

September 27<sup>th</sup>, 2022

We are the residents at the in-holding in the Mackay Tract. We write to argue that, as we have repeatedly told Hank Seeman (Deputy Director, Environmental Services, Humboldt County), the proposed plan ignores the issue of public safety.

The gravel R-1 road is narrow, flanked by dense forest, and curvy. Dogs are seldom on a leash (despite the law). Many families now walk on the road with small children. Kids learning to ride bikes use it now. We have had people under the influence lying in the road and on our property.

But vehicles also use it. We have two cars and the short term renters in our rental property have one or two cars. Further, USPS and UPS often drive down that road to reach our house. Finally, PG&E averages about one vehicle per week as our property is bordered on two side by a gas line. Our children often have visitors whose parents drive them over.

Mixing this much traffic with children and dogs will inevitably lead to an accident.

The proposed trail plan states: *The "shared roadway" approach is appropriate for low-volume, low-speed roads such as the R-1 road. Examples of the shared roadway approach include the portion of the Hammond Trail along Letz Avenue in McKinleyville; the southern end of I street in Arcata that connects to the Arcata Marsh and Wildlife Sanctuary; . . .*

That passage is the only part of the Plan that broaches the safety issue, and it merely states that this shared road approach is perfectly normal and safe. It is worthwhile to take a look at the two examples of happy co-existence between vehicles and pedestrians that are cited in the plan and then compare them with the R-1 road.

The R-1 has tight curves in a heavily forested area. The driver may well not have time to avoid a collision with a child or dog at 15 mph.

It is not clear to us why the planners at the County consider these first two examples to be serious comparators in terms of public safety. That is, we do not see the plan as a good faith representation of the safety risks.

Further, the probability of an accident would increase enormously at night. The Plan does not discuss installing lighting.

We have brought these points up repeatedly with Mr. Seeman, who remains confident that no accidents will happen. Indeed, his mind was made up well before I was introduced to him and all our conversations have been pointless. He needs to get this project done on time and within budget and continues to refuse to engage seriously around the safety issue. At the very least he might comb the literature and assemble a data set showing that truly comparable roads (clearly not the two mentioned above) have not led to safety issues. He has not done so. Indeed, we feel the Plan has not yet been subjected to a diligent examination of the safety issue, an argument that will reappear if we litigate this.

There is an alternative that Mr. Seeman has steadfastly refused to take seriously. A trail could parallel the R-1 road; there is, despite what Mr. Seeman says in the report, sufficient space. A trail that was completely within the forest would also be a more enjoyable experience for hikers. Mr. Seeman points out however that there is a 20-yard wide seepage. A boardwalk would have to be built across it, and that would be expensive. Further, because this seep would be classified as a wetland, there would be an enormous amount of review to even build the boardwalk. In short, because the alternative would be more costly and take longer, the County refuses to seriously evaluate public safety on the trail.

I should point out that in the Table of Mitigations, the plan claims to have evaluated a proposal we made to widen the road and create a cordoned-off pedestrian walkway. That was our second-best option; it makes far more sense to keep pedestrians off the road entirely. Nonetheless, that would be a decent option UNTIL a within-forest trail could be built.

As of now, pedestrian traffic is sufficiently light that our access is not seriously impeded. If however the trail system grows as popular as the County hopes, then we will be impeded. The easement was granted at a time when there was an equestrian club and a few single hiker/cyclist permit holders (permit from Green Diamond). While the easement states that the road would have other users, clearly the setting has changed, as the users are projected to go from a handful to many hundreds. This plan is therefore, not honoring the granted easement. As you know, this is referred to in law as a taking.

There are a number of other problems with the plan. We have a long, surface poly-pipe water line running down from Redwood Fields through the forest. The plan calls for burying 40 a mere forty feet of it. That is, the great majority would be uncovered and now exposed to a great deal of foot traffic. Since the plan tells us in another context that pedestrians are not expected to stay on trails “. .

*. ineffective because pedestrians and cyclists could easily bypass. . .*”, then why do we expect these stray cats, whom Mr. Seeman has such little confidence in, to have no negative effect on our exposed line?

The final issue is my age. I am 70. If I have a medical emergency and the ambulance has to negotiate a half-mile-long, crowded roadway to get to me, then the County has placed me in a perilous position. How many Eureka residents would be in a similar situation? I cannot think of one.

If the Supervisors vote for the trail plan as it exists, despite our willingness to engage with Mr. Seeman on superior alternatives, then we will, necessarily, turn to legal remedies.

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