RECOMMENDED ACTION AND JUSTIFICATION: Approval of Fiscal Year 2009 Appropriations Request to Senator Dianne Feinstein. Senator Feinstein has asked that all entities seeking federal funding for projects submit a form outlining the appropriations request. The request must be a major public need that can only be addressed through federal appropriations with broad support from local elected officials and of the most critical nature. Although the County has a significant interest in many federally funded programs, the only “project” which meets the criteria for this funding request is to repair Highway 140 at the Ferguson Rockslide. Attached are two request forms as required by Senator Feinstein. The first is a request for funding for a temporary repair to the bridges to eliminate the length restrictions. The second is a request for funding for the permanent repair. To be considered the requests must be received by Senator Feinstein by February 29, 2008.

The Board has established that the repairs on Highway 140 are the County’s highest priority.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
No requests in the recent past have been submitted to Senator Feinstein for funding consideration.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve submitting these funding requests to Senator Feinstein. The County may lose this opportunity to formally request funding to Senator Feinstein’s office.

Financial Impact? ( ) Yes ( X ) No Current FY Cost: $  
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded  
Amount in Budget: $  
Additional Funding Needed: $ 
Source:  
Internal Transfer  
Unanticipated Revenue  
Transfer Between Funds  
Contingency  
( ) General  ( ) Other

List Attachments, number pages consecutively
Letter from Senator Feinstein
Funding Requests

CLERK’S USE ONLY:
Res. No.: 428  
Vote – Ayes: 4  
Absent: Kakana  
Approved  
( ) Minute Order Attached  ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date:  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California
By:  
Deputy

COUNTY ADMINISTRATIVE OFFICER:
☑ Requested Action Recommended  
☑ No Opinion  
Comments:

CAO:  
Revised Dec. 2002
United States Senate
WASHINGTON, DC 20510-0504
http://feinstein.senate.gov

January 25, 2008

Dear Fellow Californian:

Thank you for your interest in Fiscal Year 2009 appropriations. Last year, Congress instituted a number of reforms in the appropriations process, including a significant reduction in the number of earmarks. As Chairman of the Senate Rules Committee and a member of the Appropriations Committee, I am pleased that these new rules have given greater guidance to both members of Congress and those seeking federal funding.

These reforms, coupled with shrinking discretionary funding, require me to ask that you only submit to me projects of regional significance for consideration in FY2009. They must be major public needs that can only be addressed through federal appropriations, with broad support from local elected officials, and of the most critical nature.

Cities and counties should include all items of importance on their request lists, even if another entity is the primary agency involved. For example, flood control projects benefiting a city should be included on the city’s list, not just the local flood control district’s list. Likewise, a highway widening or mass transit expansion should not only be on the transportation commission or transit agency’s list, but on the Mayor’s or Board of Supervisors’ lists as well. This will ensure that I understand which projects have the greatest support from local officials.

It might also benefit you to have a field representative from my California offices visit a project location, if they have not already.

Thank you for your attention to this matter. It is my hope that with fewer requests and more projects of regional significance, I can be of greater assistance to the people of California. If you have questions or need clarification, please contact Ryan Hunt of my Washington, D.C. staff at (202) 224-3841.

Sincerely,

Dianne Feinstein
United States Senator

DF/rdh
Office of Senator Dianne Feinstein
Fiscal Year 2009 Appropriations Request Form
Submit by February 29, 6:00PM Eastern Time

Requesting Entity: County of Mariposa

Requesting Individual: Board of Supervisors

Priority: 1 of 2 requests

Project Name: Ferguson Rockslide Temporary Repair

Amount Requested: $3,000,000

Bill: Transportation, Housing

Agency: Federal Highway Administration

Account: Highways Emergency Relief Funding

Project Justification (4 sentences; 150 word limit): Highway 140 is the only all weather road providing year round access to Yosemite National Park. The Ferguson Rockslide occurred in the spring of 2006 and temporary bridges are now in place, but limit access to vehicles less than 28-feet in length. The length restriction limits access by buses causing economic hardships to the tourist based industries in this rural area and the County which relies heavily on this source of revenue. The length restriction also presents numerous safety and environmental concerns with emergency and large vehicles having to take alternate routes.

Description of the Project (no limit): The project involves either replacing the temporary bridges by changing their alignment and/or cutting into the terrain to eliminate the length restrictions on Highway 140. This action is necessary because the time required to design and construct a permanent replacement route is unknown but is expected to take several years.

The use of alternate routes by large vehicles is dangerous because of the treacherous roads in the winter that must now be traversed, but were not originally intended for this type or amount of traffic. In addition, local emergency vehicles are unable to respond and must rely on outlying emergency personnel to respond from much longer distance. Millions of visitors to Yosemite National Park from around the world are affected the limited access to Highway 140.

By restricting the use of Highway 140 to vehicles less than 28-feet in length, buses that normally transport visitors into the Park using this road have had to change their routes or eliminate the Park altogether as a destination. This has had a significant impact on tourist based businesses in the County who rely on the bus tours, which in turn will have a negative impact on revenue desperately needed by the County to provide essential services to its citizens. Mariposa County businesses have lost patrons while resources in other communities are overcrowded and thereby are discouraging commerce.

Follow enclosed Instructions. Include Additional Information required for Defense Requests

U.S. Senator Dianne Feinstein 1 FY09 Appropriations
Budget Breakdown and Total Cost: The initial estimate from Caltrans for this project is approximately $3 million.

Amount in the President's Budget Request: (If applicable) N/A

Appropriations History: N/A

Congressional District(s) and Member(s): California 19th Congressional District, George Radanovich.

County or Counties (California only): Mariposa

Grantee Legal Name: California Department of Transportation
Grantee Street Address: 1976 East Charter Way
Grantee City/State/Zip: Stockton, CA 95205

Local Contact Name/Title/Phone/Email: Richard Benson, County Administrative Officer, (209) 966-3222, rbenson@mariposacounty.org.

Washington Contact Name (If applicable): N/A
Washington Contact Affiliation:
Washington Contact Office Phone:
Washington Contact Out-of-Office Phone:
Washington Contact Email:
Office of Senator Dianne Feinstein
Fiscal Year 2009 Appropriations Request Form
Submit by February 29, 6:00PM Eastern Time

Requesting Entity: County of Mariposa

Requesting Individual: Board of Supervisors

Priority: 2 of 2 requests

Project Name: Ferguson Rockslide Permanent Restoration

Amount Requested: $75,000,000

Bill: Transportation, Housing

Agency: Federal Highway Administration

Account: Highways Emergency Relief Funding

Project Justification (4 sentences; 150 word limit): Highway 140 is the only all weather road providing year round access into Yosemite National Park. The Ferguson Rockslide occurred in the spring of 2006 and temporary bridges are now in place, but limit access to vehicles less than 28-feet in length. The project will restore Highway 140 to a two lane highway running alongside the Merced River and again provide complete access into the Park. The length restriction has caused economic hardship on the tourist based businesses in the surrounding rural area and the County relies heavily on this source of revenue.

Description of the Project (no limit): The project involves restoring Highway 140 to its original condition prior the Ferguson Rockslide. Caltrans is currently determining which of several options is appropriate to restore the Highway. Due to the dramatic rock movement, simply clearing the road is not a feasible option. Depending on which method of restoration is used, Caltrans estimates the cost to be from approximately $33 million to $75 million. Current plans call for construction to begin during Fiscal Year 2009, however design and environmental concerns could delay the project.

The use of alternate routes by large vehicles is dangerous because of the treacherous road conditions in the winter that must now be traversed, but were not originally intended for this type or amount of traffic. In addition, local emergency vehicles are unable to respond and must rely on outlying emergency personnel to respond from a much longer distance. Millions of visitors to Yosemite National Park from around the world are affected by the limited access.

By restricting the use of Highway 140 to vehicles less than 28-feet in length, buses that normally transport visitors into the Park using this road have had to change their routes or eliminate the Park altogether as a destination. This has had a significant impact on tourist based businesses in the County who rely on the bus tours, which in turn will have a negative impact on revenue desperately needed by the County to provide essential services to its citizens. Mariposa County

Follow enclosed Instructions. Include Additional Information required for Defense Requests

U.S. Senator Dianne Feinstein 1 FY09 Appropriations
businesses have lost patrons while resources in other communities are overcrowded and thereby are discouraging commerce.

A full description of the project can be found at the following Caltrans website: http://dot.ca.gov/dist10/pages/mpa140slides.html

**Budget Breakdown and Total Cost:** The initial estimate from Caltrans for this project is $33 million to $75 million.

**Amount in the President’s Budget Request:** (If applicable) N/A

**Appropriations History:** N/A

**Congressional District(s) and Member(s):** California 19th Congressional District, George Radanovich

**County or Counties (California only):** Mariposa

**Grantee Legal Name:** California Department of Transportation  
**Grantee Street Address:** 1976 East Charter Way  
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**Washington Contact Email:**
Office of Senator Dianne Feinstein
Fiscal Year 2009 Appropriations Request Form
Submit by February 29, 6:00PM Eastern Time

Requesting Entity: County of Mariposa

Requesting Individual: Board of Supervisors

Priority: 1 of 2 requests

Project Name: Ferguson Rockslide Temporary Repair

Amount Requested: $10,000,000

Bill: Transportation, Housing

Agency: Federal Highway Administration

Account: Highways Emergency Relief Funding

Project Justification (4 sentences; 150 word limit): Highway 140 is the only all weather road providing year round access to Yosemite National Park. The Ferguson Rockslide occurred in the spring of 2006 and temporary bridges are now in place, but limit access to vehicles less than 28-feet in length. The length restriction limits access by buses causing economic hardships to the tourist based industries in this rural area and the County which relies heavily on this source of revenue. The length restriction also presents numerous safety and environmental concerns with emergency and large vehicles having to take alternate routes.

Description of the Project (no limit): The project involves either replacing the temporary bridges by changing their alignment and/or cutting into the terrain to eliminate the length restrictions on Highway 140. This action is necessary because the time required to design and construct a permanent replacement route is unknown but is expected to take several years.

The use of alternate routes by large vehicles is dangerous because of the treacherous roads in the winter that must now be traversed, but were not originally intended for this type or amount of traffic. In addition, local emergency vehicles are unable to respond and must rely on outlying emergency personnel to respond from much longer distance. Millions of visitors to Yosemite National Park from around the world are affected the limited access to Highway 140.

By restricting the use of Highway 140 to vehicles less than 28-feet in length, buses that normally transport visitors into the Park using this road have had to change their routes or eliminate the Park altogether as a destination. This has had a significant impact on tourist based businesses in the County who rely on the bus tours, which in turn will have a negative impact on revenue desperately needed by the County to provide essential services to its citizens. Mariposa County businesses have lost patrons while resources in other communities are overcrowded and thereby are discouraging commerce.

Follow enclosed Instructions. Include Additional Information required for Defense Requests
Budget Breakdown and Total Cost: The initial estimate for this project is approximately $10 million. A detailed breakdown has not been made available at this time.

Amount in the President’s Budget Request: (If applicable) N/A

Appropriations History: N/A

Congressional District(s) and Member(s): California 19th Congressional District, George Radanovich.

County or Counties (California only): Mariposa

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Ferguson Rockslide, Mariposa County
Office of Senator Dianne Feinstein
Fiscal Year 2009 Appropriations Request Form
Submit by February 29, 6:00PM Eastern Time

Requesting Entity: County of Mariposa

Requesting Individual: Board of Supervisors

Priority: 2 of 2 requests

Project Name: Ferguson Rockslide Permanent Restoration

Amount Requested: $75,000,000

Bill: Transportation, Housing

Agency: Federal Highway Administration

Account: Highways Emergency Relief Funding

Project Justification (4 sentences: 150 word limit): Highway 140 is the only all weather road providing year round access into Yosemite National Park. The Ferguson Rockslide occurred in the spring of 2006 and temporary bridges are now in place, but limit access to vehicles less than 28-feet in length. The project will restore Highway 140 to a two lane highway running alongside the Merced River and again provide complete access into the Park. The length restriction has caused economic hardship on the tourist based businesses in the surrounding rural area and the County relies heavily on this source of revenue.

Description of the Project (no limit): The project involves restoring Highway 140 to its original condition prior the Ferguson Rockslide. Caltrans is currently determining which of several options is appropriate to restore the Highway. Due to the dramatic rock movement, simply clearing the road is not a feasible option. Depending on which method of restoration is used, Caltrans estimates the cost to be from approximately $33 million to $75 million. Current plans call for construction to begin during Fiscal Year 2009, however design and environmental concerns could delay the project. The use of alternate routes by large vehicles is dangerous because of the treacherous road conditions in the winter that must now be traversed, but were not originally intended for this type or amount of traffic. In addition, local emergency vehicles are unable to respond and must rely on outlying emergency personnel to respond from a much longer distance. Millions of visitors to Yosemite National Park from around the world are affected by the limited access. By restricting the use of Highway 140 to vehicles less than 28-feet in length, buses that normally transport visitors into the Park using this road have had to change their routes or eliminate the Park altogether as a destination. This has had a significant impact on tourist based businesses in the County who rely on the bus tours, which in turn will have a negative impact on revenue desperately needed by the County to provide essential services to its citizens. Mariposa County businesses have lost patrons while resources in other communities are overcrowded and thereby are discouraging commerce. A full description of the project can be found at the following Caltrans website: http://dot.ca.gov/dist10/pages/mpa140slides.html

Follow enclosed Instructions. Include Additional Information required for Defense Requests

U.S. Senator Dianne Feinstein

FY09 Appropriations
Budget Breakdown and Total Cost: The initial estimate from Caltrans for this project is $33 million to $75 million. A detailed breakdown has not been made available at this time.

Amount in the President’s Budget Request: (If applicable) N/A

Appropriations History: N/A

Congressional District(s) and Member(s): California 19th Congressional District, George Radanovich

County or Counties (California only): Mariposa

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