

## **Canyon School District Declares 'Local State of Emergency'** **Resolution Addresses Needs of School Without Adequate Emergency Response** **Due to Sudden Bridge Closure**

Canyon Elementary School District's Board of Education declared a local state of emergency on May 25 to protect its 72 students, in anticipation of a severe fire season and sudden loss of emergency fire services. The closure of Canyon bridge caused the crisis. "The bridge provides the only way for emergency vehicles from Moraga to directly reach the Canyon School. Emergency services must now come from Oakland via steep, winding Pinehurst Road," CESD Board President Jim Smith said. "We cannot accept a situation where it will take over 20 minutes, and probably over half an hour, for emergency vehicles to arrive. Every student deserves to know their society keeps them secure," added Board Vice President Brian Coyle.

Fire is a constant risk in many parts of California, especially after big rains like last winter's. The School Board believes fire trucks can no longer reach the school in time. Canyon School was previously served by Moraga-Orinda Fire District's Moraga Station, whose trucks arrived in 8 minutes. That's critical, since it takes 8-10 minutes for fires to "flashover" and spread.

After Moraga closed the bridge on April 18, Canyon School's fire and medical emergencies rerouted to Oakland. Emergency vehicles now enter Canyon on Pinehurst Road, which is steep, dangerous, and frequently shut down. The first 1.5 mile stretch into Canyon has 19 curves that average 96 degrees over a 50 foot radius. According to the FHWA\*, a truck can go 7 mph along this stretch, taking around 13 minutes. As if to underline the problem, two trucks got stuck on Pinehurst the day the School Board met to pass the Emergency Declaration. They were unable to navigate a sharp turn, and blocked all traffic for 5 hours.

Add the distance to Oakland fire stations, and the time for firefighters to turn-out and navigate traffic and unknown roads. Oakland fire trucks will take at least 20 minutes to reach the school. Oakland's fire department is understaffed and heavily engaged. Canyon is in Contra Costa county, not an Oakland priority. Some Oakland firefighters estimated it could take 40 minutes for a full complement of them to arrive at the school.

"This resolution calls for the state to take action," Mr. Smith said. "CalTrans inspected Canyon bridge 7 months ago, and deemed it healthy." Mr. Coyle added that "1/3 of Bay Area bridges are not. A structurally sound bridge is closed because a landslide deposited mud 200 feet away, 14 months ago. A bridge is closed because houses above the slide were condemned, and sued EBMUD. It's closed because plaintiffs and EBMUD technicians are looking for evidence, and one walked by the bridge. An EBMUD employee saw a 1.5" gap between the bridge surface and adjacent roadway. He informed Moraga's town engineer. That engineer was on his very first day at work. The bridge is closed because he didn't make a careful assessment. He just closed it."

*Before the Board of Governors in and for the  
School District of Canyon, State of California*

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**MAY 30 2017**  
**TOWN OF MORAGA**

Resolution No. )  
Proclamation of a Local Emergency )  
Within Canyon School District. )  
Canyon, California )

This Resolution is made with reference to the following facts and circumstances:

- A. The California Emergency Services Act (Government Code section 8550, et seq.) establishes procedures for proclaiming emergencies and for responding promptly to the needs that arise during emergencies; and
- B. Government Code section 8680.9 authorizes the proclamation of a local emergency by the governing body of the local agency affected, or likely to be affected by a public calamity; and section 8680.2 defines "local agency" to include a school district.
- C. The School Board proclaims the existence of a local emergency due to very much longer response time for fire, medical, and security emergencies effecting Canyon School students, caused by the indefinite closure of Canyon Bridge (bridge).
- D. The School Board finds that:
  - 1. Conditions of extreme peril to life and property face 70 students, family, and staff of the Canyon School District, California as the result of the bridge closure by the Town of Moraga; and
  - 2. Whereas the bridge provides the only way for emergency vehicles from Moraga Orinda Fire District [MOFD] to quickly reach 70 children who attend Canyon Elementary School,

Whereas Canyon school is surrounded by woods where three fires have destroyed residences since 2000, where 2017's heavy rains led to growth which becomes fuel every dry day,

Whereas a structural fire doubles in size every two minutes,

Whereas Canyon school must now rely on understaffed Oakland fire and paramedic services who must drive steep, dangerous Pinehurst Road which takes three times longer than MOFD's route over the bridge (see attached survey), and has been closed completely 3 times since the bridge has been closed,

Whereas police who respond to a Canyon school incident will now come from Martinez and take nine times as long as Moraga police,

Whereas the increased response times put Canyon school students at risk of loss of life and property, a tragedy California must not let happen,

Therefore, the district declares a state of emergency, so that the Governor's Office of Emergency Services can coordinate agencies to restore travel across the Canyon Road bridge quickly.

In addition, we cite the following summary of key events prior to and following the closure:

On March 16, 2016, a slide to the west of the bridge resulted in 2 Moraga homes being 'tagged' and the owners required to vacate.

On October 10, 2016, the Canyon Bridge was inspected by Caltrans as part of their federally mandated biannual evaluation of all bridges, and was passed as being structurally sound. (See attached Caltrans report.)

Note that the Caltrans report was a full 7 months after the nearby residential slide, which was obvious to the Caltrans engineers.

On April 17, 2017, an East Bay Municipal Utility District employee, who examined the slide due to EBMUD litigation with homeowners, notified Moraga of a 1" space between the bridge and the adjacent southern road.

On April 18, 2017, the Town of Moraga ordered the closure of the bridge,

Moraga plans to install a \$2.6 million temporary bridge, at a future date that can't be specified because the town lacks the needed funds. They've informed Canyon Board that the timeline is not contingent on the risk posed to Canyon school's students.

3. The foregoing conditions are beyond the control of the services, personnel, and facilities of the Canyon School district and requires the combined forces of other political subdivisions and agencies, coordinated by the Governor's Office of Emergency Services and with cooperation among federal, county, state, and city representatives.
4. The above-referenced conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency.

NOW, THEREFORE, BE IT RESOLVED that the CANYON SCHOOL DISTRICT BOARD as follows:

1. This Board hereby proclaims that a local emergency, as defined in Government Code 8558(c), now exists for the students, families, and staff of Canyon School District, California by reason of the foregoing recitals.
2. The local emergency shall be deemed to continue until its termination is proclaimed by the Canyon School District Governing Board.

PASSED AND ADOPTED this 25th day of May, 2017, upon motion of  
IAN LLEWELLYN, seconded by KAYA WESTLING, and carried by  
the following vote, to wit:

AYES: 5

NOES: 0

ABSENT: 0

I, KAYA WESTLING, Clerk of the Governing Board of the Canyon School District, State of  
California, hereby certify that the foregoing is a true copy of an original order of said School Board  
duly made and entered in the minutes thereof of Minute Book, on  
MAY 25, 2017.

Dated:

5/25/2017 Clerk of the Governing Board of the Canyon School District.