit guideway.” AB 1025, Section 1(k) says, “The County of Contra Costa receives requests from adjacent cities and companies to make improvements to the right-of-way. Approving the requests continues to be a challenge while maintaining the 34-foot wide clear area to accommodate the busway or exclusive mass transit guideway.”

Where exactly is this “34-foot wide transit area” and “34-foot wide clear area” precisely located throughout the corridor? I cannot find it identified in the Draft Study or in the Appendices. What specific “requests” has the County received from “cities and companies to make improvements”? Would any of these “improvements” preclude future mass transit development in this corridor? How does the Study intend to use that 34-foot wide transit area/clear area? Does this Study intend to restrict development of that 34-foot wide transit area/clear area so that any improvements can be eliminated if a future generation decides that a busway or exclusive mass transit guideway is necessary?

In AB 1025, Section 1(n), the Legislature found: “The construction of a busway or exclusive mass transit guideway is no longer operationally or financially viable due to the cost of developing these modes of transportation in compact, established communities with substantial density immediately adjacent to urban and suburban uses, and the corresponding density of road and trail crossings, the overwhelming presence of active mode users, and the status in the community of the corridor and trail as a linear park, recreational, and multiuse facility.”

This unsubstantiated “finding” tends to prove the concern of public transit activists that this Study is “greenwashing” with the ultimate goal of destroying this corridor’s 130-year tradition as a mass transit corridor. This Study appears aimed to use “the overwhelming presence of active mode users” as a primary justification for eliminating mass transit uses in perpetuity.

The “shared autonomous vehicle” (SAV) concept is intriguing, but SAV’s are not adequately defined. Is some “SAV lobby” pulling the strings that passed AB 1025 and called for this Study? Did this “SAV lobby” destroy this corridor’s 130-year rail/mass transit tradition in order to eliminate competition for their SAV plan?

The legislative “findings” in AB 1025 strongly suggest that some “SAV lobby” is hell-bent on undermining public transit in the Bay Area, with quiet cooperation (or “cooptation”) of the “Bay Area transportation establishment” and political leaders. Section 1(m) says, “With the evolution of new mobility technologies, including ride hailing, transportation network companies, autonomous vehicles, miscellaneous wheeled devices, and other “last mile” options, an investment in a busway or exclusive mass transit guideway in a corridor bounded by the BART commuter rail line in both the north, the Pittsburgh-Bay Point-SFO Line, and in the south, the Dublin-Pleasanton-Daly City Line, is unlikely to meet cost-benefit expectations.” What evidence justifies this “finding” by the Legislature? Why wasn’t an actual cost-benefit study done?

The Iron Horse corridor once was the transit backbone of the San Ramon Valley and could be so again. Land uses have changed since the rail line opened circa 1891, from farms to tract homes to office parks. Land uses likely will change again over the coming generations. It is nonsensical to make decisions in the next few years that could preclude mass transit uses in this corridor.

There are just three direct north-south transportation corridors in San Ramon Valley connecting San Ramon and Danville: (1) San Ramon Valley Road, (2) I-680 and (3) the Iron Horse corridor. The Iron Horse corridor is the only north-south transportation corridor connecting Danville and San Ramon in the valley that is easterly of I-680.

As the maps in this Study show, the Iron Horse Trail corridor right-of-way is very wide between (East) Dublin-Pleasanton BART station and downtown Danville. That segment especially should be studied for busway, rail or other mass transit use. This corridor passes through Bishop Ranch, a major East Bay employment center. This corridor passes by or near three high schools (Dublin, California and San Ramon Valley), among other schools. Faculty, staff and students could use a busway or other mass transit to reach these schools. This segment has just a few grade crossings between (East) Dublin-Pleasanton BART station and downtown Danville.

I recall a “t-BART” concept that was discussed circa 2001 around the same time as the inception of “e-BART” in eastern Contra Costa County. As I recall, “t-BART” would have used part of this corridor to connect Bishop Ranch with (East) Dublin/Pleasanton BART station and Livermore. I would like to see discussion about “t-BART” and other mass transit studies that have included portions of this corridor.

I attended a focus group circa September 2013 apparently sponsored by CCTA that included mostly San Ramon Valley residents. Many participants from San Ramon Valley said that they wanted BART or other mass transit service in that corridor. This surprised the focus group facilitator. I suspect that a substantial majority of Contra Costa County residents would like to see some mass transit use of the Iron Horse Trail corridor, as long as has been intended.

The Dougherty Valley development has a very wide median in Bollinger Canyon Road that has signs that say that it is reserved for future light rail use. Presumably some future light rail light would connect with the Iron Horse corridor.

The “Iron Horse” moniker has been abused by the East Bay “transportation establishment” to justify exclusion of actual mass transit in the corridor, usually with a mask of “greenwashing,” making the projects seem environmentally responsible when they are not the alternatives that are

best for preservation of the natural environment. A prime example is the widening of a roadway serving new development in the Dougherty Valley. The Alameda County Transportation Commission recently spent millions of dollars on an “Iron Horse Transit Route” project that actually was a road widening project of Dougherty Road from four lanes to six lanes. See: https://www.alamedactc.org/wp-content/uploads/2019/07/1195000_Iron_Horse_Transit_Route_FS_20190716.pdf?x33781 Its only connection to the Iron Horse corridor is that the Iron Horse corridor intersects Dougherty Road at grade. The “Iron Horse Transit Route” has nothing to do with mass transit; it justifies its name by claiming that buses will use the two new road lanes that it constructs, but those will be mixed flow lanes that buses might use from time to time.

Bicycle/pedestrian use can co-exist with mass transit uses of a corridor. The Ohlone Greenway parallels the BART tracks in north Berkeley, Albany and El Cerrito. Another bicycle path is in the BART corridor near Coliseum BART station in Alameda County. A bicycle path follows the BART right-of-way in much of northern San Mateo County.

The Draft Iron Horse Corridor Active Transportation Study fails to take a holistic analysis of this transportation corridor. It seems designed to ensure that no mass transit use of this corridor is ever considered again. Its primary aim seems to be to turn the County transportation/political establishment against the 130 year-history of rail in this corridor. This Study’s ultimate, quiet goal appears to be to destroy the future viability of this corridor as the north-south mass transit backbone of central Contra Costa County.

If the County and/or CCTA and/or MTC had any role in drafting and passage of AB 1025, all of which occurred on a “fast track” in 2019 while this Study was under way, then this entire Study completely lacks credibility. If true, then this Study really is bicycle/pedestrian “greenwashing” that conceals an anti-mass transit agenda, disdain for environmental improvement, subservience to “Big Tech” (the “SAV lobby”), contempt for the 130-year rail transportation tradition in this corridor, and selfish disregard for the transportation needs of unborn generations of future Contra Costa County residents. This Study is a microcosm of everything that is wrong with California and Bay Area transportation planning, writ large. There is a complete lack of vision, perspective, tradition, forward thinking, rationality and plain common sense.

In short, this is among the most consequential transportation planning decisions in the history of our county – and arguably one of its worst. Concerned public servants and citizens must take action immediately to ensure that any further damage does not occur and that damage already done is reversed.

Sincerely,



JASON A. BEZIS

From: Jason Bezis <jbezis@yahoo.com>
Sent: Monday, July 13, 2020 4:56 PM
To: Supervisor Candace Andersen
Cc: Clerk of the Board
Subject: July 14th BOS Meeting - Item D.4 - Postpone Action Until County Addresses My Suppressed February 13th Public Comment Letter
Attachments: Bezis-Comment Letter-Iron Horse Corridor Study-Feb 13 2020.pdf

Dear Supervisor Andersen:

In response to an invitation in one of your constituent newsletters, I timely submitted on February 13th a public comment about the Iron Horse Trail Study. The County acknowledged timely receipt, then promptly overlooked my public comment. You will find no evidence of it in the packet. The County never addressed my concerns.

As your constituent, I hereby request your assistance in getting answers. Please see the PDF attachment. I especially want to see maps that show precisely where the supposed 34 foot wide section of right-of-way has been preserved for the past 30+ years.

Therefore, pursuant to the Public Records Act (Government Code sec. 6250, et seq.), I hereby request documents from the County concerning the following (which is stated in the attached February 13, 2020 letter to the County), with assistance from your office:

"Where exactly is this "34-foot wide transit area" and "34-foot wide clear area" precisely located throughout the corridor? I cannot find it identified in the Draft Study or in the Appendices. What specific "requests" has the County received from "cities and companies to make improvements"? Would any of these "improvements" preclude future mass transit development in this corridor? How does the Study intend to use that 34-foot wide transit area/clear area? Does this Study intend to restrict development of that 34-foot wide transit area/clear area so that any improvements can be eliminated if a future generation decides that a busway or exclusive mass transit guideway is necessary?"

Since the County overlooked my February 13th letter posing these very important questions about the Study and did not address my concerns, I therefore request that the Board of Supervisors postpone action on Item D.4.

Item D.4 on the July 14th Contra Costa County Board of Supervisors meeting agenda would tend to preclude future mass transit in the San Ramon Valley. The County is intentionally failing to study mass transit potential in that corridor despite the fact that the State gave tens of millions of dollars to the County to purchase that rail corridor on the condition that mass transit uses be considered.

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This is one of those "pivot point" moments in your political career when your long-term credibility as an effective public servant is on the line.

To be completely frank with you, I believe that you, your staff, and the County have reached a new "low" in your despicable gamesmanship with this issue that adversely affects unborn generations of County residents. To steadfastly refuse to study transit options long required by the State is not only irrational, but also selfish and inexcusable. This is intergenerational irresponsibility and gross mismanagement of regional transportation assets.

How I miss the late Supervisor Gayle Uilkema -- she was a model of effective constituent service, especially in interfacing with the myriad County agencies. Whenever the County unfairly stonewalled her constituents, she personally intervened and sought just outcomes.

Sincerely,

Jason Bezis

Law Offices of Jason A. Bezis

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February 13, 2020

Mr. Jamar Stamps, AICP
Senior Planner
Contra Costa County
Department of Conservation & Development
30 Muir Road
Martinez, CA 94553
VIA E-MAIL TO: jamar.stamps@dcd.cccounty.us

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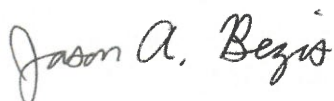
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JASON A. BEZIS