

Equestrian Trails, Inc.
Saddleback Canyon Riders - Corral 357
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Trabuco Canyon, CA 92678
<http://saddlebackcanyonriders.com/>
President: James Iacono..... 714-612-1789



January 27, 2016

Orange County Transportation Authority
Attn: M2 NCCP/HCP
550 South Main Street; P.O. Box 14184
Orange, CA 92863-1584

Attn: Dan Phu, Section Manager

Mr. Phu:

Saddleback Canyon Rider’s (SCR) goal (the Goal) is to have sunrise to sunset access to the network of trails outlined in the Foothill/Trabuco Specific Plan (F/TSP), aligned as planned for regional connections in the Orange County Master Plan of Regional Riding and Hiking Trails (F/TSP Exhibit II-8, page II-33). Further, it is SCR’s position that both the F/TSP and Orange County General Plan require trail alignments consistent with those documents (F/TSP Section 5.1, page II-38 “Implementation of Local Riding and Hiking Trails”; and OC General Plan Section VII-1 and Section VII-6, within Section VII “Recreation Element”).

If this goal is unable to be implemented immediately with respect to the Ferber Ranch and other public lands, SCR proposes a planned, partnership approach in steps that work toward this goal. The details of that approach are consistent with the draft RMP but also define a timeline for change (see Conclusions).

SCR generally supports the Resource Management Plan (RMP) as proposed for the Ferber Ranch and O’Neill Oaks Preserves, and submits comments detailing our support and concerns in the following areas specific to the Ferber property. While focused on the Ferber property, please consider these comments and concerns likewise appropriate for O’Neill Oaks.

3.1.3	Ferber Ranch Public Access Plan.....	Page 3-7
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Our approach is to outline areas of:

- **Support** (*including actionable participation steps in BOLD*)
- **Concerns** relative to that topic
- **Solutions** or **Recommendation**
- **Basis** for support or change

3.1.3: Ferber Ranch Public Access Plan

Support:

1. Though the goal is for sunrise to sunset trail access, SCR supports passive use of the 2.1 mile network of trails within the Preserve, and implementation of a public access program that allows for access during limited, designated docent-led hiking and horseback riding days.
2. SCR supports initiation of a self-managed partnership public access program.
3. SCR supports an increasing frequency of scheduled access events, beginning with a ride and/or hike every other month.
4. SCR supports OCTA's acknowledgement that regional trails planning evolves and changes over time, and that the OCTA will participate in regional trails planning efforts to evaluate possible trail connections with respect to the Ferber and O'Neill Oaks parcels.

Concern:

- a) That the foot trail and dirt road just north of Rose Canyon Road is ONLY maintained for Preserve Management use; public use is prohibited.
- b) That the current configuration of approved trails does not connect to other regional trails.

Solution or Recommendation:

- c) That the foot trail and dirt road maintained for Preserve Management be opened for designated hike/ride events so that neighbors on Rose Canyon Road have easier access from the main "staging" area at O'Neill Park for events at Ferber Ranch.
- d) As an entity of the County of Orange, OCTA is bound to comply with General Plan guidelines and accept responsibility for and set aside land for regional trail connections. **The OCTA is the county government entity in the region** and is therefore required to adhere to General Plan stipulations.
- e) We encourage the OCTA and subsequent Preserve Management teams to focus on trail connectivity consistent with the General Plan and specific to the goal outlined in Section VII-22: *"Create trail linkages between open space and recreation facilities, between community, municipal, state, and federal trail systems, and between the trail systems of surrounding counties."*
- f) **SCR is willing to help organize and facilitate additional public access days/events.**
- g) **SCR agrees to have volunteers trained as docents and work closely with the Preserve manager.**
- h) **SCR agrees to be responsible and accountable for actions that occur during jointly sponsored events specific to honoring established trail alignments.**
- i) **If organized as an official SCR event, SCR will accept liability for its member attendees through SCR's national liability insurance and individually signed waivers.**
- j) **SCR is willing to be one of the trusted community partners of and for the Preserves.**

Basis for change:

f) OC General Plan: <http://ocplanning.net/civicax/filebank/blobdload.aspx?blobid=24960>

VII-1 OVERVIEW The Recreation Element, one of the nine elements of the General Plan, contains official policies pertaining to the acquisition, development, operation, maintenance, and financing of the County's varied recreation facilities, which include regional recreation facilities, local parks, and riding and hiking trails. The Recreation Element text includes five main sections: • Purpose of the Element • Constraints and Opportunities • Local Parks Component • Regional Riding and Hiking Trails Component • Regional Recreation Facilities Component

VII-6. The Recreation Element develops this concept by identifying regional and local park areas and a regional trail network which interconnects the facilities. Thus, the Recreation Element and Resources Element are like two sides of the same coin.

Through the Ferber Ranch and O'Neill Oaks Preserves, the OCTA has adopted lands into the family of County public property, and the OCTA is now part of the family of County agencies responsible for compliance with public recreation or usage on those public lands. This is a new element for preserve management to address and resolve.

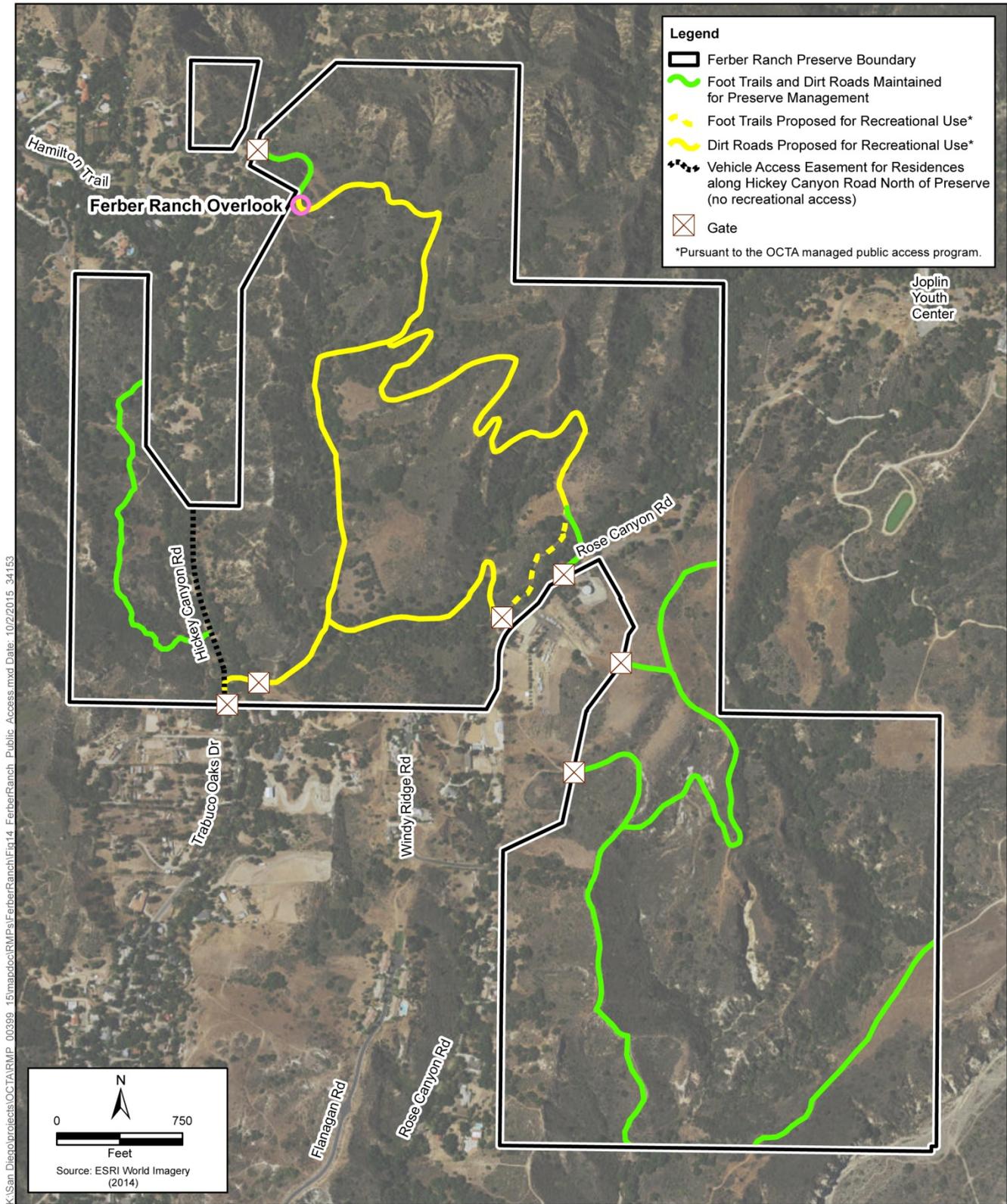
VII-22 Goal 2: Create trail linkages between open space and recreation facilities, between community, municipal, state, and federal trail systems, and between the trail systems of surrounding counties.

VII-25

JOPLIN TRAIL

TRABUCO CANYON TRAIL

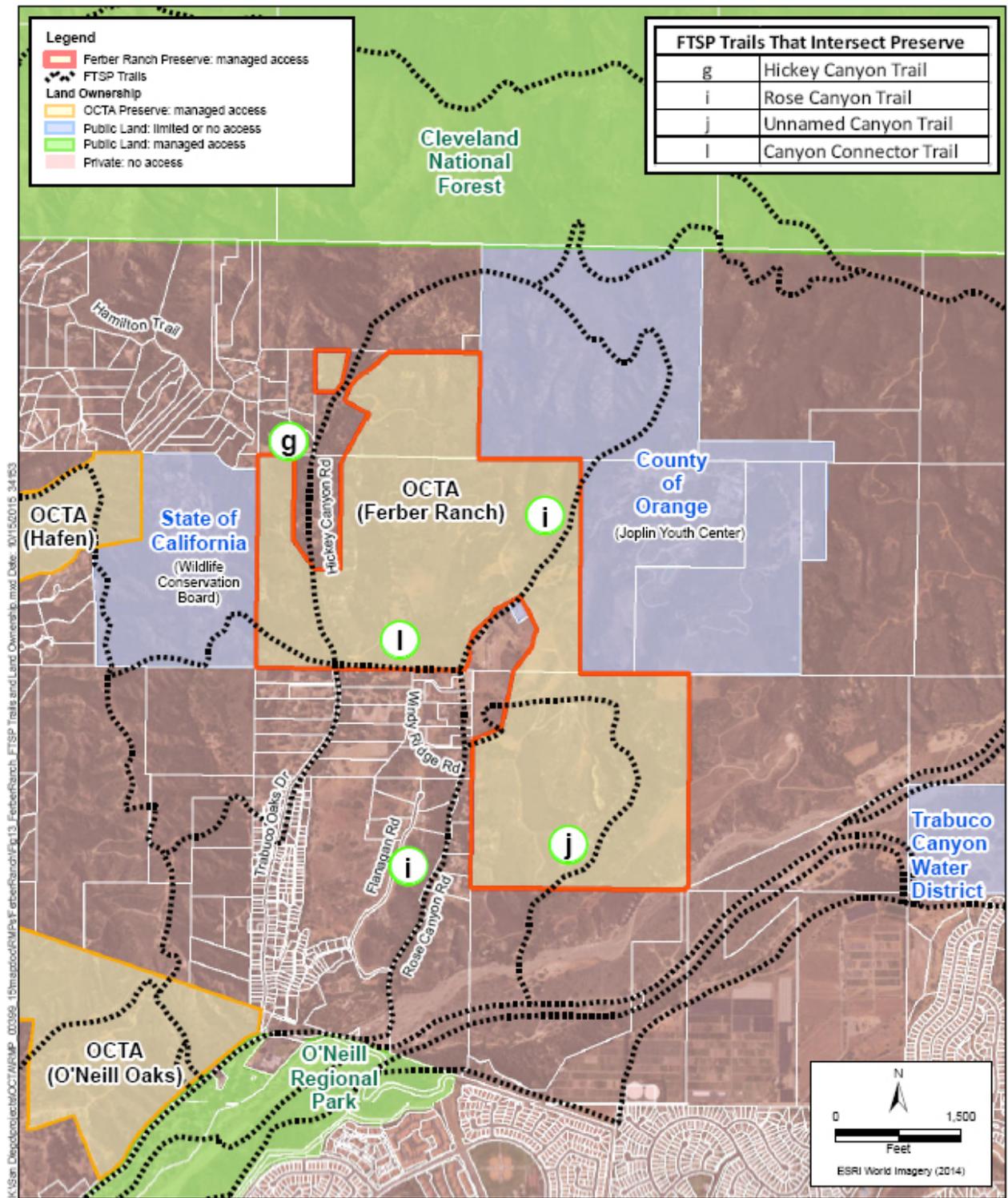
VULTURE CRAGS TRAIL



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Figure 14
Public Access
Ferber Ranch Resource Management Plan



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Figure 13
FTSP Trails and Surrounding Land Ownership
Ferber Ranch Resource Management Plan

3.1.4: Public Education and Enforcement of Public Access Plan

Support:

1. SCR supports a broad-based volunteer program that addresses a variety of education and management issues, including, but not limited to, preparation of educational materials, trail repair, trash removal, biological observation and reporting, and management patrols.
2. SCR supports public outreach and education, including educational materials, docents and volunteers that will supplement Preserve patrol efforts.
3. SCR recognizes the importance and value of the Preserve system as it preserves the historic vacant lands and viewsheds in the overall community.

Concern:

- a) Specifics on public education training so that SCR can be an effective partner.
- b) Specifics on trail maintenance and SCR's role.
- c) Be allowed adequate time to prepare a Mounted Assistance Unit (MAU) if requested.

Solution or Recommendation:

- d) **SCR commits to participating in a volunteer program and commits to working with Preserve Managers to address a variety of education and management issues. SCR has a long history of cooperation, public education and trail maintenance in O'Neill Regional Park.**
- e) **SCR commits to two-way communication with Preserve Management, and will continue to offer a voice for area residents, as it has for almost 25-years, relating to public recreational use of trails within the Preserves and connection to documented County trail alignments.**
- f) **SCR has formalized Mounted Assistance Units in the past and is willing to consider another such unit if requested and useful (see Section 5.2). In the interim period before "sunrise to sunset trail access" is allowed, SCR can save the OCTA a substantial amount of the fees currently paid to the OC Sheriff's Mounted unit and Private Company Patrols by coordinating some of the regularly scheduled patrols with SCR/MAU/docent members.**
- g) **SCR is willing to consider a longer-term role in horseback mounted patrols compliant with access regulations.**

4.2: Adaptive Management

Support:

1. SCR supports an adaptive management strategy to improve future management actions.

Concern:

- a) There is no public component for participation in the adaptive management plan or planning.
- b) There is no opportunity for public input on future proposed recommendations.

- c) Methodology to determine wildlife impact based on monitoring and gauging wildlife activity from movement cameras while the levels of public access are being reviewed and potentially changed. **Clearly, the presence of wildlife captured on wildlife movement cameras would demonstrate the compatibility of wildlife preservation and managed public access.**

Solution or Recommendation:

- d) SCR requests a level of public involvement as adaptive policies are made.
- e) SCR requests a formal public comment period before any changes are made.
- f) Create a process for public input, feedback and comment throughout the entire process. The accumulation of understanding and subsequent adaptation of a management strategy should NOT simply depend on feeding information obtained from monitoring results back into the decision-making process.

5.1: Financial Requirements

Support:

- 1. SCR generally supports the funding scenarios as proposed specific to Preserve Management and Adaptive Management.

Concern:

- a) We see no funding reference in the RMP for trail development, planning or implementation. ETI, of which SCR is a chapter, was established as a nonprofit corporation in 1944 with the charter to be “Dedicated to the Acquisition and Preservation of Trails, Good Horsemanship, and Equine Legislation”.
- b) As the County entity in the region, OCTA and the Preserve should rely on OC Parks and other fund sources as sustainable funding sources for trail development and maintenance as outlined in the General Plan.

Solution or Recommendation:

- c) SCR requests a formal funding reference for trail development, planning and implementation.
- d) A reasonable portion of OCTA mitigation public funds should be allocated and expended for this purpose.
- e) SCR requests a level of public involvement as adaptive policies are made.

Basis for change:

- f) OC General Plan: <http://ocplanning.net/civicax/filebank/blobdload.aspx?blobid=24960>

VII-1 OVERVIEW The Recreation Element, one of the nine elements of the General Plan, contains official policies pertaining to the acquisition, development, operation, maintenance, and financing of the County's varied recreation facilities, which include regional recreation facilities, local parks, and riding and hiking trails. The Recreation Element text includes five main sections: • Purpose of the Element • Constraints and

Opportunities • Local Parks Component • Regional Riding and Hiking Trails Component
• Regional Recreation Facilities Component

VII-16 Source of Funds: • Local Park Trust Fund • Special District Augmentation Funds
• Local Park Maintenance Agency Funds • Grants • Special Taxes (subject to two-thirds
approval of local voters) • Contributions

5.2: Funding Sources

Support:

1. SCR accepts that the endowment proposed will be adequate to carry out the obligations under the Plan.

Concern:

- a) We see no funding reference in the RMP for trail development, planning or implementation.

Solution or Recommendation:

- b) As the County entity in the region, OCTA and the Preserve should rely on OC Parks and other fund sources for sustainable trail development and maintenance as outlined in the General Plan and stipulated for development in the F/TSP.
- c) SCR requests that the OCTA and Preserve Management establish a fund to support SCR's MAU program as an alternate lower cost provider than current private or OC Sheriff Department personnel.

Basis for change:

- d) OC General Plan: <http://ocplanning.net/civicax/filebank/blobdload.aspx?blobid=24960>

VII-1 OVERVIEW The Recreation Element, one of the nine elements of the General Plan, contains official policies pertaining to the acquisition, development, operation, maintenance, and financing of the County's varied recreation facilities, which include regional recreation facilities, local parks, and riding and hiking trails. The Recreation Element text includes five main sections: • Purpose of the Element • Constraints and Opportunities • Local Parks Component • Regional Riding and Hiking Trails Component • Regional Recreation Facilities Component

VII-16 Source of Funds: • Local Park Trust Fund • Special District Augmentation Funds
• Local Park Maintenance Agency Funds • Grants • Special Taxes (subject to two-thirds
approval of local voters) • Contributions

Conclusion:

- A. SCR commits to participate in **governance**; i.e. be appointed to appropriate volunteer organizations, and be a resource in creating partnerships.

- B. SCR commits to participate in **public outreach** to assure community understanding of preserve resources, goals and objectives.
- C. The term “Sensitive Vegetation Types” could be very broadly interpreted and become a “catch-all” category for *any* habitat impact and thus restrict public access. (See Page 2-17). Caution should be exercised when using this term by more clearly specifying impact criteria.
- D. SCR supports training/certification at the docent level so **monitoring and reporting** activities can be performed in accordance with preserve requirements.
- E. SCR is a community advocate for trail connectivity between the Cleveland National Forest and adjacent community and OC Parks lands to honor wildlife corridors and remain consistent with the County’s General Plan.
- F. SCR strongly suggests the trails and service roads on the Ferber Ranch and O’Neill Oaks properties be open and accessible as an alternative exit routes in case of emergency or natural disaster. It may be appropriate to identify key community members to have keys or codes to unlock gates in the event of an emergency.
- G. The Orange County Master Plan of Trails must be integrated into the final recreational component of the RMP for the Ferber property as outlined in the County’s General Plan.
- H. While it is “development” that triggers trail alignment requirements within the F/TSP area, SCR strongly believes that mitigation for related development in another geographic area does not preclude the requirement that OCTA create trail alignments in the F/TSP property (Ferber) that is formally tied to OCTA/Measure M development (complete with EIRs) along county roadways. Therefore, the OCTA has a responsibility to create trail alignments, consistent with the Master Plan of Regional Trails, the F/TSP and OC General Plan for general public access within its preservation and management goals.

While an agency is welcome to use F/TSP lands as the mitigation, trade component for accelerated development permits in other areas, it is specifically that formal development plan for roadway improvements and project EIRs that obligates the OCTA to create associated trail alignments within the F/TSP area used for mitigation. Development is development.

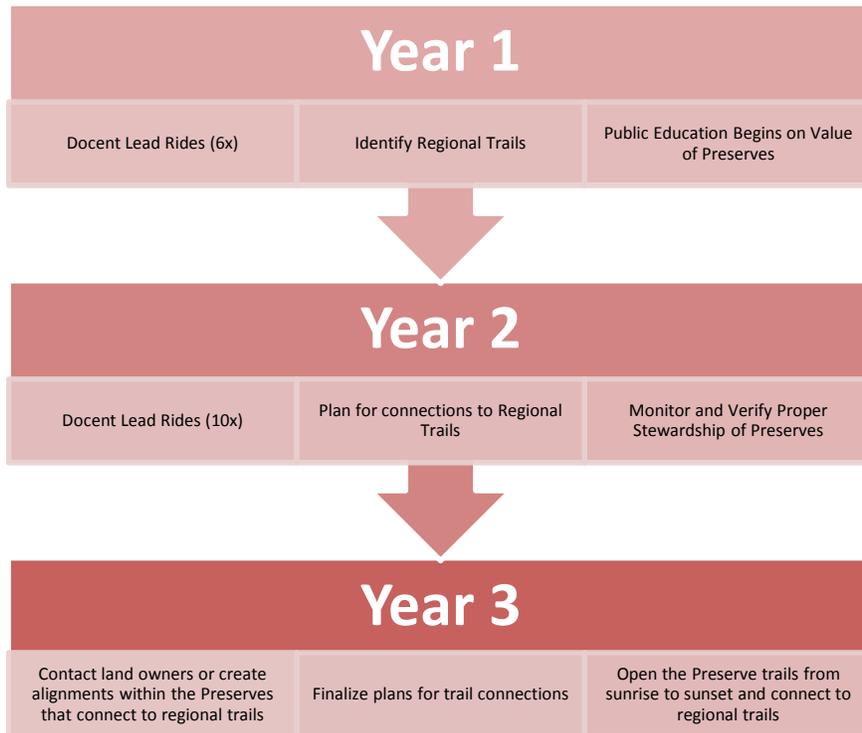
By legal definition in the F/TSP (parcel map recordation), the Ferber property is directly tied to development in other areas of the county, and therefore the Ferber property is not exempt from the trail alignment requirement defined in the F/TSP for development projects.

- I. SCR advocates for a public role in the adaptive management process.
- J. Since no mention of trail planning, development or implementation is made in the RMP, SCR advocates for Preserve Management to look to funding sources outlined in the County’s General Plan. Specifically, we ask that Preserve Management look to OC Parks and their funding source for trail development. If this is opposed, why? Trails are trails and funding exists for OC Park trails as outlined in the County’s General Plan.
- K. It is our belief that the County has a commitment to provide trails. The specific entity within the County responsible for that commitment is unclear, but the OCTA’s property ownership in the community establishes its role as the entity of record.
- L. It is our belief that because the Preserves are CEQA-qualified projects (as defined by CEQA through preparation of an EIR), because the Preserves impose mitigation

measures (by definition of land acquisition), and because of “significant impact” on [regional hiking and riding trails] recreation (Appendix G, Environmental Analysis Checklist), additional mitigation within the Preserves is required but has been inadequate.

- M. That because of the significant impact this preservation project imposes, additional mitigation is required under CEQA. That the EIR was inadequate because it failed to mitigate project impact on the community. That in fact, this preservation project is a project because an EIR was generated. Projects, under CEQA, that have significant community impact must have a mitigation plan outlined in the EIR and these preservation projects did not. Hence, since OCTA’s denial of access has had and continues to have significant impact on the community’s recreational component as provided in the FTSP Section II.E. Recreation Plan (Page II-32), we propose that as part of the mitigation, the identified trails within the preserve be open for sunrise to sunset access. No other use of the preserve would be allowed.
- N. CEQA guidelines (“Local CEQA Procedures Manual, Adopted by Orange County Board of Supervisors, October 2014), Section XVI, Page 36, “Mitigation Monitoring”, states:

CEQA requires that a mitigation monitoring or reporting program be adopted by the decision-maker any time a project is approved for which either an EIR or Negative Declaration has been prepared and which involves the imposition of mitigation measures. (Guidelines Section 15097) This requirement ensures that the mitigation measures imposed are fully implemented. Certain mitigation measures are completed prior to, or during, project implementation. Others may require monitoring over an extended period of time (e.g. mitigation measures for biological impacts that require rehabilitation of habitat). As such, this phase of the CEQA process may extend for a number of years beyond project approval and implementation.
- O. A timeline to accomplish the Goal is shown below.



Equestrian Trails, Inc. was established as a nonprofit corporation in 1944 with the charter to be “Dedicated to the Acquisition and Preservation of Trails, Good Horsemanship, and Equine Legislation”. The Saddleback Canyon Riders act to accomplish these goals and believe we offer the OCTA an opportunity to accomplish defined conservation and recreation goals. We are prepared to participate as a resource to meet preserve objectives in the context of the Ferber Ranch and O’Neill Oaks properties.

Specifically, we believe we can contribute significantly to each of the Resource Management Plan components as outlined herein.

We urge the OCTA and approving agencies to consider our comments, adopt, insert, and apply them appropriately in both the Ferber and O’Neill Oaks property RMPs. Please incorporate these comments in the public record for the OCTA M2 Project and keep us informed of all progress and actions regarding the Project.

Sincerely,

James Iacono

James Iacono
President, Saddleback Canyon Riders (Saddleback Canyon Riders, ETI Corral 357)

Rich Gomez

Rich Gomez
Emergency Response Team Coordinator (Saddleback Canyon Riders, ETI Corral 357)

cc: Todd Spitzer, Chairman, Orange County Board of Supervisors