

October 27, 2004

To whom it may concern,

I am writing this letter to address the potential closure of Nisene Marks State Parks to bicycle use. I am a resident of Capitola and a long time user of Nisene Marks and am deeply concerned that public access and the continued enjoyment of this park on mountain bikes could soon come to an end. Recently environmental groups including the Sierra Club have filed suit against the State Park system in response to the proposed General Plan of the park. The new General Plan would potentially expand the number of trails bicycles are allowed on in the park. This suit would effectively ban all bicycle use in the park north of the steel bridge, including all of the Aptos Creek fire road.

The original land deed to the State Parks allows hiking camping and related activities in the park while excluding horses. Those suing the park system contended that mountain biking is akin to horse riding and should therefore be banned from the park. Unfortunately for bicycle advocates such as myself, a judge in Sacramento agreed with them and if no action is taken on our part the ban will go into effect on November 12 this year.

We in the biking community, need to fight this decision and preserve our right to bicycle access in this state park.

We can do this by encouraging the state parks to appeal this decision and this can be done by writing to David Vincent, the Superintendent of the Santa Cruz District:

David Vincent, Superintendent of the Santa Cruz District
Department of Parks and Recreation
Santa Cruz District
303 Big Trees Park Road
Felton, CA 95018
dvinc@parks.ca.gov

Bicycles have always been allowed in certain areas of Nisene Marks State Park and I strongly believe that right should not be taken away. One of the beauties of the park is that a multitude of varied users including cyclists can simultaneously enjoy its spaces. Becoming an exclusionary natural preserve was not ever the intention of those who donated the land to the citizens of California. Please join myself and other concerned cyclists in calling for an appeal to this reactionary decision to ban bicycles throughout

the park. As a cyclist and strong environmentalist I hope to continue to enjoy this great natural resource for years to come.

Thank you,

Brock Dickie
Capitola, CA.

-----Original Message-----

From: Bill Leff [mailto:Bill.Leff@veritas.com]

Sent: Friday, November 19, 2004 12:27 PM

To: 'info@sccrtc.org'

Cc: Bill Leff

Subject: Scotts Valley Park and Ride

Hello.

My name is Bill Leff, and I live in SC County (Aptos). I have lived in the county for approximately 25 years.

I work in Mountain View, and am a member of a vanpool that commutes from Scotts Valley to Mountain View daily. There are eight or nine of in the vanpool. We formed the vanpool for the usual reasons - less wear/tear on our individual automobiles, less driving, availability of Diamond Lane on Hwy 85 etc. And of course, we all appreciate the environmental upside of using the vanpool.

Our vanpool members come from Aptos, Capitola, Santa Cruz, Scotts Valley, and Felton. We currently use the Scotts Valley Park and Ride located in Scotts Valley next to the bus terminal.

This location is very impractical for many of us. For most of our vanpool, it means driving in and out of Scotts Valley daily from Hwy 17. This adds commute time, traffic, pollution etc. Our only alternative is to use Pasitiempo, but this is impractical for many of our vanpool as it means they are driving in a reverse direction from their homes.

I would like to suggest that a Park and Ride be established next to Hwy 17 somewhere with easy on/off access to Hwy 17 instead of having to go in and out of Scotts Valley. I know there are other vanpools and carpools that would also appreciate this as well.

Please make the establishment of a new Park and Ride lot with easy access to Hwy 17 around Scotts Valley a priority.

I would appreciate hearing back from you on this matter.

Sincerely,

Bill Leff

Bill Leff –

Your email regarding a park and ride closer to Highway 17 was received and will be forwarded to the Santa Cruz County Regional Transportation Commission for their consideration.

Many people are interested in establishing a parking area for carpoolers and vanpoolers closer to Highway 17 than the existing Scotts Valley Transit Center. Unfortunately property near the highway is valuable and local jurisdictions are generally not interested in dedicating these properties to non-revenue generating uses. However, there are a few options on the horizon:

- Improvements to the Granite Creek Interchange – Although this project is not currently funded or programmed, the project is included in the 25-year transportation plan (Regional Transportation Plan) and could include a park and ride

- Expansion of Park and Ride Lots – The 25-year transportation plan also includes a generic project to expand the number of park and ride lots throughout the county. As new funds become available, this project is on the priority project list.

Thanks for writing.

Karena Pushnik, Senior Transportation Planner
Santa Cruz County Regional Transportation Commission
831/460-3210

-----Original Message-----

From: Daehne, Klaus [ALZUS] [mailto:KDAEHNE2@alzus.jnj.com]
Sent: Friday, November 19, 2004 3:56 PM
To: 'info@scrtc.org'
Subject: Scotts Valley Park & Ride

Hello,

my name is Klaus Daehne, and I live in Ben Lomond. I have been commuting to the Mountain View Shoreline area for 20 years, and vanpooling for almost 7 years. About 2 years ago, we moved our vanpool departure from Pasatiempo to the Scotts Valley Park & Ride, partially due to overcrowding, but mostly because about half of our riders had to commute into reverse commute direction every day, actually adding to their daily commute. However, for our riders south of Pasatiempo, the daily drive into and out of Scotts Valley during peak commute hours in both directions has posed a similar challenge, even to the point of deterring potential new riders.

The Scotts Valley Park & Ride is a wonderful facility, but unfortunately in the wrong location to be conducive to a daily commute. Please seriously consider creating an additional Park & Ride facility in Scotts Valley near Hwy 17.

Thank you for your consideration.

Sincerely,
Klaus Daehne

Klaus Daehne –

Your email regarding a park and ride closer to Highway 17 was received and will be forwarded to the Santa Cruz County Regional Transportation Commission for their consideration.

Many people are interested in establishing a parking area for carpoolers and vanpoolers closer to Highway 17 than the existing Scotts Valley Transit Center. Unfortunately property near the highway is valuable and local jurisdictions are generally not interested in dedicating these properties to non-revenue generating uses. However, there are a few options on the horizon:

- Improvements to the Granite Creek Interchange – Although this project is not currently funded or programmed, the project is included in the 25-year transportation plan (Regional Transportation Plan) and could include a park and ride
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Thanks for writing.

Karena Pushnik, Senior Transportation Planner
Santa Cruz County Regional Transportation Commission
831/460-3210

The rail transit that could



Paul Weyrich

Paul Weyrich
November 12, 2004

When a President defies the odds and wins re-election the way Harry Truman did in 1948 and George W. Bush has done in 2004, and when that President in winning re-election increases his margins in both Houses of Congress, it is little wonder that other issues in the election received scant attention.

You would have to go back to 1936, in the middle of the Great Depression, to find a President who increased his majorities in winning a second term. That was FDR. If you are looking for a Republican who accomplished that feat, go back to 1924 and the President whom both Ronald Reagan and yours truly liked very much, Calvin Coolidge. He increased his majorities in winning re-election in 1924. Remember, he had only been in office for a little over a year as President. He assumed the office when Warren Harding died. George W. Bush served out his whole first term.

I digress. What I want to call to your attention is the support for mass transit which occurred from one end of the country to the other. There were 31 pro-transit propositions on the ballot November 2nd. Transit was victorious in 24.

Here in the Washington Area there were bond issues in both Arlington and Fairfax Counties of nearby Virginia to help METRO obtain new equipment, rehab older equipment and otherwise upgrade services. In Arlington, nary a word was spoken against the bond issue. It passed 70% to 30%. In Fairfax County, where I reside, a local taxpayers' group, aided by some state legislators, went full-tilt against the bond issue. It also passed 70% to 30%.

Voters no longer buy the proposition that transit is a waste of money. If anything, they want more of it.

This December METRO will open a three and a half mile extension to get within a mile of Fed Ex Field, home of the Washington Redskins.

The next project for METRO is to go all the way to Dulles Airport and perhaps beyond the West Falls Church Station on the Orange Line as well. Rep. Frank Wolf (R-VA), who was re-elected with 64% of the vote, will fight for federal funds above what is usually available for transit to build that line. The Federal Government owns the right of way to Dulles.

The biggest boost for transit came in Denver. There, voters passed FasTrack by the comfortable margin of 57%. It will add 119 miles of rail transit, both light rail and commuter rail, in addition to the 15 miles of light rail already operating and the 19 miles now under construction. In addition to the new rail lines, almost all of which will fan out from Union Station in Denver, there will be some busways and other transit improvements. Voters agreed to increase their sales taxes to help pay for this \$4.7 billion project, all of which is supposed to be operating by 2012.

Twice before, Denver tried a massive transit referendum. Twice they failed. What is the difference now? First, proponents of FasTrack were much quicker to reply to their critics. Second, and perhaps most importantly, voters had a chance to see light rail in action. Thousands ride it daily back and forth from Littleton to Downtown. Thousands more take it to the ball parks and other amusement parks located along an alternate line to Downtown. President Bush carried the state of Colorado rather handily so this was not just a case of Democrats all voting for the system. It had appeal across the board.

Phoenix was another win for transit. In 2000 voters in the Phoenix Metropolitan Area voted for a 20-mile starter light rail line. It is now under construction. This year the State Legislature placed on the ballot a package of highway and bus improvements along with another 28 miles of light rail. Opponents concentrated on light rail, which was not as popular as the highway component of the measure that again required voters to increase their own taxes. The opponents' campaign didn't work. The measure passed with nearly 58% of the vote.

In 2000 voters in Austin turned down an ambitious light rail program. This time, the transit advocates did it right. They proposed a 38-mile starter commuter system, which likely will use multiple-unit diesel railcars similar to New Jersey Transit's River Line. This year voters approved the project overwhelmingly. The transit authority already owns the right-of-way, so chances are that system will be in operation soon.

In a non-binding referendum, voters in Miami Beach, by a margin of 55% to 45%, told their local authorities that they want a streetcar line to link Miami with Miami Beach. That margin is probably sufficient to end years of squabbling over the issue.

Not determined yet is whether Miami Beach will go the route of Tampa, Little Rock, New Orleans and Charlotte, all of which use retro-design Heritage streetcars, which look like they are from the 1920s. Tampa, Little Rock and Charlotte all use Heritage cars from GOMACO in Iowa. New Orleans built its own cars for use on both the River Front line and the restoration

The rail transit that could

of streetcars on Canal St., with a branch to City Park. Miami Beach might instead go the route of Portland, OR and Tacoma, WA, both of which use sleek, modern articulated streetcars built in the Czech Republic.

Only around the San Francisco Bay Area did transit take something of a hit. Some propositions to aid existing systems were approved by over two-thirds of the votes required. However, other transit bond initiatives did not get the two-thirds vote required. In fact, in San Francisco all the bond issues, even for libraries and schools, went down in defeat. That prompted a comment from Governor Arnold Schwarzenegger (R-CA) when asked by a reporter from the area if he would consider a measure to raise taxes: "Why should I listen to them? They are all losers." He later clarified his statement, saying he wasn't calling the State Legislators losers but rather all of the bond issues in the area, asserting that if they won't pass in San Francisco they won't pass anywhere.

I could detail all of the other transit issues but I think you have the idea. Cities small, medium and large voted for transit — at the same time they were giving a Republican President a mandate and increasing the numbers of Republicans in both the House and the Senate.

Clearly, transit has become a non-partisan issue. When told that the light rail program passed in Phoenix, Rep. Jeff Flake (R-AZ) said, "I'm delighted. I am glad to see conservatives supporting light rail."

Our sentiments exactly.

Whereas transit was once considered a Great Society program for the poor and those who had no other means of getting around, now where good transit is being offered to voters, voters are willing to raise their own taxes to pay for systems that work. They do so because they want to ride rail transit themselves. Transit is supported in areas which are Republican as well as Democrat, conservative as well as liberal.

Senator Bob Bennett (R-UT), a friend of at least 35 years, nearly got drummed out of the Republican Party in his State because he supported light rail in Salt Lake City. Today, after seeing TRAX in action, many of these same people who were ready to topple their longtime and very effective Senator are now twisting his arm to see if they can't get light rail to their suburb next. Bennett was just overwhelmingly re-elected on November 2nd.

From here on, transit planners don't have to hope for a strong turnout of Democrats to pass their measures. These days transit can appeal to all parts of the community. That is further good news coming out of this election. Sorry, libertarians. The voters don't often buy your anti-transit arguments anymore.

Paul M. Weyrich is Chairman and CEO of the [Free Congress Research and Education Foundation](#). He served as President of the foundation from 1977 to 2002.

From 1989 to 1996, Mr. Weyrich served as President of the Kreible Institute of the Free Congress Foundation, responsible for training democracy movements in the states comprising the Former Soviet Empire. He is a founder and past director of the American Legislative Exchange Council, the founding president of the Heritage Foundation, and the current National Chairman of Coalitions for America.

*A former reporter and radio news director, Mr. Weyrich is a regular guest on daily radio and television talk shows. A sought-after writer, Mr. Weyrich has published policy reports and journals on a variety of conservative issues and has contributed editorials to *The New York Times*, *The Washington Post*, and *The Wall Street Journal*.*

*He has been described by *The Economist* as "one of the conservative movement's more vigorous thinkers." Voted three years in a row from 1981 – 1983 by readers of *Conservative Digest* as one of the top three "most popular conservatives in America not in Congress," Mr. Weyrich has been named by *Regardie's Magazine* as "one of the 100 most powerful Washingtonians."*

He has been married since 1963 to the former Joyce Smigun, is the father of five children, and serves as a deacon in his church.

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<http://www.renewamerica.us/columns/weyrich/041112>

-----Original Message-----

From: RJonesPE@aol.com [mailto:RJonesPE@aol.com]

Sent: Thursday, November 11, 2004 9:13 AM

To: Rando@aol.com; keoghs1@pacbell.net; paspence@charter.net; Linda Wilshusen; dnortondesigns@msn.com; ereilly@ci.santa-cruz.ca.us; rdelapaz@ci.watsonville.ca.us; jan.beautz@co.santa-cruz.ca.us; mark.stone@co.santa-cruz.ca.us; ellen.pirie@co.santa-cruz.ca.us; tony.campos@co.santa-cruz.ca.us; tfitzmaurice@ci.santa-cruz.ca.us; mardi.wormhoudt@co.santa-cruz.ca.us

Subject: RecRail Business Plan

SCCRTC and Staff,

In case you haven't read it, attached is an article I wrote for the November 1st Aptos Times regarding the Branch Line Business Plan. I hope that the RTC is objectively studying the wisdom of the Branch Line purchase. It is easy to think of the line as a narrow strip of land when in reality it is an operating freight railroad with a deteriorated infrastructure. Regardless of the fate of the tourist train, the RTC will have perpetual responsibility for the freight and infrastructure once it buys the line. This amounts to a huge financial risk for the County and should be the focus of your attention.

Thank you for your consideration and I request that this e-mail and the attached article be entered into the administrative record for the Branch Line acquisition project.

Robert Jones
Aptos

Robert Jones –

Your email regarding the Recreational Rail Business Plan was received and will be forwarded to the Regional Transportation Commission for their consideration. Your email and attached letter will be entered into the administrative record for the Branch Line acquisition project.

Thanks for writing.

- Karena Pushnik
Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue
Santa Cruz, CA 95060
831/460-3200

The 3-R's - Recreational Rail Reality

By Robert Jones, member of the Santa Cruz Coalition Against Recreational Rail (SCCARRED)

For the past 18 months there has been virtually a continuous, often emotional debate within the County over the pros and cons of the Capitola to Aptos (with an extension to Seascapes) tourist train. Under current Regional Transportation Commission (RTC) policy this train is an assumed part of the purchase of the 32-mile Santa Cruz Branch Line from the Union Pacific Railroad. The long-awaited Business Plan (the Plan) has finally been released. It was hoped that this document would establish a solid foundation to allow the RTC to make a decision on whether this project was economically good or bad for the County.

Sadly, the Plan is incomplete, omitting many important financial considerations. However, it does offer some insight into the overall operation, risks, and finances associated with the ownership of and responsibility for the Santa Cruz Branch Line. The following is a realistic view of the Branch Line Business Plan.

The Plan was intended to examine the financial viability and risk of ownership of the Santa Cruz Branch Line and the subsequent operation of both freight and tourist train services. It is important to realize that when the RTC purchases the rail corridor it is entering the railroad business. It must continue all freight-related activities previously performed by the UP, including operations and traffic management, and the maintenance, repair, replacement, and upgrading of the railroad infrastructure from Watsonville to Davenport. It also will have the responsibility for the implementation and operation of the tourist train. This is a huge departure from any tasks currently being performed by the RTC staff. The Plan suggests that the operations be conducted for the RTC by a short line railroad. Nevertheless, the ownership and overall responsibility will rest with the RTC. This raises the fundamental question, is owning and operating a freight/tourist railroad something that Santa Cruz County should be doing? Is this a valid or prudent function of local government?

So let us take a look at some of the key items and issues identified in the Plan.

The Plan makes it clear that none of the costs and revenue figures have come from the Union Pacific Railroad. The UP refuses to divulge financial data. Why? And why is this not a deal-breaker on the purchase? A consultant to the RTC estimates that the UP annually loses \$323,000 on a cash basis and \$1.8 million on an accounting basis on the Branch Line. One is immediately struck by the question, if the UP loses this much money how can a short line operator make money? The line is the same, the customers are the same, the equipment is the same, fuel costs are the same, and the staffing is the same. This just does not pass the simple logic test.

Next, the Plan reveals that the current tracks are classified as "FRA Exempt" which is the poorest condition category. Exempt tracks can accommodate freight at no more than 10 mph, with no hazardous material and no passenger service. The trestles and bridges on the Branch Line are in such deteriorated condition that the UP only operates at 5 mph across them. To safely operate the tourist train there will have to be an expensive upgrading of the corridor infrastructure. Further, given the age of the tracks, roadbed, and overcrossings there will be a future cost in the millions of dollars to keep the freight and tourist short line operational.

The Plan states that 52% of the total track length and 100% of the tourist train track length have less-than ten years of useful life. The Plan fails to include a RTC capital accumulation account for future expenditures. Where will they get the money to keep the corridor safe? The irony is that under Federal law, the RTC cannot discontinue the freight service to Davenport as long as there are rail service

customers. Financial hardship is not a valid excuse for discontinuing service. As a consequence the RTC will have a perpetual obligation to be in the freight railroad business.

The Plan clearly shows that the tourist train alone cannot be operated profitably. It loses money regardless of the ridership assumptions. And ridership figures were optimistically assumed, there was no actual survey of potential tourists. The Plan suggests that the only possibility for limited success is having one short line railroad operate both the freight service and the tourist train. In this sense, "success" can only come about if the public (i.e., the RTC) buys the right-of-way, buys the tourist trains, builds the stations, upgrades the tracks, and bears the full financial responsibility for the perpetual upkeep of the total corridor infrastructure.

This cost is in excess of \$22 million. The Plan states that even when relieved of the vast majority of the expenses and financial risks "the margin for profit is not great" for the short line operator. One wonders about the RTC's public policy of spending tens of millions of taxpayer dollars to allow a short line operator to possibly make a profit.

Also, if this corridor had any commercial value in terms of freight business, the Union Pacific Railroad (UP) would not be selling it. The UP wants out because it sees no future for the local freight business and it sees that the deteriorating infrastructure is closing in on big, big expenses as the 37 bridges and trestles become completely unsafe. If the UP had no customers such as RMC cement, it would petition for abandonment. Raising freight rates will not solve the problem. But the UP has the RTC that is willing to pay it millions of dollars and relieve it of all future liabilities. What a deal - for the UP.

A fundamental flaw in the Plan is that it identifies a host of unknown or poorly defined cost and revenue items, but rather than study both the best-case and worst-case scenarios it only selects the best-case ones. This, of course, biases the outcome in favor of the tourist train and keeps hidden the potential downside financial risks. Using figures from the Plan and examining less optimistic, more realistic scenarios, one can calculate that the RTC could easily lose \$500,000 annually. Further, there is a high likelihood that the short line operator will refuse to operate the tourist train without a RTC subsidy and the freight business will always be unstable (i.e., varying between marginal profit and loss).

There are many more issues of uncertainly contained in the Business Plan. However, the bottom line is that the acquisition of the UP assets and the subsequent freight and tourist train operations is a slippery slope that once the RTC is on there are no easy or inexpensive ways of getting off. The only remedy for the almost assured bleeding of "red ink" is to reallocate funds from more important County transportation projects.

Any reasonable business or financial person will conclude after reading the Plan and doing some simple math that the risks, financial and otherwise, of both tourist and freight train operations are too great for the community to bear. Fiscal responsibility and reality must prevail.

My conclusion is that there is no way to operate a tourist train and a freight train on the Santa Cruz Branch Line and assure its viability. By viability, I mean that it does not require County subsidies and massive inputs of capital to keep the infrastructure safe and functional.

Robert Jones is a Consultant in the field of hazardous material packaging and transportation and has worked in this field for 38 years. He has a Bachelor of Science degree in Mechanical Engineering from San Jose State University and a MBA degree from Santa Clara University.

Jones has conducted numerous feasibility and risk studies of business ventures that involve railroad operations and railroad equipment.

-----Original Message-----

From: RJonesPE@aol.com [mailto:RJonesPE@aol.com]

Sent: Monday, November 22, 2004 3:44 PM

To: Rando@aol.com; keoghs1@pacbell.net; paspence@charter.net; Linda Wilshusen; dnortondesigns@msn.com; ereilly@ci.santa-cruz.ca.us; rdelapaz@ci.watsonville.ca.us; jan.beautz@co.santa-cruz.ca.us; mark.stone@co.santa-cruz.ca.us; ellen.pirie@co.santa-cruz.ca.us; tony.campos@co.santa-cruz.ca.us; tfitzmaurice@ci.santa-cruz.ca.us; mardi.wormhoudt@co.santa-cruz.ca.us

Subject: RecRail EIR

Commissioners and Staff,

I understand that the response from the EIR contractor will be released in January. Given the number of questions, comments and issues that were raised by reviewers it seems appropriate public policy to hold another public hearing to review those issues. If that occurs, it is vital that those that submitted comments on the Draft EIR receive timely pre-hearing copies of the responses to issues raised. I request such a hearing..

On a related matter, please confirm that the RTC policy is that the UP right-of-way purchase will not occur unless a valid and comprehensive EIR is completed and certified. I have heard several Commissioners make this statement but I would like it conformed as a RTC policy.

Please include this e-mail in the administrative record of this project.

Robert Jones
Aptos

Robert Jones –

Your email regarding the Recreational Rail EIR and acquisition of the Santa Cruz Branch Rail line was received and will be forwarded to the Regional Transportation Commission for their consideration.

At the completion of the Major Transportation Investment Study in 1999, the RTC approved the acquisition of the rail right-of-way for transportation purposes as a priority project. Although not required, the RTC decided to engage in the assistance of environmental experts to undergo an environmental process for acquisition. The timing of the EIR for Recreational Rail is not tied to the acquisition; however an operating plan is required to be developed within ten years of accessing Proposition 116 funds.

Thanks for writing.

- Karena Pushnik
Senior Transportation Planner
Santa Cruz Co. Regional Transportation Commission
831/460-3210 (fax 460-3215)

17-14