

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # Item too late for Agenda

Urgent

Routine

AGENDA DATE April 5, 2011

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Proclaim the Existence of a Local Emergency Due to Flooding in Various Locations in Stanislaus County

STAFF RECOMMENDATIONS:

Proclaim the existence of a local emergency in Stanislaus County due to recent flooding in various locations in Stanislaus County as described in the verbal report to be provided by the Chief Executive Officer/Director of Emergency Services

FISCAL IMPACT:

The complete fiscal impact associated with the flooding in various areas of Stanislaus County has yet to be quantified. Overall, we anticipate potential financial impacts including: private property damage, local crop damage, damage to County Parks, potential damage to roadways, bridges and other infrastructure, damage to local levees, increased staff overtime and operational costs.

BOARD ACTION AS FOLLOWS:

No. 2011-212

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:


CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

This past winter and early spring has brought rain and snowfall far above normal levels, resulting in river levels approaching and exceeding flood stage flows. During the past week several trailer parks adjacent to the San Joaquin River have been evacuated ahead of localized flooding, some local crop damage has been reported, portions of County Parks are under water and continuing to suffer damage, potential infrastructure damage to local roadways and bridges, and a Reclamation District is declaring a local state of emergency based on concerns associated with the stability of a section of levee in their district. Given the current snow packs in the Sierra Mountains, water levels are anticipated to flow at or near capacity well into June, a factor that could well contribute to additional damage to some low-lying properties adjacent to the San Joaquin River and its tributaries.

As you are aware, the Chief Executive Officer serves as the County's Director of Emergency Services and, is charged with the responsibility to request that the Board of Supervisors proclaim the existence or threatened existence of a local emergency, if circumstances warrant such an action. At this time, based upon a review of the current flooding situation and the weather forecasts for Stanislaus County, the Director recommends to the Board that a local state of emergency be proclaimed and further recommends that the Board of Supervisors request the Governor to proclaim a state of emergency based on a determination that locally available resources are inadequate to cope with the emergency.

This agenda item is being submitted as an emergency item too late for agenda to ask the Board of Supervisors to proclaim a local state of emergency in Stanislaus County, consistent with the requirements of the ordinance. The Board of Supervisors will be asked to review this emergency, at least every 14 days to evaluate the need for continuing the local emergency, and will proclaim the termination of the emergency at the earliest possible date that conditions warrant.

If the Board of Supervisors acts today to declare this local state of emergency, staff will forward this action to State officials and request the State's concurrence with the Board's proclamation. Depending upon the extent of the damage and action by the State, some financial relief may become available through the State and Federal governments.

A verbal report will be provided by the Chief Executive Officer/Director of Emergency Services.

RESOLUTION 3-31-2011A
PROCLAMATION OF LOCAL STATE OF EMERGENCY
Reclamation District #2063

WHEREAS, reports from Reclamation District #2063, State of California Department of Water Resources and Stanislaus County Office of Emergency Services staff indicated the due to high water, erosion, and water penetration on the Reclamation District #2063 levee eminent danger of a potential levee failure is present.

WHEREAS, the San Joaquin River water level has raised drastically during the month of March 2011 and bank erosion of eight (8) feet has occurred during the month of March, there is eddy formation at subject site, and water appears to have penetrated the bank of the levee.

WHEREAS, all water resource agencies anticipate continued high levels of water for the next several months and warm weather is expected, compounding pressure on the levee such that levee failure is imminent.

WHEREAS, failure of this levee will jeopardize 7000 of acres of farming land structures agribusiness, including approximately 10,000 head of dairy cattle.

WHEREAS, the State Department of Water Resources has investigated and concurs that continuous erosion has the potential for imminent threat for breach of the levee (see attached report).

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of Reclamation District #2063 proclaim a local state of emergency based on conditions that now exist and potential of further devastating conditions.

BE IT FURTHER RESOLVED, that the Board of Trustees of Reclamation District #2063 has closely reviewed our yearly budget and have found that there are simply not enough funds to cover our current and projected long term pumping obligations due to these high waters which does not leaves us any additional funds to respond to this eminent threat. We are committed to provide and have on hand flood fighting supplies (sandbags, visquine, stacks and shovels) as needed for maintaining flood control structures.

BE IT FURTHER RESOLVED, that a copy of this Resolution will be forwarded to the Stanislaus County Board of Supervisors requesting their proclamation of a state of local emergency and forwarding information to the State of California for a declaration.

Dated: 3-31-11

Resolution 3-31-2011A was duly presented and acted upon by the Board of Trustees by the following action:

AYES: 5
NOES: 0
ABSTAIN: 0
ABSENT: 0


Joe Sallaberry, President


Michael Schmidt, Secretary

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: April 5, 2011

No. 2011-212

On motion of Supervisor Chiesa Seconded by Supervisor Withrow
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item too late for Agenda

THE FOLLOWING RESOLUTION WAS ADOPTED:

**RESOLUTION PROCLAIMING THE EXISTENCE OF A
LOCAL EMERGENCY DUE TO FLOODING**

WHEREAS, Section 2.52.110 of the Stanislaus County Code empowers the Chief Executive Officer/Director of Emergency Services of the County of Stanislaus to request the Board of Supervisors to proclaim the existence of a local emergency when the County is affected or likely to be affected by a public calamity; and

WHEREAS, there has been a substantial amount of rain and snowfall in and around the areas surrounding Stanislaus County, causing the San Joaquin River ("River") and its tributaries to swell and rise quickly to unanticipated levels and cause flooding; and

WHEREAS, with the existing snow pack in the nearby mountains, with the local dams at encroachment levels, and with any warm rain and/or increased air temperatures, the River is expected to remain at high levels through June 2011; and

WHEREAS, the forecasted weather patterns and hydrological reports continue to indicate potential threatening conditions for at least the next week; and

WHEREAS, the Chief Executive Office/Director of Emergency Services of the County of Stanislaus does hereby find that weather conditions in Stanislaus County have created the existence of a local emergency; and

WHEREAS, two situations exist for such finding:

A. Proclamation of Local Emergency from Reclamation District 2063

On March 31, 2011 Reclamation District 2063 Board of Directors declared the existence of an emergency due to the high water, continued bank erosion and water penetration resulting from an eddy formation on the District's levee on the San Joaquin River with an imminent threat for breach of the levee, particularly if the river remains high for the forecasted period.

B. Local Emergency for Stanislaus County due to Flooding

The condition of extreme peril to the loss of property and safety of people have arisen within Stanislaus County, caused by the 2011 March Storm; and

The Office of Emergency Services has determined that the flooding from the rising San Joaquin River has resulted in, or likely to result in a public emergency along its waterways through Stanislaus County; and

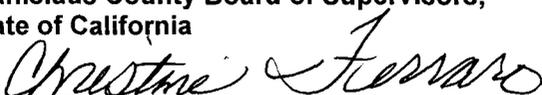
Substantial economic impact to welfare of its citizens, and resultant financial strain on local public resources and funds; and

WHEREAS, local resources are or are likely to be inadequate to cope with the effects of said emergency; and the combined forces of other political subdivisions of the State are required to assist the County to combat the effects of said emergency, and the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a disaster.

NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED THAT:

1. A state of local emergency exists throughout Stanislaus County based upon the potential effect of flooding on private and public property and in homes in Stanislaus County.
2. During the existence of this local emergency the powers, functions, and duties of the Director of Emergency Services and the Emergency Services Program of Stanislaus County shall be those prescribed by State law, by ordinance, and resolutions of this County approved by the Board of Supervisors, and that all County departments and Office of Emergency Services are directed to initiate all reasonable measures to mitigate the potential public health and safety hazards.
3. A copy of this resolution be forwarded to the Governor of California with the request that the Governor proclaim the County of Stanislaus to be in a state of Emergency; and that the Governor request a Presidential Declaration; and further that the Governor request any and all State and Federal assistance programs to provide relief to the growers, individuals, businesses, public agencies and private agencies that were harmed by this disaster.
4. The Office of Emergency Services shall take appropriate steps to notify the California Emergency Management Agency of this resolution.
5. This proclamation of emergency shall continue in effect until the state of emergency is terminated by the Board of Supervisors of the County of Stanislaus, California.

ATTEST: **CHRISTINE FERRARO TALLMAN, Clerk**
Stanislaus County Board of Supervisors,
State of California



File No.



FEMA

AUG - 4 2011

The Honorable Edmund G. Brown Jr.
Governor of California
Sacramento, California 95814

Dear Governor Brown:

This is in response to your July 13, 2011, appeal for a major disaster declaration for the State of California as a result of severe storms, flooding, and debris and mud flows during the period of March 15-27, 2011. You specifically requested Public Assistance for 17 counties and Hazard Mitigation statewide.

After a thorough review of all of the information contained in your initial request and appeal, we reaffirm our original findings that the damage to the infrastructure from this event was not of such severity and magnitude as to be beyond the combined capabilities of the State and affected local governments. Therefore, I must inform you that your appeal for a major disaster declaration is denied.

I regret that we could not respond favorably to your request.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Craig Fugate".

W. Craig Fugate
Administrator

BOARD OF SUPERVISORS

2011 AUG 23 A 12:00