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Via Electronic Submission to spbl.trail@goventura.org

Ventura County Transportation Commission

Attn: Commissioners and Executive Staff

751 E. Daily Drive, Suite 420

Camarillo, CA 93010

Re: Official Public Comment on the Notice of Preparation: Santa Paula Branch Line Trail Master Plan Update

Dear Commissioners and Director of Planning and Sustainability Amanda Fagan,

On behalf of the Farm Bureau of Ventura County ("FBVC"), we submit this letter as formal public comment on the Notice of Preparation (NOP) for the Santa Paula Branch Line (SPBL) Trail Master Plan Update.

FBVC is an agricultural advocacy organization representing landowners and operators throughout Ventura County, including those whose farming operations, residences, and access rights lie directly along or depend upon the SPBL corridor. FBVC's Board of Directors includes growers and landowners actively farming along the rail line and in other areas of the County. FBVC routinely serves as a subject-matter expert, either directly or through its members, on agricultural land use compatibility, regulatory compliance, and operational realities in Ventura County.

FBVC unequivocally opposes any expansion of the SPBL trail through or adjacent to active commercial agricultural land, reaffirming a position held consistently by the organization since 1999 and never rescinded. The proposed project represents a fundamentally incompatible land use, is procedurally flawed, and is being advanced despite decades of unresolved concerns that have only intensified over time.

I. Agriculture Along the SPBL Is a Regulated Industrial Land Use, Not Passive Open Space

Commercial agriculture along the SPBL corridor is not scenic open space, nor a backdrop for recreational amenities. It is a heavily regulated industrial land use subject to mandatory federal, state, and local requirements that cannot be suspended, deferred, or conditionally waived to accommodate recreational use.

This reality was recognized explicitly by FBVC more than two decades ago.

In April 1999, then-FBVC CEO Rex Laird stated:

“This type of recreational development has never occurred in open space and agricultural exclusive zones.”

He further emphasized that unresolved agricultural compatibility issues were not peripheral, but central to the project’s viability:

“To date, the issues of liability, insurance, agricultural chemical use, fencing and the issue of public safety all remain unresolved and outstanding.”

Those same issues remain unresolved today, under a far more restrictive regulatory framework.

A. Food Safety and FSMA Compliance

Since 1999, food safety requirements have expanded dramatically. The federal Food Safety Modernization Act (FSMA), along with buyer-driven third-party audit requirements, now obligates growers to actively prevent contamination from uncontrolled human activity.

A public trail introduces unavoidable contamination risks from litter, pets, human waste, and off-trail trespass. Auditors evaluate risk exposure, not intent. The presence of a public trail adjacent to or bisecting production areas can itself constitute a non-conformance, jeopardizing market access and long-term farm viability.

B. Pesticide Use, Buffer Zones, and Restricted-Entry Intervals

Crop protection activities are legally required, weather-dependent, and time-sensitive. Buffer zones and restricted-entry intervals prohibit public access during and after applications.

Rex Laird warned in 1999:

“The Ventura County Agricultural Commissioner’s office has stated that receipt of complaints in regard to normal cultural practices adjacent to the railroad right-of-way would most assuredly result in a minimum of a 100-foot buffer on one or both sides of the trail.”

He quantified the impact even then:

“The 100-foot buffer results in 24.24 acres per mile loss of agricultural land when agriculture is located on both sides of the trail.”

Those impacts are more severe today, given stricter enforcement, expanded re-entry intervals, and heightened public sensitivity. Based on current pesticide regulations, fencing guidance, and standard enforcement practices, buffer requirements today reasonably exceed those evaluated in 1999 and may approach or exceed 250 feet in practice. With the proposed 27 mile trail this could be over 1,500 acres of land taken out of production to ensure the trail is safe for the public. These buffer-zone issues were raised to VCTC in February 2023 and reiterated in many meetings. No acknowledgment of this significant impact has been identified in project presentations to date. Adjacent operators would face significant difficulty securing licensed pest control applicators willing to perform work adjacent to an active public trail, given liability exposure and regulatory risk. Not because farming has failed, but because public access has been inserted into places where it cannot safely coexist.

C. HLB/ACP Quarantine

The SPBL corridor now traverses active quarantine zones related to Huanglongbing (HLB) and the Asian Citrus Psyllid (ACP). These conditions did not exist in 1999.

Transportation corridors are widely recognized vectors for pest and disease spread. Increased pedestrian, bicycle, and e-bike traffic through quarantine zones materially elevates risk through contaminated footwear, bicycles, and incidental transport of plant material.

HLB is incurable: once introduced, orchards are lost for decades. No feasible mitigation exists that allows unrestricted public access through quarantine zones while protecting adjacent commercial citrus operations.

D. Worker Safety, Liability, and Emergency Access

Commercial agricultural operations along the SPBL corridor involve routine activities that are inherently hazardous and tightly regulated, including the operation of heavy machinery, use of specialized equipment, movement of vehicles and crews across narrow access points, aerial and ground-based crop protection applications, and work performed during early morning, nighttime, or low-visibility conditions. These activities are not episodic; they occur continuously throughout the year and are dictated by biological, weather, and market conditions rather than by fixed schedules.

Introducing a publicly accessible recreational trail into or immediately adjacent to these environments creates unavoidable and unacceptable safety risks for both agricultural workers and members of the public. These are not edge cases. They are the ordinary conditions under which agriculture operates.

Farm Accident Risk and Equipment Hazards

Agricultural work is recognized as one of the most hazardous occupations in the United States. Farm accidents commonly involve tractors, forklifts, harvest equipment, sprayers, irrigation systems, and vehicles moving between fields. Many of these activities require uninterrupted work zones and clear lines of sight. The presence of pedestrians and cyclists in close proximity to active operations significantly increases the risk of collisions, struck-by incidents, and entanglement with equipment. The increasing prevalence of high-speed e-bikes traveling at or above 20 miles per hour materially increases collision risk where farm equipment must cross the corridor to access fields and residences.

Unlike urban or industrial work sites, agricultural operations cannot always be cordoned off or paused. Equipment must move when conditions allow, including during narrow weather windows or biological timing constraints. A trail that requires constant public access is fundamentally incompatible with these operational realities.

Interference with Work Crews and Operational Disruptions

Public access adjacent to farm operations introduces frequent and unpredictable interactions between trail users and workers. Workers may be required to stop operations to address trespass, answer questions, redirect trail users, or respond to complaints. These interruptions increase accident risk, reduce productivity, and place additional stress on workers performing physically demanding and often time-critical tasks.

In many cases, agricultural workers operate under piece-rate or productivity-based compensation structures. Repeated disruptions directly affect earnings and working conditions, creating economic and labor impacts that are not mitigable through trail design.

Harassment, Surveillance, and Hostile Interactions

Agricultural workers, many of whom are performing lawful, permitted activities, are increasingly subject to public scrutiny, harassment, and confrontation when working adjacent to recreational users. Trail users may object to normal agricultural practices such as spraying, dust generation, equipment noise, lighting, or early-morning operations. These objections frequently escalate into confrontational interactions, filming of workers, and complaints directed at workers performing lawful agricultural activities.

Workers should not be placed in a position where they must justify lawful agricultural activities to members of the public while attempting to perform their jobs safely. Such interactions create hostile work environments and raise significant labor and civil liability concerns.

Cultural and language barriers exacerbate these risks. Many farmworkers speak limited English and may be unfamiliar with how to respond to confrontational situations involving members of the public. Expecting workers to manage public interactions safely and appropriately is neither reasonable nor consistent with labor protections.

Increased Liability Exposure

The introduction of a public trail into active agricultural environments substantially increases liability exposure for landowners, operators, and public agencies. Accidents involving trail users injured by equipment, vehicles, uneven terrain, irrigation infrastructure, or chemical exposure, even where operations are fully compliant with law, create significant legal risk.

Importantly, liability exposure exists regardless of fault. The presence of the public in inherently hazardous work environments increases the likelihood of claims, litigation, and insurance losses. In response, insurers will raise premiums, impose additional conditions, or decline coverage altogether for operations adjacent to public trails.

For many growers, continued access to affordable insurance is a prerequisite for remaining in business. A planning process that introduces uncontrolled public access without addressing insurability will directly lead to the closure of agricultural businesses.

Emergency Response Constraints

Farm accidents and public emergencies alike require rapid emergency response. The SPBL corridor's linear configuration, limited access points, and remote segments complicate emergency response for both workers and trail users. In the event of a serious accident involving either a worker or a member of the public, delayed response times increase the risk of severe injury or fatality.

Public safety infrastructure commonly associated with urban trails, such as lighting, emergency call boxes, and regular law enforcement patrols, is not readily deployable or effective across long, rural corridors embedded within agricultural operations. In some cases mitigations like lighting and fencing work in direct opposition to other requirements for wildlife habitat and migration protections.

Fundamental Incompatibility

These worker safety and public interface conflicts are not the result of inadequate design or insufficient mitigation. They arise from the fundamental incompatibility between unrestricted public access and active agricultural production.

Agricultural workers are not trail managers, public safety officers, or educators. They should not be expected to manage public behavior, mitigate recreational risks, or absorb liability created by facilities over which they have no control.

Where a project introduces unavoidable safety risks to workers and the public that cannot be mitigated without ceasing either agricultural operations or public access, CEQA requires that the impact be recognized as significant and unavoidable and that alternatives avoiding the conflict be considered.

E. Fire Risk

Much of the SPBL corridor is now designated as high or very high fire hazard severity zone. Public trails increase ignition sources while complicating emergency access and evacuation along narrow, linear corridors. The establishment of linear recreational corridors in remote agricultural areas has been widely associated with increased encampment activity, which in turn elevates wildfire ignition risk through cooking fires, warming fires, and unmanaged electrical sources.

II. These Issues Have Been Raised Repeatedly for Decades and Remain Unresolved

FBVC's opposition to recreational trail use along the SPBL is not new. It is grounded in decades of consistent advocacy and documented analysis.

Rex Laird summarized the situation plainly in 1999:

"We have attended more than a year and a half of meetings focused on both the agricultural issues and on general issues of the trail... where extensive testimony was given as to the conflicts with agriculture and the proposed project."

Despite this extensive engagement, he concluded:

"To date, the issues of liability, insurance, agricultural chemical use, fencing and the issue of public safety all remain unresolved and outstanding issues."

Those unresolved issues justified a negotiated stay on trail expansion through 2015. Since that time, regulatory conditions have materially worsened due to FSMA, expanded pesticide enforcement, the emergence of HLB/ACP, and increased wildfire risk.

The expiration of a negotiated stay does not legitimize expansion. It merely removed a procedural pause. The substantive incompatibilities remain and are now more severe.

III. The Current Scoping and Engagement Process Is Structurally Deficient and Cannot Support a Defensible Environmental Review

FBVC has raised concerns repeatedly throughout the current planning effort regarding the absence of direct, meaningful engagement with the agricultural landowners and operators most directly affected by the SPBL Trail Master Plan Update. These concerns are not abstract; they are grounded in the specific conduct of the current scoping process and admissions made during public meetings. CEQA's scoping requirements are intended to inform project design before assumptions harden and before alternatives are foreclosed.

Meaningful scoping under CEQA requires early, good-faith engagement with affected stakeholders so that environmental issues, alternatives, and constraints can be identified before project assumptions harden. That standard has not been met here.

A. Lack of Direct Outreach to Known, Affected Agricultural Stakeholders

Despite the fact that the proposed project traverses or directly abuts active commercial agricultural operations, the record reflects that:

- No direct outreach was conducted to agricultural landowners or operators along the SPBL corridor prior to initiation of the current planning effort.
- No targeted outreach was conducted to landowners or operators with existing access agreements, crossings, or operational reliance on the rail corridor.
- No outreach was conducted to landowners or operators whose parcels were included in draft or alternative alignments presented during the scoping process.

At a Citizens' Advisory Committee (CAC) meeting held on September 9, 2025, VCTC staff stated on the record that no direct outreach to landowners or growers had occurred, despite repeated requests from FBVC beginning in early 2023 that such outreach be prioritized. This admission is particularly concerning given that VCTC maintains ongoing relationships with certain landowners through leases, access agreements, and right-of-way management.

A scoping process that does not directly notify or engage the parties whose land, operations, and regulatory obligations are most affected cannot meaningfully identify environmental impacts or feasible alternatives.

B. Reliance on Indirect and Ineffective Notification Methods

Instead of direct outreach, the current process relied heavily on generalized and indirect notification methods, including website postings, social media announcements, and broad public mailers.

Notably, shortly before the last scoping meeting on December 11th, 2025, VCTC distributed a postcard-style mailer shortly before the final scoping meeting. At a public meeting, staff stated that the mailer was intentionally formatted to appear informal and non-official, despite the project's direct effect on private agricultural property. Among the agricultural

stakeholders FBVC contacted, more than twenty landowners and operators along the corridor, only one recalled recognizing the mailer as related to the SPBL project. Others reported never receiving it or not understanding its significance.

This approach is fundamentally mismatched to agricultural ownership realities. Many agricultural parcels along the corridor are held in trusts, family entities, or absentee ownership structures. Administrators, trustees, and decision-makers are often not located near the property and are unlikely to receive or recognize generalized public notices, social media posts, or informal mailers. Reliance on such methods does not constitute meaningful outreach.

C. Presentation of Alignments on Private Agricultural Land Without Prior Consultation

During the current scoping process, VCTC presented draft and alternative trail alignments that extended onto or through private agricultural parcels without prior consultation with the affected landowners.

In one instance, a grower attending a scoping meeting—who happened to be monitoring the project independently—recognized that a proposed alignment cut significantly into his agricultural parcel. When he questioned project staff about how such an alignment would be implemented, he was told that an agreement would be worked out with the landowner. Only then did staff learn that the individual raising the concern was the landowner and that no such agreement would be forthcoming.

Following that interaction, the alignment was modified to remove the encroachment on that parcel.

This incident underscores a broader procedural failure. Adjustments were made only after incidental engagement with a landowner who happened to attend a meeting; not because of a systematic effort to identify and consult affected parties. Other landowners whose parcels appear on alternative alignments presented at later CAC meetings have received no outreach at all. FBVC has requested a list of affected parcels to facilitate engagement and has not received it.

Scoping that selectively incorporates input based on chance attendance, rather than equitable and systematic engagement, is arbitrary and undermines the validity of the resulting analysis. This raises serious equity concerns, as landowners who did not independently discover the project or attend meetings were denied the same opportunity to object before alignments were publicly advanced.

D. Chilling Effect on Participation by Agricultural Operators and Tenants

Many agricultural operators along the SPBL corridor do not own the underlying land. Others rely on rail crossings or access points governed by easements or long-standing informal

agreements. These operators have expressed concern that speaking publicly could jeopardize access, leases, or working relationships, particularly where VCTC controls or influences corridor access.

A scoping process that places the burden of participation on such stakeholders, without proactive, protective outreach, cannot reasonably be characterized as inclusive or representative. CEQA does not require affected parties to risk their livelihoods in order to be heard. A process that effectively conditions participation on public confrontation or risk to commercial relationships is incompatible with the inclusive participation principles CEQA is intended to promote.

E. Late and Incomplete Disclosure of Project Scope and Alternatives

Key information regarding the nature of the environmental review and the range of alternative alignments was disclosed late in the scoping process. At a public scoping meeting held on December 11, 2025, near the close of the scoping period, VCTC staff and consultants described the intent to proceed with a Program EIR and displayed maps showing alternative alignments that had not been disclosed in the NOP.

By that point, affected landowners and operators had not been directly notified, and there was insufficient time for meaningful review, consultation, or response. Late disclosure of critical information further erodes the integrity of the scoping process and deprives stakeholders of a meaningful opportunity to participate.

F. Absence of Agricultural Expertise in Project Development

Throughout the current process, FBVC has observed that project staff and consultants lack agricultural subject-matter expertise. Questions posed during meetings demonstrate a fundamental misunderstanding of agricultural operations, regulatory requirements, and land tenure structures.

This absence of agricultural expertise has direct consequences. Without it, scoping cannot accurately identify impacts, assess feasibility, or evaluate alternatives. Engagement efforts that do not include agricultural competency are inherently inadequate when the project traverses active commercial farmland.

G. Cumulative Effect: A Scoping Process That Cannot Support the Project Assumptions

Taken together, these deficiencies demonstrate that the current scoping process has not meaningfully engaged the agricultural stakeholders most affected by the proposed project. As a result:

- Environmental impacts have not been fully or accurately identified.

- Alternatives have not been meaningfully explored.
- Project assumptions have hardened without foundational input.
- The administrative record reflects notice of systemic engagement failures.

A process with these flaws cannot support continued planning, much less reliance on programmatic review. Proceeding under these circumstances risks producing an Environmental Impact Report that is procedurally and substantively indefensible.

IV. Programmatic Review Is Inappropriate

FBVC aligns with concerns raised by Ventura County CoLAB regarding reliance on a Program EIR. From an agricultural perspective, programmatic review obscures precisely the site-specific impacts that determine feasibility.

As Rex Laird observed when addressing right-of-way assumptions:

“Our preliminary research indicates that the railroad right-of-way is not of consistent width and not uniform in its placement of the current railroad tracks on a large number of properties.”

Those inconsistencies remain. Narrow corridors, bisected orchard blocks, active rail operations, and complex easement relationships require parcel-level analysis—not deferred consideration.

V. Unresolved Property Rights and De Facto Land Taking

Long-standing questions remain regarding:

- Whether VCTC holds fee title or limited easement rights throughout the corridor
- Whether certain easements permit recreational trail use or were granted solely for rail purposes
- Whether portions of the corridor should have reverted to underlying landowners
- Whether corridor width safely accommodates both rail and trail use

Rex Laird documented this uncertainty clearly:

“There are 136 parcels in the railroad right-of-way for the trail. Of those, 105 are deemed to be of questionable title.”

In practice, the proposed trail would function as a de facto taking by materially impairing agricultural operations, access, and regulatory compliance without formal acquisition or compensation.

VI. Reasonable Alternatives Exist but Have Not Been Adequately Evaluated

FBVC does not oppose active transportation in principle. However, reasonable alternatives exist that avoid agricultural corridors or rely on existing transportation infrastructure. These alternatives have not been meaningfully evaluated.

Any future consideration of trail facilities in agricultural areas must be initiated by willing landowners and operators. It cannot be imposed through corridor-wide planning assumptions that treat active farmland as surplus space. Any such proposal must be consistent with agricultural zoning and conservation frameworks and developed through direct, meaningful engagement with the landowners and operators most directly affected.

VII. Conclusion

Ventura County's agricultural lands are not placeholders for future recreational infrastructure. They are working landscapes essential to food security, economic stability, wildfire resilience, and the county's rural identity; values this community has repeatedly affirmed.

While FBVC stands ready to participate in future discussions that are grower-driven and grounded in agricultural reality, the current process is not and cannot be cured through continued scoping or deferred analysis. A process built on unresolved incompatibility cannot be rehabilitated by additional paperwork.

For the reasons outlined above, FBVC respectfully but firmly urges the Ventura County Transportation Commission to withdraw the current NOP and suspend further planning for recreational trail expansion along the SPBL through agricultural areas.

Sincerely,



Maureen McGuire

Chief Executive Officer

Farm Bureau of Ventura County

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