

# **EMERGENCY DECLARATION AND CONDITIONS OF EMERGENCY**

**7748**

(No. 9 November 1993)

There are three conditions or degrees of emergency considered in the California Emergency Plan: local emergency, state of emergency, and state of war emergency.

## **Local Emergency**

Means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, earthquake, or other conditions, other than those resulting from a labor controversy in which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of their political subdivisions to combat, or when sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission.

## **State of Emergency**

Means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, earthquake, or other conditions, other than those resulting from a labor controversy or conditions causing a "State of War Emergency," which conditions, by reasons of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city, and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities a sudden and severe energy shortage which requires extraordinary measures beyond the authority vested in the California Public Utilities Commission.

## **State of War Emergency**

Means the condition which exists immediately, with or without a proclamation thereof by the Governor, whenever this state or nation is attacked by an enemy of the United States, or upon receipt by the state of a warning from the federal government indicating that such an enemy attack is probable or imminent.

## **UNIT TO REPORT DAMAGE**

**7748.1**

(No. 9 November 1993)

The declaration of a local emergency or a state of emergency is predicated by the magnitude of the disaster. Whenever CAL FIRE experiences damage to its roads and facilities, it should report damage information as quickly as possible. Inaccessibility and other factors often result in data which is rough or incomplete. Nevertheless, such data, when combined with that being received from other sources, comprise the bases for a declaration.

Units are encouraged to quickly gather preliminary data and relay it to the appropriate county office of emergency services. When activated, the operational area often serves as a center for data collection.

In addition, the same data will be reported to CAL FIRE headquarters in Sacramento, as covered elsewhere under Federal Disaster Assistance Program, PL 93-288.

## **PRESIDENTIAL DECLARATIONS**

**7748.2**

(No. 9 November 1993)

Federal law provides authority for the entry of the President of the United States into situations of local peril or disaster involving such matters as the enforcement of federal court orders, martial law, assistance in the preparation of state civil defense plans, and financial aid in area of local disaster.

For all anticipated conditions wherein this department may become involved in civil emergencies, it can be logically assumed that the supervision of departmental work will be under the general direction of duly elected or appointed state officials, regardless of the original place of the federal government in the initiation of the particular project. Refer to the Federal Disaster Assistance Programs, PL 93-288, for specifics on federal assistance following presidential proclamation.

The Federal Emergency Management Agency (FEMA) has responsibility for the federal role after a presidential declaration. State and local governments have preidentified responsibilities.

United States Forest Service field support will be coordinated through either the North Zone or South Zone coordinator including contact with the Boise Interagency Fire Center.

Without a presidential declaration of a major disaster, the ability of the forest service to react is lessened. Local units are directed to respond within their normal authorities until mutual agreements can be developed.

## **EFFECTIVE DATE OF DECLARATION**

**7748.3**

(No. 9 November 1993)

News concerning a presidential proclamation often arrives first through the news media.

It is important to note, however, that for purposes of CAL FIRE application of federal disaster assistance, only data received from the Governor's authorized representative at OES are utilized. The beginning and ending dates of a declared disaster area will be distributed to the field following their receipt from OES.

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