



EDC COB <edc.cob@edcgov.us>

RE: Please pull Consent Item #22 from the 5/14 BOS Agenda for public discussion

1 message

Melody Lane <melody.lane@reagan.com>

Fri, May 10, 2019 at 6:25 PM

To: Rafael Martinez <rafael.martinez@edcgov.us>, lori.parlin@edcgov.us, edc.cob@edcgov.us, Jim Mitrising <jim.mitrising@edcgov.us>

Cc: Shelley Wiley <shelley.wiley@edcgov.us>, Matthew Smeltzer <matt.smeltzer@edcgov.us>, Brian Mullens <brian.mullens@edcgov.us>, Lloyd Ogan <OganL@eldofire.com>, barry.smith@parks.ca.gov, Donald Ashton <don.ashton@edcgov.us>, Frank Bigelow <Frank.Bigelow@asm.ca.gov>, "Sweeney, Trish" <Trish.Sweeney@asm.ca.gov>, bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

PLEASE ENSURE THE ENTIRETY OF THIS CORRESPONDENCE IS PUBLICLY POSTED VIA THE GOVDELIVERY SYSTEM TO ITEM #22 AND **PULL IT FOR PUBLIC DISCUSSION.**

Mr. Martinez, et al,

You have ***no authority whatsoever*** to respond on behalf of Lori Parlin regarding my request to pull this agenda item for public discussion, nor do I appreciate your condescending remarks. So quit with the Bureaucratic Shenanigans. It is Lori Parlin's responsibility as a Supervisor to ensure District #4 constituents concerns are properly addressed, but she has consistently shirked her duties since taking office by following in the footsteps of her predecessors.

The MT. MURPHY BRIDGE CIP IS A MAJOR COMPONENT OF MT. MURPHY ROAD linking both sides of the Marshall Gold Discovery Park. I was part of the Mt. Murphy Bridge Stakeholders meetings for this project. The subject of SAFE EGRESS in the event of another emergency has been continually diverted by the county, particularly by Matt Smeltzer and other state and county personnel. (Refer to the attached letter addressed to Jim Ware, former DOT Director.)

OES and the Fire District have made it evident they have NO INTENTION of addressing our concerns about public safety, hazardous road conditions, or evacuation routes because THERE AREN'T ANY EVACUATION PLANS, AND NEVER HAVE BEEN ANY EVACUATION PLANS!!!

Furthermore, THERE HAVE BEEN **NO REPAIRS** MADE TO MT. MURPHY ROAD FOR SEVERAL YEARS! Last year DOT just moved dirt from the ditches onto the road, and destroyed the previous **hard surface** applied in 2006 which was intended to cut down on airborne particulate matter caused by steadily increased traffic. Within weeks the condition of the road is just as bad as it was before. Then the heavy winter rains created deep grooves in the dirt surface and eroded the ditches creating an UNSAFE ROAD CONDITION. Last October the larger of these two buses nearly went off the side of the road into the steep ravine just a few hundred yards past my property, and the smaller bus backed into the ditch. That's when I called CHP and was told they were already on their way. Meanwhile residents couldn't get through for hours. Just imagine if there was another wildfire!



That is NOT road maintenance--it is an irresponsible **waste of taxpayer's money** that contributes to poor air quality, is in violation of all CEQA standards, and jeopardizes the safety of residents!

Melody Lane

Founder – Compass2Truth

"Government's first duty is to protect the people, not run their lives." ~ Ronald Reagan ~

From: Rafael Martinez [mailto:rafael.martinez@edcgov.us]
Sent: Friday, May 10, 2019 2:37 PM
To: Melody Lane
Cc: Lori Parlin; Shelley Wiley; Matthew Smeltzer; Brian Mullens
Subject: Re: FW: Please pull Consent Item #22 from the 5/14 BOS Agenda for public discussion

Dear Ms. Lane,

The Department of Transportation is not planning on pulling Item #22 because it is an Engineering Amendment not anything regarding maintenance. Furthermore I would suggest contacting the Fire District for information regarding fire safety and evacuation routes. And lastly, roadwork was done last year on Mt Murphy and the Department does not have plans on any further repairs this year.

Sincerely,

Rafael Martinez

Director

County of El Dorado

Department of Transportation

2850 Fairlane Court

Placerville, CA 95667

(530) 621-7533 / FAX (530) 626-0387

rafael.martinez@edcgov.us

On Thu, May 9, 2019 at 7:22 PM Melody Lane <melody.lane@reagan.com> wrote:

Don't forget you are public servants and are subject to the Brown Act rights of the public. We are still waiting for your response to this vitally important CIP and public safety issue.

*Melody Lane***Founder – Compass2Truth**

Brown Act Preamble: "The people, in delegating authority, do **not** give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people do **not** yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."

From: Melody Lane [mailto:melody.lane@reagan.com]

Sent: Thursday, May 9, 2019 5:03 PM

To: lori.parlin@edcgov.us; Shelley Wiley; Jim Mitrisin; edc.cob@edcgov.us

Cc: sue.novasel@edcgov.us; shiva.frentzen@edcgov.us; brian.veerkamp@edcgov.us; john.hidah1@edcgov.us; 'Donald Ashton'; Lloyd Ogan

Subject: Please pull Consent Item #22 from the 5/14 BOS Agenda for public discussion

Please pull Consent Item #22 – Mt. Murphy Bridge Replacement from the 5/14 BOS Agenda for public discussion, and ensure the entirety of this correspondence is timely posted via the govdelivery system.

A multi-million dollar Mt. Murphy bridge replacement does not address the problem of a potential catastrophe akin to the Paradise fire. Frequently the Mt. Murphy bridge is blocked by caravans of bus-sized RVs from the Coloma Resort which do not permit residents any egress. Annual fireworks at the Coloma Resort also fuel fears especially when law enforcement refuses to respond to reports made by residents. Additionally there has never been an evacuation plan for residents on the north side of the river.

Both Mt. Murphy and Bayne Roads are one-lane roads with steep drop offs and very deep ditches creating a public safety hazard. Mt. Murphy Road is in deplorable condition and has been in desperate need of repair for many years. The one-lane road has been eroded by storms creating ditches that are in excess of three feet deep in many places. In the event of another wildfire emergency vehicles and evacuees cannot pass each other, nor are there turnouts. Should a car go into the ditch, then it would require a tow truck. Precious time, and possibly lives, would be lost.



It is significant that the county has refused to address this serious public safety issue for several decades. Past and present supervisors, as well as DOT personnel, have been unresponsive to resident's concerns about these public safety hazards. ***There has been no response whatsoever from Supervisor Lori Parlin or Rafael Martinez to the below correspondence.***

Additionally Fire Chief Lloyd Ogan and his board failed to address this matter during the recent 5/3/19 and 5/6/19 Fire Tax meetings. As stated previously, replacing the Mt. Murphy bridge and increasing fire personnel still won't solve the problem of ***safe and sufficient emergency egress for residents on the north side of the river.***

Please don't put the cart before the horse. This is a heavily trafficked region especially during the tourist and fire season. It is essential that necessary ROAD REPAIRS are made first, and that an evacuation plan is in place before any bridge work is to commence.

Melody Lane

Founder – Compass2Truth

"It does not take a majority to prevail... but rather an irate, tireless minority, keen on setting brushfires of freedom in the minds of men." ~ Samuel Adams ~

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Thursday, April 18, 2019 4:21 PM
To: rafael.martinez@edcgov.us; lori.parlin@edcgov.us; Shelley Wiley (shelley.wiley@edcgov.us)
Cc: barry.smith@parks.ca.gov; Jason DeWall (jason.dewall@parks.ca.gov); shiva.frentzen@edcgov.us; john.hidahl@edcgov.us; sue.novasel@edcgov.us; brian.veerkamp@edcgov.us; Pat Dwyer (patdwyer4eid@gmail.com); 'Donald Ashton'; 'bosfive@edcgov.us'; bosfour (bosfour@edcgov.us); 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'
Subject: Public Safety Hazard - Mt. Murphy Road

Repairs to Mt. Murphy Road in Coloma have been neglected for several years. In 2006 I was finally able to persuade DOT to apply a hard surface commencing from Carvers Road in order to cut down on the clouds of airborne particulate stirred up by increased traffic on the lower 1/3 mile of Mt. Murphy Road. This was done at taxpayers' expense.

Annual road *maintenance* involves grading which in reality *destroys* the previous hard surface. Then the application of dirt & gravel atop the *destroyed hard surface* has caused the condition of the road to deteriorate into the deplorable and UNSAFE condition it is in today. This also was done at taxpayers' expense.

The road and the ditches need to be properly repaired to ensure local residents have sufficient egress in the event of another emergency.

As you are aware Mt. Murphy experienced five arson fires within an eight year period; all were ignited either directly on my property or within ¼ mile from my home. It is significant that EDC has perpetually ignored residents' concerns about a viable evacuation plan, bridge egress at the Coloma Resort, as well as complaints about their annual fireworks displays.

In the event of another catastrophic fire it is impossible for emergency vehicles and evacuees to utilize the road without one of them being forced into the eroded ditch. As you can see in several places the ditch is in excess of two feet deep and the surface is undermined by storm erosion. Obviously it requires a tow truck to remove a stuck vehicle which increases the safety risks to everyone involved. But if a tow truck can't get through because the Mt. Murphy bridge is clogged with RVs from the Coloma Resort then the potential for disaster is compounded.

Below are recent photos showing the condition of the lower portion of Mt. Murphy Road. The first photo shows a truck that used my driveway to turn around on April 9th. Ultimately the driver backed right into the ditch where the vehicle got stuck and blocked the road. This happens very frequently. Just imagine in the event of another fire such a situation would be catastrophic to all Mt. Murphy residents:



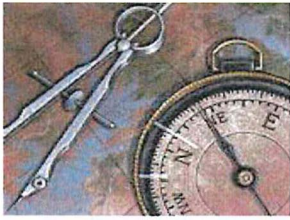
Mt. Murphy Road near Carvers Road:





2007 Mt. Murphy Arson Fire ignited at base of my property by 3rd generation firefighter Ben Cunha - \$10 MILLION BAIL, same as the King Fire Arsonist:





COMPAS

Citizens Organized to Monitor Protect And Serve, Inc.

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Coloma, CA 95613
(530) 642-1670
melodylane@calis.com

July 15, 2011

TO: Jim Ware, Director DOT
Jeremy McReynolds, Superintendent Marshall Gold Discovery State Historic Park

CC: Sheriff John D'Agostini
Congressman Tom McClintock
Senator Ted Gaines
Assemblywoman Beth Gaines

**RE: Meeting 7/12/11 with Marshall Gold Discovery Historic State Park & DOT
Proposed Meeting with EDC Sheriff's Office**

Gentlemen,

Thank you for your time and consideration during our meeting and walking tour of Mt. Murphy on Tuesday morning. I appreciate the recap sent by Jeremy. However there remain several issues requiring further discussion and clarification highlighted below.

It was apparent during our excursion that both Mt. Murphy and Bayne Roads are degenerating into public hiking trails. This raises a valid concern about the effective utilization of property taxes to maintain county roads within our historic district. **The number of times we had to get out of the path of vehicles underscored citizen concerns about safety, code and law enforcement.**

The various aspects of public safety and land management that we discussed were initially broached during the 9/5/07 meeting held in the Marshall Gold Discovery Museum. With the support of Congressman Doolittle, representatives from the offices of Senator Cox, Assemblyman Gaines and CA State Parks were present. The primary purpose of our meeting was to coordinate services and improve community relations. **It is significant that Supervisor Briggs, American River Conservancy, Sheriff Jeff Neves and Fire Chief Bill Holmes refused to participate in that important meeting. It's now been nearly four years without making any headway.**

The topics we addressed are relevant to the River Management Advisory Committee (RMAC) and the execution of the River Management Plan (RMP). These matters are vetted at monthly meetings prior to RMAC representatives making their recommendations to the Board of Supervisors. As you've been made aware, these meetings have a long history of being very contentious. Pertinent information regarding public safety, transparency and accountability have been typically diverted, obfuscated or censored from the minutes thus depriving the public of their right-to-know. The public plays a crucial role in the RMP process; however residents have typically been intimidated and/or discouraged from participating in these public meetings where Bagley-Keene and Brown Act violations abound.

Lack of **Code and Law Enforcement** in the Coloma region is a primary concern of residents that has been frequently expressed during RMAC meetings but typically avoided. **For this reason I have copied Sheriff D'Agostini to encourage his active involvement in future meetings to address relevant issues.**

During our hike on Tuesday Jim indicated that he was not familiar with the function of RMAC. It is important to understand the RMP is a vital element of both the EDC General Plan and the Parks & Trails Master Plan.

A hard copy of the RMP may be obtained through Greg Stanton or Gerry Silva in Environmental Management, or you can refer to the RMAC website:

http://www.co.el-dorado.ca.us/Government/EMD/Rivers/River_Advisory_Committee.aspx

Note **Chapter 6 - RMP Elements** addresses the coordination of **Federal, State and local government** agencies as well as **non-government agencies** (NGOs) to fulfill the safety related elements of the RMP, specifically:

- **Bureau of Land Management**
- **Marshall Gold Discovery Historic State Park**
- **CA Dept. of Parks & Recreation**
- **EDC Sheriff's Department**
- **Department of Transportation**
- **Environmental Management**
- **Code Enforcement**
- **Planning Commission**
- **EDC Fire Protection District**
- **American River Conservancy**

DOT CONCERNS – Jim Ware

1. The December 9, 2010 Planning Commission hearing regarding Special Use Permit #S08-0018 contains material relevant to DOT, Code and Law Enforcement on Mt. Murphy. I suggest you check with Pierre Rivas in Planning. He can provide detailed documentation of incidents concerning DOT maintenance on Mt. Murphy included in my appeal to the Commission dated November 26, 2010. **You'll find that file also addresses your comments regarding Bill Center.**
2. **Residents were delighted with the 2006 improvements made to the lower portion of historic Mt. Murphy Road. The hard surface is safer, totally eliminates the dust clouds caused by increased traffic, doesn't erode into deep gullies or speed bumps, and lasts far longer than the inferior dirt & gravel composition.** It stands to reason that it would be more cost efficient to utilize the superior materials especially since its durability would require less regular DOT maintenance. The cost comparison between loads of the inferior versus the superior recycled road materials would be most helpful in determining a cost efficient, long term solution for this historic icon. Thanks in advance for providing that information.
3. Jeremy's suggestion to provide "No Parking" signs and boulders within the DOT easement on Robinson's private property still does not address the problem of frequent intrusions and damages caused by vehicles using my driveway as a turn around. I've heard a lot about what DOT **won't do**, but I'd be interested to know what the county proposes as an effective resolution to this perpetual safety & security issue?

4. I pointed out that “No Parking” Signage is also needed at the corner of Mt. Murphy & Carvers Road where hikers and CDF crews park their vehicles. After a 2009 meeting in the Marshall Gold Discovery Park Supervisor Briggs indicated he would address this matter, but for two years he’s remained unresponsive to follow up inquiries. I acknowledged the CA State Parks staffing and maintenance deficit, but isn’t it actually the responsibility of DOT to provide signs and services that are funded by our property taxes?
5. Dumping has been a regular occurrence on Mt. Murphy. The ineffectiveness of the 8” x 10” sign posted up in the tree is apparent. A common sense solution would be to remove the absurd 4’ x 4’ signs located on Cold Springs Road and Lotus Road: “Dogs worrying livestock will be shot.” I suggest strategically relocating the signs after they’ve been repainted as “No Dumping” signs on Mt. Murphy Road.
6. Jeremy’s suggestion for DOT to look into an MOU for State Parks collecting use fees along county road right of way is a hot topic that came up at the November 2010 Annual RMAC meeting held in the Gold Discovery Park Museum. It again came up at another RMAC meeting in early 2011. The concern was expressed that RMAC representatives are in collusion with State Parks to find a means to get around the failed **Proposition 21** (DMV Fees/CA Parks Maintenance). Like many other important discussions, that issue was censored from the RMAC minutes. COMPAS would appreciate being included in discussions about an MOU *prior* to submission to RMAC and the BOS.

MGDHSP – Jeremy McReynolds

The safety and security of private property surrounded by *inadequately monitored public land* is a growing concern of El Dorado County residents. Five arson fires within eight years have threatened private property owners upon historic Mt. Murphy. In the event of another emergency, of primary concern is the vital need to address ample egress on one-lane county roads that are obstructed by parked vehicles, and the safety & security issues caused by increasing tourist traffic.

1. The problems with land management and Code & Law Enforcement existed long before the budget crisis exploded in 2007. As you are aware, these issues have been perpetually minimized or evaded by RMAC and the government agencies listed on page two of this memorandum. Commissioner Walt Matthews best expressed the situation during the December 9, 2010 Planning Commission hearing, “*The Park is the problem instead of part of the solution.*” The question remains: *When will the Park appropriately respond and contribute to the necessary solutions in the Coloma region?*
2. Clarification is necessary about the funding by CA State Parks to provide “No Parking” signage and their authority to issue citations on private property. My understanding from past dialogs with law enforcement is that CA State Parks has no authority on private property; they are limited to within the MGD Park boundaries.
3. Maintaining a defensible space was addressed in my correspondence dated November 20, 2010. It was my understanding that 24 hour notice would be given by CDF & Park maintenance crews to cut the fallen trees along our mutual boundary lines. Robert indicated the branches were to be stacked and burned during the winter, yet we are well into the fire season and the opportunity to burn has long passed. What plans does the Park have to address this potential fire hazard within a reasonable time frame?

4. During our walking tour I pointed out the cut fence on the east boundary towards Dutch Creek where trespassers frequently access my property. The NE boundary in the ravine along the miner's trench is also problematic since hikers utilize that path on my property to access the vantage point above Troublemaker rapids. It has been over four years yet requests for repairs to the fence erected by American River Conservancy have not been addressed nor have the "No Trespassing" signs been replaced. What plans does the Park have to utilize volunteers or Growlersberg crews to repair fences, replace signage, and address the problem of restoring fire access on my private property at Bayne Road?
5. Brief discussion was broached about an alternate trail to discourage trespassers from private property on Mt. Murphy. However this raises several questions about the size, wording and actual placement of the signs you proposed. I'd appreciate the opportunity to discuss this further before any action is taken.
6. Environmental Management has been uncooperative in providing public information regarding the Chili Bar Conceptual Plan and its relation to the **EDC Parks & Trails Master Plan**. Janet Postlewait and Kate Kirsh (Foothill Assoc.) have also been unresponsive to inquiries involving the Planning Commission, Parks & Recreation and land acquisitions by American River Conservancy. Transparency, safety and encroachments are valid concerns of residents adjacent to public land and trails. An appeal is now being made for CA State Parks to be forthright and cooperative in mitigating these matters.
7. Lack of privacy, security, Code and Law Enforcement on the S. Fork American River region historically has been cause of contention at RMAC meetings. No local representation has left residents feeling disenfranchised and frustrated with the "good old boys" network that has dominated our region. Since CA State Parks, Code Enforcement and the Sheriff's Office all share responsibility in the coordination of the RMP, it would therefore be advantageous for Sheriff D'Agostini to join us in a meeting to begin mitigating solutions for our river community. In anticipation of his support, I'll contact his assistant Lora Lyons to help coordinate a meeting.
8. Last but not least, the MOU-Management Plan that you proposed segued to the topic of our conversation in the parking lot regarding AB42. As you can ascertain, the RMP appears to be a major component in this Assembly Bill. Attached are concerns involving AB42 specific to the American River Conservancy and the Marshall Gold Discovery Historic State Park. It pretty well encompasses the purpose of our meeting and focus of this memo, matters that RMAC and Supervisor Briggs have taken great pains to circumvent.

Please let me know your thoughts about coordinating a follow up meeting to discuss these issues with representatives from the offices of Congressman McClintock, Senator Gaines and Assemblywoman Gaines.

Regards,

Melody Lane

Melody Lane
President – *COMPAS, Inc.*
Citizens Organized to Monitor Protect And Serve

AB 42 (Huffman)

CA STATE PARKS

Existing law gives control of the state park system to the Department of Parks and Recreation. Existing law authorizes the department to enter into agreements with an agency of the United States, a city, county, district, or other public agency or any combination thereof, for the care, maintenance, administration, and control by a party to the agreement of lands under the jurisdiction of a party to the agreement, for the purpose of the state park system.

This bill would authorize the department to enter into an operating agreement for the development, improvement, restoration, care, maintenance, administration, or operation of a unit or units, or portion of a unit, of the state park system, as identified by the director, with a qualified nonprofit organization, as provided. This bill would require the operating agreement to include, among other things, a requirement that the nonprofit organization annually submit a report to the department, to be available on the Internet Web site for both the department and the nonprofit organization. The bill would require the nonprofit organization and the district superintendent for the department to hold a joint public meeting for discussion of the report.

The bill would require the department to notify a Member of the Legislature of an intention to enter into an operating agreement relating to a park in the member's district, as well as notify specified committees of the Legislature. The bill would also require the department to report to the Legislature, on a biennial basis, the status of any operating agreement.

The bill would repeal these provisions on January 1, 2019.

PUBLIC CONCERNS RE AB42:

- What type of **contract agreement** between a non-profit and the state would be created?
- How does the bill AB 42 provide for **public involvement** outside of the nonprofit?
- What **conflict of interest** considerations are provided for in AB 42?
- Is the nonprofit (s) volunteering regarding payment for work provided in such agreements? **If not who funds what?**
- Is the state looking to provide **grant money (public money) to private nonprofits?**
- The PPP's can be a very **insidious and dangerous channeling away of public ownership** of and input into our park systems. The precedent of a nonprofit essentially lobbying and making their own agenda driven decisions rather than the state agencies that the public has already paid and tasked with oversight is a potential nightmare for the public.
- **Nonprofits as private do not have the transparency or disclosure requirements of a state agency and thus black holes of accountability are further formed.**
- With the public already having paid millions, billions into propositions and bonds for conservation purposes and water conservation purposes--why doesn't the state park system utilize this public gift itself, **hire more staff--** rather than delegate it to **private parties?**
- We now have PPPs without contracts or formal agreements that are acting as state agents. **This ongoing apparent misrepresentation is confusing to the public and does not provide even the small measure of accountability that the public has from our state agencies.**