



## **LAKE BOULEVARD RESTORATION PROJECT**

Frequently Asked Questions 8-9-07

Post Office Box 483, Felton, California 95018

### **1. Why is the road closed?**

During storms of April 2006, the fill wedge below the roadway slumped, causing a water main located outside of the road to move and separate. This resulted in an erosion gully by the water pressure flow that undermined a portion of the road, and it was closed for safety until inspected. Engineers evaluated the site and recommended it remain closed until repaired.

### **2. Why hasn't the County or FEMA repaired the road?**

The County and local Office of Emergency Services initially met with Lompico County Water District, and they formed a plan for the water district to apply for FEMA disaster assistance for both the water main restoration and road damage repair. After 12 months with no repair plan engineered or submitted, the water district decided to discontinue the road repair portion of their FEMA application, for their own reasons. The County will not repair Lake Boulevard.

### **3. If the water main damaged the road, why doesn't the water district fix it?**

For the first twelve months, the water district assured homeowners that they would do everything possible to get the road fixed along with the water main restoration under a FEMA grant. At six months, under advice of the water district's insurance company, homeowners also filed an insurance claim for damages, both for property and for access. The insurance company denied the claim months later, not unexpected. Normally a lawsuit would follow. Homeowners decided against filing a lawsuit for both cost and expected two-year delay, and instead requested a collaborative effort. The water main remains abandoned, with temporary service to one house and disabling of one fire hydrant. Negotiations are still under way with the water district for both water main restoration and road repair, based on more recent engineering studies and recommendations. The water district currently has no approved plan and has made no agreement to collaborate.

### **4. Why don't we just fix it, then?**

Homeowners do not have any authority to repair the water main, other than by protest and advocacy to the water district for restoration of services. Homeowners were the first to hire professional engineers to evaluate the road damages in April of 2006, contracts later taken over by the water district. As of the abandonment of the project by the water district at the end of April 2007, and lack of other government assistance, homeowners decided to take on the task. The goal is to have the repair done this year, before winter. Fair share billing of repair funds is going to all homeowners on Lake and Visitar, with plans to appeal to the rest of Lompico Canyon if necessary. Working with engineering professionals, homeowners have a simple and economic repair plan that will cost about \$80,000 for contracted services.

### **5. What happens if we don't fix the road?**

Locally, our neighborhood has an additional four-mile detour each trip, about 15 minutes longer each way. While we still have access to our homes, albeit inconvenient, we must also accept reduced emergency services such as fire protection, emergency medical, and lack of second evacuation route. An emergency medical call shortly after road closure in 2006 resulted in a delay of 22 minutes while the ambulance waited for instructions on how to reach a certain road within the affected zone. Engineers have told us that Lake Boulevard at the damage site could deteriorate and become

nonrepairable if left too long in its present condition. Damage and closure of either the upper or lower part of Lake Blvd now will strand resident families.

For Lompico Canyon, about 1500-2000 residents must rely on a single access, which may not be available in times of wildfire or other emergency. In July of 2007, a downed tree on Lompico Road closed off the entire canyon for nine hours. Other instances have occurred, and will continue to occur, to close down the single Lompico Road access at times.

Fire Chief Jeff Maxwell wrote a letter in July 2006 urging all agencies to cooperate in the immediate restoration of Lake Boulevard as a historical, vital emergency access.

If no one fixes the road, it affects the local neighborhood, the canyon community, and visitors to Loch Lomond reservoir. In summer, this could be a significantly large population to evacuate in times of emergency.

**6. I got a letter from Supervisor Mark Stone, saying he found 75% funding if we become a CSA. Why don't we do that, instead of putting out our own money?**

Mr. Stone is willing to broker a deal with state disaster funds (not County funds) on the condition that the local neighborhood forms a County Service Area (CSA) by December 2007. A CSA imposes a fee on each home's property tax in the defined CSA area, and these funds are administered by the County through Public Works and the Board of Supervisors. Funds may not be used for regular maintenance, like pothole repairs, brush clearing, or erosion control. Formation of a CSA must go through hearings and will pass only with a 2/3 vote of those included in the area. This process usually takes about one year and associated costs to form and have County administrate the CSA fund are the responsibility of homeowners. Contracts done under County CSA guidelines and oversight require government standards, such as prevailing wage. Should the road repair project be done under this format, the cost will likely be significantly higher. For example, if the road repair cost under State disaster assistance costs \$500,000, then the neighborhood share would be \$125,000. The water district initial draft estimated costs for various forms of road/water main repair under FEMA ranged from half million to just over one million dollars. Their current draft estimated cost for just the water main relocation on a separate pier system is \$92,000.

There is a misconception that the road is ineligible for FEMA or State disaster assistance without having a CSA or other public agency as owner. Lake Boulevard has been repaired in the past under three FEMA funds after storm disaster, administered by County Public Works.

As understood from state Office of Emergency Services, any public agency, within the County or special district, such as Lompico County Water, has only to accept responsibility for the road damage in terms of a specific disaster to be eligible for assistance, having nothing to do with fault or ownership.

Negotiations are currently taking place with Mark Stone as to disaster assistance and alternate funding, but no collaboration agreement has been made; the County recognizes no sense of urgency .

**7. I can't afford to give any money.**

**8. I'm not interested in contributing.**

One neighbor's point is that for nearly ten years, there has been relatively little maintenance cost for keeping Lake Boulevard open. The value of our homes and our personal safety directly relates to the cost of maintaining and repairing the road, begging the question why anyone wouldn't do all they can to find the funds necessary.

There is generally high participation in the road maintenance fund, and LBRA has a reputation of being one of the more successful neighborhood associations. There have always been a few who opt out of their fair share, and so far there have been others to pick up that loss.

With the cost for this repair, the neighborhood's largest historically, that lack of participation could translate into the repair simply not being done due to lack of funds. The fair share cost is calculated on your participation. The choice of a few would greatly affect the safety of everyone in the community.

Question most commonly asked: "*Why wouldn't anyone want the road reopened?*"