

El Dorado County Board of Supervisors
Response to the
2023-24 El Dorado County Grand Jury Report
(Case 24-01: Georgetown Airport: A Disaster Waiting to Happen)

Case 24-01: Georgetown Airport: A Disaster Waiting to Happen

The Grand Jury has requested responses from the Board of Supervisors to All Findings and Recommendations.

Consistent with previous practice and pursuant to Board Policy A-11, the Chief Administrative Office is responsible for coordinating the County's response to the Grand Jury. Responses to the Grand Jury Report are directed by Board Policy A-11 and Penal Code 933.05. Accordingly, the Chief Administrative Office has reviewed and compiled the responses from all non-elected department heads into this Initial Draft Response for the Board's consideration.

FINDINGS

- F1. Georgetown Airport is unsafe to operate due to overgrowth of trees. Because the County has known about this hazard and continued normal operations into at least December 2023, it may be subject to a claim of gross negligence if an accident happens.

The Board of Supervisors disagrees partially with the finding.

Caltrans has determined night operations are potentially unsafe but is allowing the airport to continue daytime operations. The Board of Supervisors cannot agree with the speculation that the County may be subject to a claim of gross negligence.

- F2. Up until December 2023, the County had no immediate plan to address the issue until receiving a notice from Caltrans that the airport would be closed to night operations pending the tree hazards being removed.

The Board of Supervisors agrees with the finding.

- F3. The County has been putting its citizens, visitors, and employees at unnecessary risk of injury or death despite being advised of the issue for at least ten years.

The Board of Supervisors disagrees partially with the finding.

Though some airport users had expressed opinions about the hazards to Airports staff, the inspection report from the California Department of Transportation (Caltrans) that noted the hazards was dated March 19, 2022.

- F4. The safety risks have been overshadowed by County efforts to improve the economic viability of the airports that are losing approximately a half million dollars a year, based on the County prioritizing a \$50,000 economic development study earlier than it funded a plan to reduce the tree hazards.

The Board of Supervisors disagrees partially with the finding.

There was no conscious decision by the Board of Supervisors to prioritize the economic study over the airport hazard mitigation. The Board was not made aware of the Caltrans inspection report until December 2023, when Caltrans suspended night operations. Had the Board been aware of the hazards earlier, the mitigation of the hazards would have been prioritized.

- F5. The County did not act in the required timeframe to a letter dated March 19, 2022, from the California State Department of Transportation (Caltrans) for the County to submit an obstruction removal plan for the Georgetown Airport per FAA requirements, resulting in the airport being closed for night operations on December 7, 2023.

The Board of Supervisors agrees with the finding.

- F6. A pole that originally marked the tree line to the west side of the runway is no longer functioning for that purpose but serves as another potential hazard to pilots. Any contact with a rigid hazard like this pole would almost certainly cause a fatal accident.

The Board of Supervisors disagrees partially with the finding.

The Airports Division has relocated the pole and installed a light on top to reduce the potential hazard, but the pole should be relocated, which is planned for early 2025. The Board cannot agree with the speculation about the potential result of contact with the pole.

- F7. General aviation airports don't get a lot of political attention because they benefit so few constituents and are only politically relevant as a revenue generator and/or emergency preparedness resource. This contributes to the lack of attention and visibility airport issues have had throughout the County in recent years, contributing to the severity of this issue.

The Board of Supervisors disagrees partially with the finding.

While it is true that the airports benefit a very small segment of the County population, the General Fund contribution to both airports has increased for each of the last three years.

- F8. The County's failure to mitigate this known hazard threatens the financial health of the County since they will face lawsuits if injury or death results from the unsafe airport. The \$50 million liability coverage from the airport insurance policy may be inadequate to cover losses from potential claims of gross negligence and may impact the general fund.

The Board of Supervisors disagrees partially with finding.

The County agrees the failure to timely mitigate the hazards could pose a liability; however, the County cannot agree with the speculation regarding potential lawsuits, and whether the current liability coverage would be adequate.

RECOMMENDATIONS

- R1. The County needs to have a funded plan to address all tree hazards at the Georgetown Airport by the end of March 2024, completing removal of the tree and pole hazards by September 2024, to the satisfaction of Caltrans and meeting FAA regulations.

The recommendation has not been implemented but will be implemented in the future.

The County has executed a contract with a licensed timber operator to remove the three acres of trees that pose the most imminent threat. This work is estimated to be completed by June 30, 2024. Relocation of the obstruction pole is estimated to take place in early 2025.

- R2. The Board of Supervisors should immediately identify a champion (or team) to lead this effort, considering local pilot volunteers with aviation experience as well as County employees. The champion will provide monthly reports to the Board of Supervisors as to progress against the specific and funded action plan towards removing the hazards.

The recommendation will not be implemented because it is not warranted.

As stated in the response to Recommendation 1, a plan is in place to address the hazards.

- R3. Management of the two County-operated airports should be moved out of the Planning and Building Department by the end of 2024 to a department/agency that is better suited to managing a business of this nature and ensuring better visibility to issues at all levels of County government.

The recommendation has been implemented. On January 23, 2024, the Board of Supervisors conceptually approved the reassignment of the Airports and Cemeteries functions from the Planning and Building Department to the Chief Administrative Office. This change will be effective July 1, 2024.

- R4. Prioritization must be focused on airport safety over economic growth. Although \$50,000 was spent on the economic development plan, no funding for any of the suggested improvements coming out of that plan should be allocated until the airport hazards are completely addressed.

The recommendation will not be implemented because it is not warranted.

The Board is committed to mitigating the hazards at the airport. The Board approved a budget transfer for the tree removal in the amount of \$50,000 on March 19, 2024. There is no need to preclude the possibility of funding other improvements concurrently with the hazard mitigation.

- R5. Conduct annual safety inspections of both airports starting in 2025 and report the findings to the Board of Supervisors. Consider adding inspections of the airports to the required Grand Jury inspection of at least one detention facility annually by the 2024-2025 Grand Jury term.

The recommendation will not be implemented because it is not warranted.

Caltrans staff inspect both airports annually. The Board of Supervisors has no authority to require the Grand Jury to inspect airports.

- R6. County leadership should continue using the Growlersburg Conservation Camp crew to clear the trees when and where applicable subject to their availability.

Recommendation has been implemented.

At the time of this writing, the County is in the process of finalizing a new contract with the State of California, Department of Forestry and Fire Protection for the use of the Growlersburg Conservation Camp crew. This contract will be used for work on County property when appropriate and allowed by law.