MARIPOSA COUNTY RESOLUTION NUMBER 06-214

RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY; AND REQUESTING THE GOVERNOR TO PROCLAIM A STATE EMERGENCY, AND TO REQUEST A PRESIDENTIAL DECLARATION

WHEREAS, Section 8630 of the Government Code mandates that a local emergency may be proclaimed only by the governing body of a local agency, or, if it has been previously declared by an official designated by the governing body, such local emergency must be ratified within 7 days by the governing body of the local agency; and

WHEREAS, Board of Supervisors does hereby find that conditions of extreme peril to the public health, safety, and welfare has arisen and continues to exist due to the landslides causing the closure of State Highway 140; and

WHEREAS, a new source area slide occurred on May 14th, 2006 and rainfall during the past few days has further saturated the slope at risk; and

WHEREAS, according to the California Department of Transportation the slope at risk contains 2.5 to 3 million cubic yards of soil and rock; and

WHEREAS, that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of a local emergency; and

WHEREAS, the neighboring counties have currently been declared to be in a state of emergency by proclamation by the Governor of the State of California on May 10th, 2006; and

WHEREAS, Mariposa County has experienced an increased burden on its infrastructure due to flooding in neighboring counties causing the closure of State Highway 120 which has caused the diversion of traffic from state roads to Mariposa County roads, for which the current estimate to repair exceeds Nine Hundred and Fifty Thousand Dollars ($950,000); and

WHEREAS, Mariposa County Unified School District is experiencing great hardship in transporting students and maintaining its facilities incurring in excess of Two Thousand Dollars ($2,000) a week in additional costs; and

WHEREAS, the slide has impacted public transportation including the YARTS system; and

WHEREAS, the closure of State Highway 140 is estimated to result in additional burdens on County Roads J-132 and Smith Station Road and the costs of such additional burdens on County Roads are estimated to exceed sixty five thousand dollars ($65,000); and

WHEREAS, the California Department of Transportation estimates that the costs to temporarily re-open one lane of Highway 140 will exceed One and a Half Million Dollars ($1,500,000) and a long term repair will be in excess of Five Million Dollars ($5,000,000); and
WHEREAS, the County Fire Department is of the opinion that the closure of Highway 140, the primary transportation access to the County communities of El Portal, Yosemite West and Foresta, will create additional difficulty in providing Fire protection and ambulance and emergency services to Yosemite National Park and those County communities and that through increased traffic at other park entrances, response times to emergency events will be increased; and

WHEREAS, the El Portal community has been severely impacted by the restricted access; and

WHEREAS, the County Fire Department has been in contact with PG&E and has been informed that their transmission towers providing a primary source of electricity to Yosemite National Park and the County communities of El Portal, Yosemite West and Foresta are located on unstable areas adjacent to the landslide areas; and

WHEREAS, the County Fire Department is concerned that the failure of these towers could cause a fire in the area and that the cost to suppress such a fire could exceed Four to Five Million Dollars; and

WHEREAS, the County Fire Department has been informed that the cost to relocate the threatened PG&E towers will cost Two-Hundred and Fifty Thousand Dollars ($250,000) to One Million Dollars ($1,000,000); and

WHEREAS, it is estimated that losses to the tourism industry, Mariposa County’s largest industry, are anticipated to exceed Fourteen and a Half Million Dollars ($14,500,000) if the Highway 140 closure continues through the summer season and that without these revenues the continued viability of many of these businesses is in doubt; and

WHEREAS, that in consideration of the multiplier effect of these catastrophic revenue losses on other businesses in the County, the total damage to Mariposa County’s economy will be many times that amount; and

WHEREAS, the cornerstone of funding for the entire range of County Government services, including the highest priority of the electorate, public safety programs, could be threatened by the continued closure of Highway 140, and while the prudent reserves accumulated in the past by the Board of Supervisors are adequate to transition the County over a short-term shutdown, continued public uncertainty about the future of State Highway 140’s operations could permanently reduce County’s revenues for months and possibly years to come; and

WHEREAS, it has now been found that local resources are unable to cope with the effects of this emergency;
NOW, THEREFORE, BE IT HEREBY PROCLAIMED that a local emergency now exists throughout Mariposa County; and

IT IS FURTHER RESOLVED AND ORDERED that during the existence of the local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency services organization of the County shall be those prescribed by state law, by ordinances, and by resolutions of Mariposa County approved by the Board of Supervisors; and

IT IS FURTHER RESOLVED AND ORDERED that Mike Coffield, Interim County Administrative Officer and Emergency Services Officer, or his designee, is designated as the local Hazard Mitigation Coordinator of the County of Mariposa for the purpose of assessing damage within Mariposa County and consulting with federal/state survey teams about hazard mitigation actions; and

IT IS FURTHER RESOLVED AND ORDERED that Mike Coffield, Interim County Administrative Officer and Emergency Services Officer, or his designee, is hereby designated as the authorized representative for public assistance, and Mike Coffield, or his designee, is hereby designated as the authorized representative for individual assistance of the County of Mariposa for the purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance; and

IT IS FURTHER RESOLVED AND ORDERED that a copy of this resolution be forwarded by Mike Coffield, Interim County Administrative Officer and Emergency Services Officer to the Governor of California with the request that he proclaim the County of Mariposa to be in a state of emergency; and further that the Governor request a Presidential Declaration of Emergency; and

IT IS FURTHER RESOLVED AND ORDERED that a copy of this resolution be forwarded to the State Director of the Office of Emergency Services; and

IT IS FURTHER RESOLVED AND ORDERED that the following documents and photographs are incorporated as part of this resolution and shall be attached as Exhibits:

Exhibit A - FACT SHEET MARIPosa ROUTE 140 LANDSLIDE (2 pages text, 5 photographs).
Exhibit B - Memorandum dated May 22, 2006 from Chief Schultz to County Counsel (1 page).
Exhibit C - Memorandum dated May 22, 2006 from Public Works Director Hertfelder to Chairman Stetson (1 page text, 48 photographs).
Exhibit D - E-mail dated May 22, 2006 from Cal Trans District 10 to Public Works Director Hertfelder (1 page).
Resolution 06-214
May 23, 2006
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Exhibit E - Fax dated May 22, 2006 from Mariposa Unified School District to County Counsel (2 pages).
Exhibit F - 8 photographs of landslide from Cal Trans.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 23rd day of May, 2006 by the following vote:

AYES: STETSON, TURPIN, BIBBY, FRITZ, PICKARD

NOES: NONE

ABSENT: NONE

ABSTAINED: NONE

[Signature]
LEE STETSON, Chairman
Mariposa County Board of Supervisors

[Signature]
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM:

[Signature]
THOMAS P. GUARINO, County Counsel
TO:          TOM GUARINO, County Counsel  
             MIKE COFFIELD, Interim County Administrative Officer 

FROM:       MARGIE WILLIAMS, Clerk of the Board 

SUBJECT:    DISCUSSION, DIRECTION AND ACTION TO DECLARE A LOCAL 
             EMERGENCY DUE TO THE LANDSLIDE ON HIGHWAY 140 ENROUTE TO 
             YOSEMITE NATIONAL PARK AND REQUEST THE GOVERNOR TO 
             DECLARE THE COUNTY OF MARIPosa TO BE IN A STATE OF 
             EMERGENCY AND FURTHER THAT THE GOVERNOR REQUEST A 
             PRESIDENTIAL DECLARATION OF EMERGENCY 

RESOLUTION 06-214 

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA 

ADOPTED THIS Order on May 23, 2006 

ACTION AND VOTE: 

Discussion, Direction and Action to Declare a Local Emergency Due to the Landslide on Highway 140 
Enroute to Yosemite National Park and Request the Governor to Declare the County of Mariposa to be in a 
State of Emergency and Further that the Governor Request a Presidential Declaration of Emergency 

BOARD ACTION: Tom Guarino, County Counsel, advised of a meeting held with himself, the Interim 
County Administrative Officer, and staff to gather information on the landslide situation on Highway 140. 
He presented information on the impacts and the potential impacts of this situation. Board members 
commended staff for their work on this matter. Discussion was held. 

Chairman Stetson called for input from the public: 

Kenneth Gosting, Transportation Involves Everyone (TIE), recommended that a clause be 
included in the emergency declaration to include YARTS. 

(M)Pickard, (S)Turpin, Res. 06-214 was adopted declaring a local emergency due to the landslide on 
Highway 140 as recommended. Further discussion was held. Tom Guarino advised of his discussion 
relative to the impact with the Executive Director for YARTS, and he advised that routes have been 
modified. He also noted that the YARTS JPA could take action relative to Federal funding sources. 
Supervisor Stetson commented on the tremendous dislocation and impact on the El Portal community. Tom 
Guarino suggested adding a sentence to the emergency declaration to reflect that “Whereas, transportation 
services to the Park and the County communities, including the YARTS system, has been impacted by the 
closure of Highway 140.” The motion was amended, agreeable with the maker and second to include the 
suggested sentence. The motion was further amended, agreeable with the maker and second to include a 
separate sentence to reflect the impact on the community of El Portal. Ayes: Unanimous. 

Cc: File
May 25, 2006

Tracy –

Please draft a letter to Wynn transmitting a full color package of Res. 06-214, for CAO signature. (His info is on attached from flood res. – then file the attached flood letter with that original resolution. ✓

Have Mike sign the attached letter to Gov.
- two full color packages of Res. 06-214 go with this letter ✓
- Distribute the cc’s with only the resolution ✓
- Bc: Fire, CAO, Board Members, PWD, and County Counsel

Keep a copy of both letters with this note with the original resolution binder.

Give a full copy (black and white) to Fire – Attn: Jim Middleton (Maybe use the one from the front counter binder.) ✓

Thanks,

Margie

[Handwritten note: Is there any more?}]
May 25, 2006

The Honorable Arnold Schwarzenegger
Governor, State of California
State Capital Building, Sacramento, CA 95814

Via: Henry R. Renteria
     Director, California State Office of Emergency Services
     3650 Schriever Avenue
     Mather, CA 95655

Dear Governor Schwarzenegger:

Enclosed are two copies of Mariposa County Resolution number 06-214 declaring the existence of a local emergency, requesting a Governor’s declaration of a State Emergency and requesting a Presidential Declaration. We respectfully request your favorable consideration.

Also, we would like to commend the California Department of Transportation (CALTRANS) for the speed of their response, the thoroughness of their analysis, the comprehensiveness of the range of options being considered to resolve threats to State Highway 140, and for having kept the County informed at all times of the status of the project. They reflect the highest standards of public service and we appreciate their professionalism.

As always, the assistance of your Office of Emergency Services was essential and invaluable to this small county in preparing this request.

Very truly yours,

Mike Coffield
Interim County Administrative Officer

MC: mw

Enclosures
Cc: Congressman George Radanovich, with Resolution (w/out exhibits)
    Senator Chuck Poochigian, with Resolution (w/out exhibits)
    Assemblyman Dave Cogdill, with Resolution (w/out exhibits)
    Kome Ajise, CalTrans – District 10 Director, with Resolution (w/out exhibits)
    Wes Lujan, Advocacy, with Resolution (w/out exhibits)
May 26, 2006

Dear Mr. Wynn:

Enclosed is one original packet containing Mariposa County Resolution No. 06-214, proclaiming an Existence of a Local Emergency, along with a full copy of Exhibits “A” through “F”.

In addition two complete original packets are being forwarded to the Governor’s office.

Very truly yours,

Mike Coffield
Interim County Administrative Officer

MC:tg

Enclosures
FACT SHEET
Mariposa Route 140 Landslide
May 2006

Chronology:
• April 29, 1999
  Smaller slides and rockfalls started in late January
  Scaled slide area and removed slide debris

• March 2000
  Completed drapery on slide area
  Minor rockfalls during construction

• Spring 2000 to Fall 2005
  Little, if any, rockfall activity

• December 2005/January 2006
  Rocks moving behind drapery
  Minor slides and rockfalls elsewhere

• April 29, 2006
  New slide covers roadway
  Scaling and slide removal completed May 10, 2006

• May 10, 2006
  Numerous large rockfalls throughout the day
  Source area between and above the two slides
  Source area 500 to 600 feet above roadway

• May 14, 2006
  Numerous large rockfalls from a new source area on the eastside of the
  1999 slide

Rockfall/Landslide Mechanics
• Rockfalls originate from the toe of a large landslide
• This slide predates the highway and is driven by topography and groundwater
• This slide is inactive most years or for many years at a time
• This year’s (or wet cycle of a number years) rainfall caused raised ground
  water levels that re-activated this slide
• The slide dimensions are 600’ wide, 600’ long, and 300’ deep
• This year this slide is moving
• As the slide moves the rock at the toe dilates, over-steepens, and pieces calve
  off
• Some of the pieces that calve-off roll down slope and become rockfall
Temporary Opening/Repair Strategy
• We currently have +/- 300 feet of 13 foot high rockfall barrier
• We need an additional +/- 200 feet of 20 foot high rockfall barrier
• We are out of materials and are ordering now
• It should arrive on site on Friday, May 19, 2006
• Targeting to be assembled and in place by Memorial Day weekend
• Will be open to one-way controlled traffic

Potential Long-term Strategies Requiring Further Consideration/Analysis
• Stabilize Slope
  Remove 2.5 to 3 million cubic yards of soil and rock, reinforce head scarp/wall
• Relocate Roadway
  Double bridge crossing and cut
  Tunnel through mountain
• Protect Motorist
  Rockfall barriers and drapery on slope
  Permanent rockfall barrier and widening at grade
  Rockshed
DATE: May 22, 2006

TO: Thomas P. Guarino, County Counsel

FROM: Blaine Shultz, Fire Chief

RE: Information to Support Disaster Declaration

Electrical Towers Located Within the Landslide Perimeter $250K to $1MM

Two, 72KV transmission towers operated by PG&E are located on the eastern and western perimeter of the slide area. The surface supporting the towers is determined to be unstable and there is a possibility that if the slide activity increases, one or both of the towers could fail, and or drop the transmission lines.

Cost to replace a tower, parts and labor is $125,000 and both would require replacement. If the line requires re-routing, estimates are for five to seven towers to find a more stable location.

Source: Rod Goodwin, Transmission Supervisor, PG&E, 34657 Ave 7, Madera, CA 559-263-7100. Per telecon 1645, 5/19/2006

Potential Fire Suppression Costs for a Transmission Line Failure $4MM to $5MM

In August 2002, a fire started below the PG&E transmission lines near the landslide area. While lightning was determined to be the cause, the fire would be duplicated from the slide area. Access to the initial or origin area of the fire limited suppression and resulted in a fire that raced up the canyon edge and threatened both Midpines and Mariposa Pines. Cost incurred by the USFS Sierra National Forest were between four and five million dollars.

Source: Curt Palmer, Deputy Fire Management Officer, Sierra National Forest, Clovis Supervisors Office, 559-297-0706 X 4820. Per telecon 1030, 5/22/2006
MEMO

TO: Lee Stetson, Chairman Board of Supervisors

FROM: Dana Hertfelder, Director

SUBJECT: Storm Related Road Damage

The California Department of Transportation closed State Highway 120 in Tuolumne County as a result of the severe storm that hit the Mountain Counties this spring. The State detour for this road closure was State Highway 49 to Mariposa County Road J-132 to Smith Station Road. The County experienced a substantial increase in traffic on J-132 and Smith Station Road due to closure of State Highway 120. In addition, the County experienced a substantial increase in traffic on Priest Coulterville Road as a direct result of the State Highway 120 closure. Priest Coulterville Road provides a more direct route to State Highway 120 from County Road J-132 than State Highway 49 does.

Traffic Counts have increased 33 percent on Smith Station Road, 33 percent on County Road J-132 and 60 percent on Priest Coulterville Road. The increases in traffic have resulted in additional damages to these three roads, particularly Priest Coulterville which we are estimating that over half of the 2.73 miles maintained by Mariposa County will need to be reconstructed. Our estimated cost to rebuild Priest Coulterville Road is approximately $950,000.00.

Smith Station Road and County Road J-132 are continuing to have increased traffic usage as a direct result of the closure of State Highway 140 in Mariposa County. With the closure of State Highway 140, County Road J-132 to Smith Station Road to State Highway 120 is the most direct route to Yosemite National Park from Merced County, and the City of Modesto area. The increase traffic is continuing to result in damage to these two roads. Until State Highway 140 is permanently opened it will be difficult to quantify the full extent of damage to these roads. Currently our estimated cost to repair Smith Station Road and County Road J-132 is approximately $40,000.00 and $25,000.00 respectively.

Please do not hesitate to contact me if you have any questions or comments regarding this matter.

cc: M. Coefield, Interim CAO
    T. Guarino, County Counsel
Hi Dana -

As we talked last Thursday in Mariposa and this morning on the phone, we have currently been authorized $1M to expend on the opening of Mpa-140. Due to the recent major slide movement we are currently estimating that we will need approximately an additional $500K to install the higher and longer rockfall barrier to open to highway to one-way traffic. We currently do not have an estimate for the "fix" that will allow us to fully open the highway, but we can safely estimate that it will be in excess of $5M.

Dinah Bortner
Caltrans, District 10
Deputy District Director
Maintenance and Operations
Fax

Attention: Marie

To: Tom Guarino
From: Nancy Hubert

Fax: 209 966-5147
Phone: 966-3222
Pages: 2
Date: 5/22/06

Re: Hwy 140 closure CC:

Tom - attached is a faxed copy of the letter you requested re: hardship due to Hwy 140 closure.

Hard copy to follow. (Tuesday)
May 22, 2006

Mr. Lee Stetson, Chairman  
Mariposa County Board of Supervisors  
P.O. Box 784  
Mariposa, CA 95338  

Dear Chairman Stetson and Fellow Supervisors,

The rockslide that closed Highway 140 has caused a great deal of hardship for the students, their parents and the staff of the Transportation/Maintenance Department of Mariposa County Unified School District. Due to the closure, our school buses are driving the detour route into Yosemite National Park and El Portal, via Oakhurst on Highway 41. This detour adds 96 miles to the daily route.

Mariposa County Unified School District has several students that live in El Portal and Yosemite Valley, who attend the high school and middle school in the town of Mariposa. These students have had an additional three hours per day added to their commute to-and- from school.

The increased distance due to the detour is costing our Transportation Department a minimum of $389.76 per day, not to mention the increased costs for the bus driver, and increased needs for bus maintenance by our bus mechanics. The Maintenance Department is also being impacted an additional $150 per week due to the extra travel time and need for a substitute to travel the detour to perform weekly maintenance at the park schools.

In summary, the increased and unexpected costs compounded with the increased three-hour daily commute are negatively impacting the students and the district's limited budget. We encourage the Board of Supervisors to seek assistance in the form of emergency funds.

Sincerely,

Patrick Holland, Ed.D.  
Superintendent