



## PHASE III PIRU COMMUTER BIKE PATH VC COLAB Proposes a Win-Win Solution

By: Lynn Gray Jensen

Our involvement in this project began with a voicemail message on March 7th from Matt Freeman, General Manager of Camulos Ranch in Piru. This historic ranch covers 1800 acres, 900 of which are currently planted in row crops, strawberries and avocados. The property has been successfully farmed for 174 years.

The next day Matt described the impending construction of a paved public trail within an old railroad corridor running through the middle of their productive agricultural operation (see map below).

It turns out the project is Phase III of a 32 mile "Rails to Trails" project planned in the 1990's by the Ventura County Transportation Commission. VCTC purchased the 100 foot right-of-way from the Southern Pacific RR to be transformed into a recreational trail from Montalvo to Piru, then east to

Rancho Camulos. Seventy-five percent of the trail runs through agricultural land.

Phase III is a .8 mile long, 10 foot wide paved pathway ending in the middle of the Camulos Ranch strawberry operation at a locked gate. A federal funding commitment of \$1.3 million to VCTC has expedited the trail's construction schedule, apparently due to a spending deadline.

**Should this proposed permanent trail be built in this compromised location when there is an available alternate route.**

Question: Should this proposed permanent trail be built in this compromised location

when there is an available alternate route?

Matt also described a letter he had received dated March 6th from VCTC giving him nine days to move equipment in the 100 foot right-of-way as construction of the trail was imminent. Attached to the letter was a copy of a 1948 "Cultivation Lease Agreement" with Southern Pacific that allowed Camulos to plant crops within the right-of-way, up to

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PIRU COMMUTER BIKE PATH - Phase II - Existing (red); Phase III - Proposed (yellow)



### LAFCO Board Rejects Staff's Wish to Reduce Santa Paula's Sphere of Influence

Lacking a majority vote, the Local Agency Formation Commission (LAFCO) allowed the sphere of influence for the City of Santa Paula to remain in place.

VC COLAB testified to LAFCO on 3-20-13 as follows:

Our goal is to create a business-friendly regulatory environment in Ventura County through the promotion of reasonable regulation.

We are not pro or anti-growth. We are pro-opportunity and this proposal by LAFCO Staff will set a precedent that reduces opportunity and will potentially drive up the cost of the process in every city in the county. The City of Santa Paula estimates that this will add 2 years and 10 million dollars to this one application process. This can be projected across the county in the future. We would like to

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**SAVE THE DATE!!!**  
**VC COLAB SPRING EVENT**  
**Saturday, June 8th**  
**Rancho Matilija in Ojai**  
**Featured Speaker:**  
**Timothy Sandefur - Principal Attorney**  
**Pacific Legal Foundation**

*(Piru Trail: cont. from Page 1)*

10 feet away from the tracks.

While the Ranch was generally aware of the project from years past, Matt reported that their first indication of funding for construction was an unannounced contractor pre-bid meeting held at the property on 1-1-13. Although the project could potentially cause issues with farm crossings, drainage, fencing and easements in addition to liability from public access, there had been no real process for direct involvement in the plans by the owners.

We jumped in with a flurry of phone calls and soon identified Scott Powers in the CEO's office as the coordinator of county agencies which included VCTC, Public Works and Planning.

We requested and were quickly provided copies of environmental documents for the regional trail, approved 13 years ago in 2000 by VCTC. These documents included a "Program" Environmental Impact Report (EIR) and a federal Environmental Assessment (EA) that were written for the 32 mile "Santa Paula Branch Line Recreational Trail Master Plan".

**On that same day, in our weekly review of the Board of Supervisors (BOS) agenda, we were astounded to find the Phase III Piru Commuter Bicycle Path construction contract up for approval on the March 19th agenda as a consent item.** This meant that a decision was planned on this \$1.3 million contract without public testimony. Although the Camulos property was within 300 feet of the project, Matt reported to us that he was not notified about the hearing.

In the staff report we found that the decision at the BOS would include awarding and executing the construction contract.

In addition, Phase III was determined to be Categorically Exempt from the California Environmental Quality Act (CEQA). Therefore, the project was not examined to see if their effects were "fully analyzed in the Program EIR" as required. Instead, the County silenced further analysis of impacts to agriculture. We later received the Notice of Exemption identifying Section 15304 (h) "the creation of lanes in a public right-of-way". This exemption is a dangerous precedent for properties along the entire trail as it would allow future construction through agriculture without an analysis of impacts from new federal food safety regulations.

The Board packet also included engineering plans of the Phase III trail, with fencing specifications that as designed provided no protection to the farming operation from the public. Crops are planted on both sides of the trail corridor (see map, Page 1) and typical fencing details specified only four foot high posts.

On the north side, 3' high braided wire fencing is planned as shown below from Phase II of the trail along Center Street.



The south side fence is planned to be lodgepoles with 15 inches between the rails, again easy to pass through or climb over (see photo below from Phase II of the trail).



Also note the weeds and lack of maintenance of the trail fencing in Phase II.

The plans also eliminated four trail crossings, leaving only one relocated area for farm equipment to cross the trail. The plan showed no protective gates at the planned crossing or at the start of the trail.

In the few days before the scheduled BOS hearing, we briefly reviewed the environmental documents. There were numerous specific measures to mitigate impacts to agriculture including: **"Fencing to protect agricultural operations from trail users shall be designed, installed and maintained to protect agricultural land from intrusion for the life of the project"**. It was apparent that the engineering plans and specifications did not comply with the measures prescribed in the environmental documents. At that

point we decided to notify Rob Roy of VC AG Association and John Krist with VC Farm Bureau of the impending BOS hearing.

On Monday the 18th, we met with Rob Roy and organized our strategy. At the hearing, 12 days after learning about the project, VC COLAB organized the effort to remove the item from the BOS consent agenda and enter comments into the record. Testimony was heard from Rob Roy, Matt Freeman and myself. In addition, Henry Gonzales (AG Commissioner), Jeff Pratt (Director, Public Works Agency) and Darren Kettle (Director, VCTC) testified for the County.

Rob Roy presented the new federal food safety laws which were subsequent to and therefore not analyzed in the environmental documents.

Matt summed up the frustrated feelings of the Camulos family that this is a "Trail to Nowhere" costing \$1 million per mile. Due to a right-of way taking by Caltrans he added: "it is unclear whether the rest of the planned trail can ever be built." In addition he detailed the specific inadequacies of the plans in protecting agriculture.

VC COLAB focused on mitigation measures, the questionable CEQA exemption and the precedent being set for the rest of the trail. We also concurred with our stakeholders that dogs should be prohibited due to the new federal food safety laws.

After public comment, Peter Foy and Kathy Long voiced concern about potential hardship to the ranch and the issues of domestic animals, food safety, pesticides, fencing, gates and signs. As the district Supervisor, Kathy Long committed to coordinate discussions with Camulos Ranch to work through the issues while expressing a commitment to the regional trail. A 4-0 vote by the Supervisors approved the construction contract and the CEQA determination.

Because of the potential precedent this construction would set for agriculture along the whole 32 mile trail, VC COLAB went to work, looking for solutions. After further analysis of the more than 80 mitigation measures in the EA, it was clear that compromises needed to construct the trail in the current proposed alignment would likely lead to an unsuccessful project for the public, VCTC and the farming operation.

Our analysis led us to a "win-win" solution

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*(Piru Trail: cont. from Page 2)*

proposed in a [letter](#) suggesting a re-alignment of the trail to the southern boundary of the Camulos property, along the Highway 126 corridor through a land swap with VCTC. This alternative would straighten the trail for the benefit of a future rail project for VCTC, lessen the potential pesticide exposure for the public and significantly reduce the impact to agriculture. On April 2nd we proposed this solution to Kathy Long in a [Power Point slideshow](#) and are hoping we can turn this into a reality.

VC COLAB is not in opposition to the regional trail project but we believe the proposed solution provides the only avenue to a successful outcome. Without a commitment to fully protect these extremely valuable agricultural resources, there will be another setback to this important industry that provides jobs, tax revenue and quality of life to the community, including the many residents of Piru.

The project is currently scheduled to be heard at the Agricultural Policy Advisory Committee (APAC) meeting on Wednesday, April 10th at 1:00 pm at 669 County Square Drive in Ventura. We encourage concerned members to attend and provide public comment.

*(LAFCO: cont. from Page 2)*

make 2 main points today about process:

1. Staff is misinterpreting LAFCO's mission to "review, and as necessary update the sphere of influence of each city and special district every five years" as a mandate to spend taxpayer dollars to independently analyze all spheres in the county. What makes this "necessary"? This will allow endless tax dollars to be spent on LAFCO staff reports and planning studies without direction from the cities and special districts. We believe this is an unnecessary overreach and we think "as necessary" should mean "at the direction of elected bodies – specifically city councils".

2. Staff is overlooking the will of the people of Santa Paula and their voter directives: On page 31 of the LAFCO staff report they describe Measure A7, where voters approved the CURB line expansion of Adams Canyon, as "a developer backed initiative", insinuating that all developer created plans are inherently bad for the community. We believe that developer plans are opportunities; they are privately funded planning studies that can ultimately be rejected by the cities and the public. The City of Santa Paula should not be forced by

LAFCO to spend taxpayer dollars on general and specific plans in such undeveloped areas which will likely never be implemented. The voters were voting for opportunity that could lead to public amenities like protected open space, public trail and parks and increasing tax revenue for the city.

Staff also misrepresented the 2007 vote in the staff report as "supported by only 24% of registered voters" which does not report the truth that those who chose to vote overwhelmingly (by 60%) approved the expansion. This is still the USA and you have to actually vote to exercise your opinion.

In addition, staff responded that the voter initiative included no project, land use plan or environmental review. That's because the public was voting for opportunity, not a plan.

VC COLAB believes that this is an overreach of the process in which cities, the public and developers need to work together to create opportunity that benefits communities.

LAFCO is charged with facilitating orderly development. We are concerned that this will set a precedent leading to LAFCO Staff becoming land-use planners, so we recommend Option 1. (Option 1 would leave the city sphere unchanged which was the recommendation of the City of Santa Paula)

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Andy Caldwell Talk [Radio Show](#): Weekdays 3:00 to 5:00 PM

Cal Chronicle: [www.calchronicle.com](http://www.calchronicle.com) - online Newspaper  
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Santa Barbara COLAB: [April 2013 Newsletter](#)



## Ventura County Coalition of Labor, Agriculture and Business

P.O. Box 4237, Ventura, CA 93007

Email: [membership@colabvc.org](mailto:membership@colabvc.org)

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Please accept my membership fee of: \$ \_\_\_\_\_

In addition I would like to contribute: \$ \_\_\_\_\_

Total contribution payable to **VC COLAB**, Inc. \$ \_\_\_\_\_

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