

## Marsh Creek Comments Received as of 11/19/20

### OBJECTID

### Comment

- 1 I assume this would be a proposed staging area? Why would this be needed when Round Valley staging area is just a short distance away? I do not see any other staging areas designated on this map.
- 2 A road crossing here seems dangerous. Why would it not align with the intersection to the east?  
3 what issues are involved with building a trail along a creek? how far away does the trail have to be? would  
3 studies be required for environmental and cultural artifacts?
- 4 Is it possible for the trail to remind alongside the road? I know the bridge crossing is here.  
5 Is this another road crossing? I think there are serious grave concerns about establishing crossings on Marsh  
5 Creek Road. Will your feasibility study include traffic analysis to determine safety?
- I'm not sure I hit save on any of my previous comments! So I'm doing them again! What is the purpose of this  
10 strange deviation in the path? Is this intended as a parking/staging area? If so, why is it not labeled as such?  
10 And, why have one at this location when Round Valley is only a short distance away. I do not see any other  
places like this on the entire draft route.
- All crossings of Marsh Creek Road are of major concern. This is a major commute route with vehicles  
43 travelling in excess of 50 mph. Many, many accidents occur on this road. Regarding this specific crossing, why  
would it be located such a short distance from the existing intersection?
- This is a current bridge across Marsh Creek Road. Why is the path taking a detour away from the road here?  
415 It is flat on both sides. As shown here, the proposed route is directly in the path of the creek. The creek is  
415 seasonal and in most years the water rises significantly and will wash out any path. Why not stay along the  
road??
- This proposed route will require a crossing of the creek . Why do this when the bridge is existing near the  
416 detour off of the road. In addition, in order to run the path on the north side of the creek you will basically  
have to eliminate that property owner's yard.
- 417 Finally, this is a steep embankment from the creek back up to the road. Hard to imagine how that is going to  
work out.
- This is a steep hill that slopes down to the road edge. It is so steep that I cannot use weed eating equipment  
418 on it's slope. I assume grading of hillsides would be done to create space for the path. What kind of  
environmental studies will be done?
- It is just very difficult to figure out where exactly things are with no clear labels. Is Marsh Creek Road in  
419 between the two black lines? If so, is this a diagonal crossing? If roads were labeled, or key properties (Marsh  
Creek Detention Center, Marsh Creek Springs) or better yet, property owner names then these maps would be  
much for transparent to the community.
- 420 Just continuing to note crossings of the very busy and fast moving Marsh Creek Road. What traffic analysis  
will be done to ensure safety to path users but also to drivers?
- 813 This section appears to include two separate crossings of Marsh Creek Road. I'm repeating comments about  
traffic and safety with crossings.
- 1213 This is an existing bridge across the creek. What would you build a new creek crossing and then run the trail  
thru the creek bed, around the Bosworth property line? They have very small parcel and a steep  
embankment to the creek. Why not follow the road?
- 1613 I think this proposed corridor should connect with an existing trail or lead to an already existing path. So one  
could actually ride a bike from Walnut Creek or Concord out to this area.

November 25, 2020

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

[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 [REDACTED]. 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

December 2, 2020

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

[REDACTED]

Dear Jamar and Kari,

I am writing this letter to provide additional comments regarding the Marsh Creek Corridor Multi Use Trail proposed alignment map. While I did provide comments at various locations on the map, I also want to provide additional feedback.

In the project description, this trail is envisioned as a multi use trail that would create a new major non-motorized east-west thoroughfare for expanded commuting or recreational opportunities. I question the basic premise of this 12 mile trail providing reasonable options for commuters given that additional miles would need to be traveled from the east end of the trail before reaching any residential development as well as additional miles from the west end of the trail to reach any significant workplace centers or public transit hubs. The distances required would eliminate this trail as any reasonable commute alternative beyond the most ardent bicyclist.

In terms of recreation opportunities, there are certainly public gains to be had from increased protected lands made accessible to the public and from trails on and connecting those properties. Hikers, bikers and horseback riders will benefit from trails on open space lands. Currently the majority of public lands within the Marsh Creek Corridor (EBRPD, CCWD, SMD, HCP) are NOT open to the public. Until those agencies are prepared to make those lands available for public use any trail running through the corridor will have no connecting value. The portions of the proposed trail alignment that follow Marsh Creek Road closely – which is much of the trail – will have little recreational appeal for horseback riders and hikers. The constant car traffic, and rate of speed of those cars, will deter users who are seeking an outdoor nature experience and will be completely unsafe for horses even with concrete barriers as proposed.

There are tremendous environmental concerns with this proposed trail alignment. The draft map appears to show eleven separate and new creek crossings. While Marsh Creek has little to no water flow in many areas during much of the year, during the winter the waters rise and on occasion it can rage with rain runoff. This is a critical consideration for trail construction. In many areas, the trail alignment is proposed to follow the roadway above the creek. However, it would appear that this could only happen if the roadway was widened and shifted away from the creek, or if the creek itself was redirected to make room

for a trail as there is inadequate space between the current roadway and creek. Creeks provide critical habitat for both wildlife and plants. There should be great concern about the environmental impacts of trail construction in the creek areas. Paying mitigation fees is no real alternative to protecting the Marsh Creek area.

So many land conservation organizations are focused on protecting wildlife habitat and creating safe corridors for wildlife. One presented concept was to place concrete barriers between the traffic lines and a new trail in areas where the trail is near the roadway. These concrete barriers will absolutely interfere with existing wildlife corridors. It makes no sense to connect these protected lands with barriers to wildlife corridors in complete opposition to the original goals of protection.

Marsh Creek Road carries tremendous vehicle traffic. It is a winding road, full of impatient and impetuous drivers. Accidents are frequent on Marsh Creek Road, often as a result of speeding drivers or illegal passing. The proposed trail alignment appears to have at least five road crossings. The presented concept was to install crosswalks and flashing lights at the trail crossing locations. I seriously question the compatibility of multiple trail crossings on such a major roadway and the safety to both vehicle drivers and recreation users.

Many other concerns have been raised in our community forum. They include fire safety, public safety, trash concerns, homeless risk, and general policing of problems that may occur. Privacy for existing rural property owners and diminished property values are also of major concern. These concerns must be adequately addressed.

It was verbally stated during the residents' meeting (zoom) that there would be no eminent domain for land acquisition for this trail. I implore you to firmly and clearly establish and document this as your basic policy related to the Marsh Creek Corridor Trail. This would include avoiding any requirement that future private real estate transactions provide an easement to the county for trail construction.

Finally, regarding the trail alignment and its impact on my family's ranch property: My family continues the luxury of land ownership thanks to a cattle grazing operation. I do realize that cattle grazing exists peacefully alongside trail users in many public parks. However, I cannot think of any single other park trail that has users entering thru gates directly adjacent to a heavily trafficked road such as Marsh Creek Road. Our cattle operation requires that cattle be able to freely move under the existing bridge to access water in the creek and feed on both sides of Marsh Creek Road. I believe our county should be doing everything possible to protect small landowners and businesses.

The proposed trail alignment on our property makes an unexplained detour off of the road and into an existing corral area. I can see no value in this bizarre path route. The trail then returns to follow Marsh Creek Road only to veer down to cross the creek (rather than continuing across an existing bridge) and circle around a neighbor's property before returning back to the roadway, crossing the creek again and climbing up a small but steep embankment. It is illogical, strange, and insensitive environmentally, to our neighbor's property and to our cattle operation.

Thank you for your strong consideration of resident feedback.



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December 4, 2020

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Transportation Planning Section  
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Martinez, CA. 94553-4601

**RE: Comments regarding 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 conceptual alignment for the March Creek Multi-Use Trail. Three comments were provided via the webapp tool. The comments were as follows:

1. A portion of the conceptual alignment crosses Marsh Creek Rd from Mount Diablo California State Park to Park District lands. This property is currently in landbank status and is not yet open to the public. It is included the Southern Planning Area of the Black Diamond Mines Land Use Plan Amendment (LUPA) which encompasses much of the area we commonly refer to as Clayton Ranch. Some of the lands within the Southern Planning Area were purchased using East Contra Costa County Habitat Conservancy Plan (HCP) funds. The funds are generated from development impacts and prioritizes species and habitat protection, somewhat limiting recreation. A paved mulit-use trail is not included in the LUPA at this time and could be challenging to add to the planning document due to some of the HCP restrictions. Please coordinate with Park District staff to learn more about the LUPA and what opportunities and constraints exist.
2. Moving farther southeast, the conceptual alignment continues on Park District property outside of HCP purchased lands, near the future Clayton Ranch Staging Area. The alignment is on a hillside above a pond to the east of Marsh Creek Rd. Park District stewardship staff identified the pond as habitat for the Western Pond Turtle, and requested that no trails or recreational facilities be located in the vicinity of the pond, including on the existing road and hillside above the pond.
3. Lastly, the conceptual alignment travels through Round Valley Regional Preserve owned and operated by the Park District. This Preserve does not allow dogs due to the existence of, or high potential for, various sensitive species. The conceptual trail would need to follow that guidance and be signed and enforced as such.

The Park District appreciates the opportunity to provide comments on the Marsh Creek Corridor Multi-Use Trail alignment and to be invited to the information session on November 12<sup>th</sup>, 2020. 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](mailto:swilson@ebparks.org).

Respectfully,

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

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