

April 26, 2019

American River Flood Control District
185 Commerce Circle
Sacramento CA 95815

ATTN: Tim Kerr, General Manager

RE: Two Rivers Trail (Phase II) Project

Dear Mr. Kerr;

Thank you for your prompt and courteous April 17, 2019, response (copy attached) to my April 1, 2019, letter (copy attached) requesting "a summary of all public comments submitted to the ARFCD""including both those supporting and opposing the ARFCD approval of the proposed permit and the Two River Trails project" "as well as an explanation of why only e-mails expressing support were included in the agenda materials package for the ARFCD's March 29, 2019, meeting".

Unfortunately, your April 17, 2019, response only addressed "e-mails", not "all public comments submitted to the ARFCD" as I had requested. Since I myself submitted a written letter (copy attached), not an electronic communication, my concern was that the view of those opposing construction of the City's proposed bicycle trail may not have been adequately presented or considered by the Board of Trustees in consideration of their approval.

While I appreciate your summary of e-mails received as well as the chronology of the various postings you made to your website, it is easy to forget that not all communications are made electronically, and that not all respondents rely solely on, are comfortable with, our conversant in the available electronic medium upon which so many seem to rely.

If it wouldn't be too much trouble, may I request that additional communications (telephone, letter etc) be added to your matrix summarizing the e-mails you received? Thank you in advance for your response.

Sincerely,



Mark Heilman
141 Ada Way
Sacramento, CA 95819

cc:

Brian Holloway, President
American River Flood Control District
185 Commerce Circle
Sacramento CA 95815

Cyril Shah, Vice President
American River Flood Control District
185 Commerce Circle
Sacramento CA 95815

Steven Johns, Secretary
American River Flood Control District
185 Commerce Circle
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Rachelanne Vander Werf, Treasurer
American River Flood Control District
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Board of Trustees
Brian F. Holloway
Cyril A. Shah
Rachelanne Vander Werf
Steven T. Johns
Bettina C. Redway

Item 6g-1
General Manager
Timothy R. Kerr, P.E.

April 17, 2019

Mr. Mark Heilman
141 Ada Way
P.O. Box 191142
Sacramento, CA 95819

Dear Mr. Heilman,

This letter is in response to your letter dated April 1, 2019. In your letter, you expressed concern that our District staff did not accurately convey the entire package of e-mails we received regarding the Board's requested action on the City of Sacramento Two Rivers Trail. I shared your letter and concerns with the Board of Trustees at their April 12, 2019 meeting.

The Board and I want to assure you that the number and content of the e-mails received was accurately presented. Due to the high volume of e-mails received starting on March 20, 2019, the e-mails were posted on our website in three batches. The emails were posted on our website at www.arfcd.org to include them as part of the Board packet for the March 29 Special Meeting.

On Wednesday March 26, 12 e-mails were included with the initial posting of the Board packet. Of these 12 emails, one e-mail was in support of the trail and 11 were opposed. Immediately following the initial posting of the Board packet, we received an abundance of e-mails on this item. These e-mails were included in the next batch of 48 e-mails that were posted to our website and distributed to the Board of Trustees on March 28. Of these 48 e-mails, all 48 were in support of the trail and 0 were opposed. In the time between posting this batch of emails to our website and the start of the Board of Trustees meeting on March 29, we received 15 more e-mails. These were provided to the Trustees at the time of their meeting. The tally for these 15 e-mails was 13 in support of the trail and 2 opposed. This last batch of e-mails was posted to our website immediately following the meeting.

All 75 of the e-mails received between March 20, 2019 and the start of the Board meeting on March 29, 2019 were presented to the Board of Trustees and are available for the public's review on our website www.arfcd.org under the Meetings section. I am including a table with this letter that summarizes the tally of e-mails received on this topic.

I hope this information helps to answer your questions posed in your April 1, 2019 letter. It is our sincerest effort to provide transparency and truthfulness in the presentation of information to our Trustees and the public.

Sincerely,

Tim Kerr, General Manager

ARFCD
Two Rivers Trail - Public Comment E-mail Summary

March 20,2019	March 26,2019	March 27,2019	March 28,2019	March 29,2019
	12		48	15
For: 1	Against: 11	For: 48	Against: 0	For: 13 Against: 2

Total E-mails Recieved	75
Total E-mails conveyed to Board and Public	75
Final Tally:	
For:	62
Against:	13

April 1, 2019

American River Flood Control District
185 Commerce Circle
Sacramento CA 95815

ATTN: Tim Kerr, General Manager

RE: Two Rivers Trail (Phase II) Project

Dear Mr. Kerr;

On March 29, 2019, I attended an American River Flood Control District (ARFCD) Board of Trustees Special Meeting where the agenda item under consideration was a request from the City of Sacramento to allow a portion of the Two River Trail project to be constructed on the top of the levee. Materials provided to the public relative to this agenda topic included:

- the ARFCD Recreational Trails Policy;
- Special Terms and Conditions adopted by the ARFCD in implementation of the Policy;
- a copy of the ARFCD proposed Permit;
- copies of e-mails sent to the ARFCD General Manger relating to the Two River Trails project.

In reviewing these materials, I noted that virtually all the e-mails included in the materials package expressed support for the Two River Trails project. By including only e-mails supporting the Two Rivers Trail project the public's position on this Project presented to the Board may have been essentially distorted and may have unduly influenced the Board's position on approval or disapproval of the City's request.

It is bewildering to me that the ARFCD may have received only communications in support of the Two River Trails project, especially since I personally submitted comments opposed to the approval of the City's permit request. I can only assume, based on the mixed public positions on this project at various Community Meetings, that others did as well.

I would request a summary of all public comments submitted to the ARFCD relative to the City's request, including both those supporting and opposing the ARFCD approval of the proposed permit and the Two River Trails project, as well as an explanation of why only e-mails expressing support were included in the agenda materials package for the ARFCD's March 29, 2019, meeting.

Thank you in advance for your response.

Sincerely,

Mark Heilman
141 Ada Way
P.O. Box 191142
Sacramento, CA 95819

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Bettina Redway, Trustee
American River Flood Control District
185 Commerce Circle
Sacramento CA 95815

March 24, 2019

American River Flood Control District
185 Commerce Circle
Sacramento CA 95815

ATTN: Tim Kerr, General Manager

RE: Two Rivers Trail (Phase II) Project

Dear Mr. Kerr;

I am a resident of the River Park neighborhood in Sacramento and the City is proposing to construct a bicycle trail (the so-called Two Rivers Trail (Phase II) Project) along the levee behind my community, to which I am opposed.

I have reviewed the City of Sacramento American and Sacramento River Parkway Plans, The City of Sacramento Bicycle Master Plan and the Sacramento County American River Parkway Plan. From my review, this project is in direct opposition to the positions in these policy documents previously adopted by the Sacramento City Council. As a result of reviewing these policy documents I drafted several questions which I sent to the Mayor of Sacramento, the Sacramento Councilmember representing my district and the City of Sacramento Senior Engineer managing the project.

Specifically, I posed:

- 27 questions concerning the City of Sacramento American and Sacramento River Parkway Plan (approved by the Sacramento City Council November 13, 2012);
- 12 questions concerning the City of Sacramento Bicycle Master Plan (approved by the Sacramento City Council August 16, 2016); and,
- 33 questions concerning the Sacramento County American River Parkway Plan (adopted by the Sacramento City Council via approval of Resolution 2008-731 on November 6, 2008).

Ten (10) months after having submitted my questions, I received a letter from the Senior Engineer managing the project in which he told me *"I do not have the time to individually address your 65 questions nor is such a response required"*. I received no response from the Councilmember or the Mayor to my inquiries.

I am opposed to this project because no one from the City can explain why this project is necessary or how it would align and support the various policy positions already adopted by the City Council.

In addition, in order for the project to move forward the City must obtain a permit from the U.S. Army Corp of Engineers. My contact with the Army Corps of Engineers revealed that the City has made no request for such a permit and there is no guarantee that one would be awarded.

I have attended several community meetings where my City Councilmember assured the audience that the purpose was to gather community input and that the project is not a preordained conclusion.

However, whenever the City Senior Engineer project manger speaks of the project at these meetings, he speaks about it from the perspective of what will happen , not what is being considered, as if completion of the project is pre-ordained.

I have heard several commenters at this meeting present possible ideas why this project is necessary. These include:

- The project is designed to provide access to the nature area for the disabled. If this is true there are alternatives to meet this goal that do not require the construction of a bicycle path to accomplish this goal.
- The project is necessary to provide a link between the existing bicycle trail and the bicycle trail recently constructed from Old Sacramento to Tiscornia Park. If this is true, a link already exists on the opposite side of the American River. Further, from my contacts with the State Department of Transportation (CalTrans), they have a planned project to widen the bridge crossing the American River at Cal Expo. As a part of this planned project they will add pedestrian access on the bridge, providing a direct link from the existing bicycle trail to the recently constructed bicycle trail at Tiscornia Park.. This would seem to obviate the need for the Two Trails Project.

This is the last remaining undisturbed nature area in the American River Parkway and it is used by many residents of various areas of Sacramento. It is home to several species of wildlife which would be disturbed by the construction of a duplicate bicycle path. Additionally, it would increase conflict and collisions between the high speed biking that a paved trail would prioritize and the nature enthusiasts and pedestrians that enjoy this undisturbed nature area. This often occurs on the existing bicycle path now which I have personally experienced . Although my home does not directly front the levee across which construction is proposed, I live one block from the levee and currently enjoy the undisturbed nature area. Construction of a bicycle trail would interfere with the privacy of the residents directly adjacent to the levee, increase the impacts of illegal camping by City residents experiencing homelessness and potentially increase litter and crime along the proposed trail and surrounding areas.

Additionally, one need only observe the level of the river after the recent stormy season (which continues) to see that the proposed bicycle trail would be unavailable to bicycle commuters, forcing them to use the existing bicycle trail which is above the increased river flows or avail themselves of the many bicycle lanes already implemented by the City of Sacramento on many of the City's surface streets. Finally, the construction of this proposed project would remove existing vegetation and increase conflict with levee maintenance and repair which is necessary after high water periods such as we are currently experiencing.

Thank you in advance for allowing me to voice my concerns with this project.

Sincerely,

Mark Heilman
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