SAFEGUARDING THE GOLDEN STATE:

PREPARING FOR CATASTROPHIC EVENTS

LITTLE HOOVER COMMISSION

April 2006

State of California

LITTLE HOOVER COMMISSION

April 27, 2006

The Honorable Arnold Schwarzenegger
Governor of California

The Honorable Don Perata
President pro Tempore of the Senate
and members of the Senate

The Honorable Dick Ackerman
Senate Minority Leader

The Honorable Fabian Núñez
Speaker of the Assembly
and members of the Assembly

The Honorable George Plescia
Assembly Minority Leader

Dear Governor Schwarzenegger and members of the Legislature:

One hundred years ago, the 1906 earthquake reduced the majestic city of San Francisco to rubble. With that event, California became the bellwether for emergency preparedness. In the century that followed, California built an impressive strategy for emergency management, seismic safety and public health.

But eight months ago, when the winds and waves of Hurricane Katrina ravaged the Gulf Coast, they unearthed more than just levees and foundations. The hurricane revealed that traditional emergency preparedness strategies are no match for catastrophic events and the cascading disasters that follow.

Like the Gulf Coast prior to Katrina, the risks of catastrophic events in California are well known but largely ignored. Seismic safety officials report that hundreds of schools, hospitals, apartments and office buildings are at risk of collapse or failure in a large earthquake, crushing the lives and opportunities of our children, our parents and our neighbors. Massive levee failures could inundate the Central Valley and choke off the water supply that sustains the residents and economy of Southern California. And every Californian is at risk of an infectious outbreak that could quickly outpace our capacity for treatment and response.

Damages from a major seismic event in either the Bay Area or Los Angeles could exceed the entire $100 billion budget of the State of California. A terrorist attack on one of California's major ports could halt trade on the Pacific Rim and undermine California's economic engine. But like Louisiana, California has no recovery plan to guide rebuilding.

In their complacency, local, state and federal leaders failed to shore up the levees surrounding New Orleans that were known to be inadequate. The cost of failure has been counted in death, destruction, and financial and civic ruin. And the impacts were borne most heavily by the most vulnerable, those who could not quickly move to safety.

Yet since Katrina, nothing significant has changed in California. The State has not put in place the plans and strategies or designed and deployed the tools needed to respond to the inevitable catastrophic event. California is as vulnerable as Louisiana, and perhaps equally unprepared for a catastrophic event.

California need not live through its own Katrina to get ready. With the centennial of the 1906 earthquake, experts have reminded us of our vulnerabilities and the consequences of failed leadership and inadequate preparedness.

Governor Schwarzenegger has accurately declared that failing to plan for the inevitable is just plain failure. And he has authorized initial steps relating to California's preparedness for disasters. But significant work remains. In this report, the Commission outlines essential steps relating to leadership and planning for catastrophes, including the involvement of the private sector and the public.

The Commission urges California's elected officials to make catastrophic preparedness a priority. The State's leaders must come together to ensure that the Golden State is truly prepared.

Sincerely,

Michael E. Alpert
Chairman

The Commission approved this report with a vote of 7-1. A dissenting opinion accompanies the report.

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Introduction

Without immediate action by the State of California, millions of Californians are at risk for injury, death or property damage in a catastrophic disaster.

California may have the most robust emergency preparedness system in the nation, but the State's preparedness needs have changed dramatically since that system was developed. The attacks of 9-11 have altered our understanding of the terror that can be unleashed on our communities without warning. The anthrax attacks of 2001 and the risks of an avian flu pandemic have forced communities to confront public health threats in new ways. And Hurricane Katrina has reminded the nation that nature can unleash a fury that will quickly and dramatically overwhelm traditional response strategies and wreak unthinkable devastation.

California must incorporate the lessons learned from these events or risk the lives of its residents and the productivity of its economy. California's preparedness for predictable, recurrent emergencies may indeed be unequalled. But the strategy in place must be further improved. And the State has not even begun to plan for a catastrophic event that would quickly overwhelm local and regional response capacity, precipitate cascading disasters, destroy critical infrastructure and hobble commerce.

Katrina's Destruction…

Hurricane Katrina killed more than 1,330 people and forced more than 1 million residents to evacuate. The storm wrought $96 billion dollars in initial damages on 93,000 square miles of the Gulf Coast – an area about the size of Great Britain. The catastrophe was most devastating for the region's vulnerable – those who could not escape on their own. Of the dead, 74 percent were over the age of 60.

…and California's Vulnerabilities

In California, catastrophic earthquakes and flooding are forecasted to occur in the next 25 to 50 years. And the risks of pandemic illness and terrorism persist. In the Bay Area, 7 million people live on land laced by seven active fault lines. A major earthquake would cause more than $170 billion in damages, destroy some 50,000 buildings and damage another 90,000, potentially injure 35,000 individuals and kill some 3,400 people. In Los Angeles, the initial damage of a major quake would total $100 billion. An event occurring on a scale similar to Hurricane Katrina in either region would affect between 5 million and 10 million residents. Like Katrina, the impacts of a catastrophe in California will be borne most heavily by those of limited means, the frail, elderly and disabled.

Sources: See page 89.

Commission Study Process

The Commission examined emergency preparedness efforts by conducting three public hearings. It received testimony from national, state and local leaders in emergency preparedness and experts on private sector resources for emergency response.

Additionally, the Commission convened three regional meetings – in Oakland, Los Angeles and San Diego – to better understand California's risk profile and the capacity, coordination and chain of command issues impacting state, federal and local emergency preparedness and response. Participants included local government officials, state lawmakers, leaders from first-response entities, including law enforcement, fire and public health departments, corporate executives, academic experts and scientists.

Meetings also were held with national emergency preparedness experts, including former FEMA Director James Lee Witt.

Additionally, the Commission relied on its work from three previous studies related to this topic: These reports, *Recommendations for Emergency Preparedness, Public Health: To Protect & Prevent: Rebuilding California's Public Health System*, and *Be Prepared: Getting Ready for New and Uncertain Dangers* can be downloaded from the Commission's Web site: http://www.lhc.ca.gov/lhcdir/listall.html.

Emergency preparedness relies on strong networks of local agencies ready to offer and receive mutual aid.[1] But local preparedness varies and there is no guarantee that emergencies will strike well-prepared communities rather than those poorly equipped and ill-positioned to lead and coordinate assistance. And the State does not provide the leadership, incentives or resources to ensure adequate levels of preparedness in every community.

Even moderate emergencies have exposed weaknesses in a system that should produce an integrated, unified strategy to identify and deploy resources to meet needs. In most communities, police and fire responders cannot communicate across their radio systems, much less talk and share data with private hospitals, military leaders or others who could be called upon during a major event.[2] In the Bay Area, local officials have only begun to talk about regional strategies to address regional needs, such as how best to evacuate major population centers or provide food and supplies to people told to shelter in their homes.[3] And throughout the State, public health programs, water and sewer providers and providers of other essential services are not part of the overall emergency management network.

The State maintains that it has the authority and the capacity to assume control of emergency management when local agencies are overwhelmed. But state officials have not put in place a strategy to manage catastrophic events. Emergency managers have not trained for the job. The governor has not developed the emergency rules needed to streamline decision-making and remove barriers to deploying help where it is needed. And the State has not conducted exercises to test its authority and capacity for catastrophic response or recovery.[4]

The State's organizational structure further impedes its ability to ensure emergency preparedness. The Office of Emergency Services and Office of Homeland Security have overlapping responsibilities, creating confusion and conflict. Responsibilities are further fragmented among numerous other state agencies.

In addition to working with local governments, California's preparedness leader must have the ear of the governor, strong partnerships with the private sector, other states, and the federal authorities – including the military. But those partnerships are not in place.

Most alarming, while the State and federal government have made significant investments in readiness for an emergency event, few plans recognize the dramatic distinctions between responding to localized emergencies and addressing wide-scale catastrophic events with cascading impacts. Experts suggest that California is vulnerable to catastrophic events that could affect between 5 million and 10 million residents.[5] Catastrophic flooding in the Central Valley could destroy thousands of homes and potentially shut off the supply of water that nourishes Southern California.[6] A major earthquake in the Bay Area or near Los Angeles could affect millions of residents and shut down commerce. Still more alarming, a terrorist attack in any community could quickly overwhelm local and regional response capacity. California's ports are particularly vulnerable; a strategic attack could disable one or more of these essential entities for months if not years.[7]

Despite knowledge of these threats, the State has not invested in catastrophic response planning or prevention and mitigation strategies to reduce vulnerabilities.[8] Nor has the State drafted even a rudimentary recovery plan to rebuild communities following a major disaster.[9]

The recent focus on improving the Delta levees is an important step in the right direction.[10] The State has sought more than $600 million in federal dollars to support catastrophic planning and other preparations. And the governor has issued an executive order authorizing initial steps to improve preparedness.[11] But those essential efforts are small pieces of a much bigger puzzle that demands similar attention.

California must put in place the organizational structure and leadership capacity to fortify its emergency preparedness. It must make new and different investments in its preparedness strategy.

Local agencies should continue to lead local emergency response efforts, but the State and its local and federal partners also must develop plans and practice for an integrated command during a catastrophic event. The State must put someone in charge. State leaders must increase their focus on prevention and mitigation. No investment could have prevented Hurricane Katrina's landfall at New Orleans or will prevent an earthquake on the Hayward Fault. But whether communities withstand those events is determined by prevention and mitigation efforts and an adequate response.

The public sector alone is incapable of addressing the State's preparedness needs. State and local agencies must build strong partnerships with the private sector and voluntary organizations to leverage their resources to support preparedness and response. And public leaders must engage the public, through a coherent and consistent message, about the need to prepare and how to respond when emergency events occur.

Emergency Management in California

California is vulnerable to a broad array of natural and human-made disasters. To address these risks, the State and local agencies have built networks of emergency responders who work through a system of mutual aid to ensure that each community can call upon the resources necessary to meet needs.

Emergency Managers and Their Work

The field of emergency management evolved over several decades and matured in the 1970s and 1980s into a comprehensive strategy for managing emergency response and preparedness. Initially, communities relied heavily on police, fire and community associations like the Red Cross to respond to emergencies and support recovery. But the preparedness needs of the Cold War era and high profile crises such as the environmental disaster at Love Canal in New York and the accident at the Three Mile Island nuclear plant led researchers and policy-makers to call for changes. As a result, practitioners developed comprehensive emergency management that spanned preparedness, response, recovery and mitigation; activities that did not fall under the responsibility of existing, discipline-specific emergency responders.[12]

Despite resistance from other federal agencies, in 1979 President Carter created the Federal Emergency Management Agency to support comprehensive emergency management. Many state and local agencies also moved to create agencies to support comprehensive emergency management approaches, which in turn, created the need for professional emergency managers.[13]

The emergency management profession has long been isolated in comparison to its brethren in the fire, law-enforcement and emergency medical services. Generally, emergency managers provide the overarching structure and strategy necessary to coordinate the work of multiple emergency responders. Emergency managers organize the planning and training required before emergency events, conduct damage assessments, alert the public and coordinate response during emergencies. And they provide care and shelter, support recovery and handle much of the administrative load associated with these activities. Unlike their discipline specific peers, emergency mangers are involved in preparedness for all hazards and call upon their peers as required.[14]

As the field of comprehensive emergency management evolved, the following four interrelated components have been established to highlight the opportunities and the challenges of emergency management:[15]

Preparation. Activities undertaken in advance of an emergency, including developing operational capabilities, training, preparing plans and improving public information and communications systems.

Response. Those actions taken to save lives and protect property during an emergency event.

Recovery. At the onset of an emergency, emergency management officials begin recovery efforts. Recovery is both short-term activity intended to restore vital life-support systems, and long-term activity designed to return infrastructure systems to pre-disaster conditions. Recovery also includes cost recovery efforts.

Mitigation and prevention. Mitigation planning includes a review of ways to eliminate or reduce the impact of future emergencies. Specific hazard mitigation plans are prepared following a federally-declared disaster. They reflect the current risk analysis and mitigation priorities specific to the declared disaster. An alternate and more common term for mitigation is prevention. In the field of emergency services, however, the term prevention is used to refer to stopping an event from happening. Emergency managers point out that while it is possible to prevent terrorist attacks, it is not possible to prevent earthquakes. It is, however, possible to reduce or mitigate their impact. Despite years of using the term mitigation for reducing harm, the federal government has recently adopted the term prevention to refer to mitigation activities.[16]

All Emergencies are Local

Emergency preparedness in California is governed by state laws, an official Emergency Plan, an Emergency Management Strategic Plan, and the California Standardized Emergency Management System.[17]

California Emergency Plan. The plan directs local agencies to take the lead in declaring local emergencies and seeking assistance through a mutual aid strategy. Under that strategy, local agencies call for additional resources as needs surpass their capacity.

Generally, local emergencies are declared by local officials and requests for the declaration of a state of emergency are passed up from local authorities to the governor. State law, however, recognizes that the governor may need to declare a state of emergency without a prior request from a local agency.[18]

The declaration of an emergency can trigger access to state and federal funding, and it empowers the governor and Office of Emergency Services with authorities that are only available during declared emergencies.[19]

Appropriately, California's emergency plan builds upon the strengths of local response. Local officials – more so than their state or federal counterparts – are familiar with the culture and needs of their community, where vulnerable residents reside, the resources and geography of the area and the threats and vulnerabilities facing their region. The mutual aid strategy, supported by state law, calls for each local agency to identify the risks facing their communities, to prepare response and mitigation plans and support their neighbors if events grow beyond local response capacity.[20] The emergency plan recognizes that most emergency events truly are local and do not require more than the support of neighboring jurisdictions.

Mutual Aid. This system of local control has encouraged the development of numerous mutual aid systems. The fire services, law enforcement, emergency managers, coroners, search and research teams and other professions have developed mutual aid programs that build from those communities where resources currently exist and provide coverage in areas that need assistance.

A State of Emergency

State law defines three emergency states:

Local emergency: Conditions of disaster or extreme peril to the safety of persons and property within a city or county, which require the combined forces of other cities or counties to combat.

State of emergency: Conditions of disaster or of extreme peril to the safety of persons and property that require the combined forces of one or more of the state's six mutual aid regions to combat.

State of war emergency: When the 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.

Sources: California Government Code, Chapter 7. *Emergency Services Act*. http://www.leginfo.ca.gov. Accessed December 15, 2005. Also, State of California. September 2005. *Emergency Plan*.

Under California's Emergency Plan local agencies are called upon to fortify emergency responses when a particular community has insufficient resources, personnel or expertise to respond to an emergency event. The California emergency preparedness strategy is designed around an expanding circle of mutual aid that is triggered by requests for assistance. The role of the State is to coordinate support drawn from multiple cities, counties and state and federal agencies.

Under the terms of California's Master Mutual Aid Agreement, emergency responses are provided at no cost to the requesting agencies. But if local agencies and the State do enter into contracts for services, such as with the private sector, the California Emergency Plan specifies that local agencies are expected to bear the costs before the State would incur any financial responsibilities.[21]

California Faces Significant Risks

According to emergency management leaders, California is considered a high-risk state. The geography, population and development patterns of California make it prone to flooding, fires and earthquakes.

Floods. With 172,000 miles of rivers and almost six percent of the population living in floodplains, California is vulnerable to catastrophic flooding. Half of the federally-declared disasters in California since 1950 were flood related. And since 1992, every county has been declared a disaster area for a flooding event at least once. Between 1992 and 1998, federally-declared floods in California caused nearly $5 billion in damage and 78 deaths.

Population projections anticipate that over the next 20 years, 62 percent of the growth in the state will occur in the Central Valley floodplain. In addition to threatening people and property, floods also can compromise the state's water supply. But the flood control systems in the state are inadequate to prevent disaster. UC Davis Professor Jeffrey Mount estimates that there is a two-in-three chance that by 2050 a natural disaster will overwhelm the Bay-Delta system of flood control and water management.

Fires. The nature and size of fires in the state are influenced by land use changes, population growth, development, fire suppression methods and climate change. While fire is part of natural ecosystems, uncontrolled wildfires threaten lives, property, wildlife habitat, watersheds, timber and open space. Each year, an average of 10,000 wildfires burn half a million acres in California. Wildfire-related financial losses have increased in recent years, exceeding $100 million five times between 1990 and 2001. Between 1990 and 2003, wildfires damaged or destroyed almost 12,000 structures and caused 56 deaths. The Southern California wildfires in October and November 2003 burned 750,043 acres, killed 22 people and resulted in the allocation of more than $200 million in federal and state recovery funds.

Earthquakes. The tectonic plates that form California's terrain are in constant motion, causing small earthquakes that can go unnoticed or large events that can result in tsunamis, landslides and flooding. Vulnerability to damage is a function of the magnitude and location of a temblor and the built environment where it occurs. Building codes for new buildings attempt to reduce the type of damage that has occurred in previous earthquakes. Scientists anticipate, however, that larger earthquakes will occur in the future, taxing current building standards. And although the State has required local jurisdictions to develop retrofitting programs for older structures, localities decide the extent of their programs and upgrades have not occurred in some areas.

In San Francisco, 70 percent of the most at-risk buildings have been eliminated, but in San Bernardino none have. And statewide, only half of the 1,100 local bridges needing seismic retrofitting have been upgraded. Since 1989, earthquakes have caused more than $56 billion in direct damage.

Other hazards. Between 1950 and 1997, the State declared some 400 emergencies for other events, including severe weather conditions or storms, drought, agricultural emergencies, energy shortages and landslides. The State's Multi-Hazard Mitigation Plan also discusses other threats that can activate the emergency response system, including terrorism, civil disturbances, freezes, pest infestations and hazardous material spills.

Sources: See page 89.

Standardized Emergency Management System (SEMS). In 1991, the Oakland Hills fires lasted three days, and destroyed some 1,600 acres, over 2,700 structures and killed 25 people. Damages were estimated at more than $1.68 billion.[22] Emergency management experts criticized the handling of the fires because disparate agencies were poorly prepared to work together. In response, State and local officials developed SEMS as a management structure for coordinating and integrating emergency

responses that involve multiple agencies and multiple jurisdictions. SEMS was developed to provide a standardized but flexible strategy for coordinating responses and integrating management efforts.[23]

SEMS can operate at five levels, though only the levels required to respond to a particular emergency are activated.

- ***Field:*** Refers to the incident level, where local officials manage responders and resources to meet needs. During large-scale events, there may be multiple field sites.
- ***Local:*** The local level refers to city, county or special districts. The local level coordinates and manages response within its jurisdiction.
- ***Operational Area:*** The operational area refers to the boundaries of a county. At the operational area, incident commanders manage response and serve as coordination and communication links between local and regional levels. Operational areas reflect county boundaries, but county officials do not necessarily lead operational area emergency management efforts.
- ***Regional:*** The State has six emergency management regions. The regional level coordinates information and resource movement among operational areas within the mutual aid region and between operational areas and the State.
- ***State:*** State resources are managed in response to the needs of other levels. State officials manage and coordinate assistance between the five local and state levels and the federal disaster response system.[24]

Regardless of the number of levels activated, the scale or complexity of the emergency, SEMS preserves local authority to manage the emergency response.[25]

Incident Command System (ICS). SEMS incorporates the Incident Command System, which was originally developed by the fire services to provide a standard system for managing emergencies. While SEMS governs how resources are requested, how emergency response is managed and how information is exchanged, the incident command structure provides a consistent framework and vocabulary for emergency management throughout the SEMS strategy. There are five primary functions within the ICS management structure:

State versus Local Authority for Emergency Response

California's Emergency Plan states that local agencies will retain operational control within their jurisdiction.

Under the Emergency Services Act, however, the governor is empowered to assume control of emergency responses.

During the electricity crisis of 2001, for example, Governor Davis and his staff considered invoking the Emergency Services Act to permit the State to assume operational control of privately owned power plants to ensure the maximum output of electricity. The State chose not to intervene in plant operations when state officials determined that state agencies lacked the staff to manage and operate the private facilities.

Source: State of California. September 2005. *Emergency Plan*. Also, Government Code Section 8567(a).

- ✓ ***Command:*** The incident commander (IC) is responsible for on-scene command of an incident or an event.
- ✓ ***Operations:*** Coordinated response in accordance with the Incident Action Plan, which is a written or oral plan drafted by the IC that establishes goals for emergency management strategy.
- ✓ ***Planning/Intelligence:*** The collection, evaluation, and documentation of information on the incident and resources.
- ✓ ***Logistics:*** Responsible for providing facilities, services, personnel, equipment and materials in support of the incident.
- ✓ ***Finance/Administration:*** Charged with all financial and cost analysis aspects of the incident.

Under SEMS, the incident command system can grow or shrink as the scale of an emergency expands or is reduced.[26]

Unified Command. As California developed SEMS, building on the existing incident command structure and mutual aid systems, fire and law enforcement officials expressed concern that proposed changes would disrupt their existing mutual aid strategies. As a result, under the emergency plan and SEMS, fire response, law enforcement response, and other responders, are each managed independently. Emergency management officials do not manage and cannot direct the work of fire, law enforcement or other responders.[27]

In some communities, depending on the structure of local government, emergency service operations are integrated into the operations of either fire or law enforcement agencies. Approximately 40 percent of emergency services operations are housed within law enforcement agencies. Some 30 percent of emergency services offices are part of fire agencies. And the balance, generally, are housed with the city or county administrative offices. In each instance, emergency services are integrated with those services with which they are co-located and co-administered.[28]

Under SEMS, emergency events that cross political jurisdictions or involve responders from multiple agencies are to be handled through a unified command structure. Unified command refers to leaders from multiple agencies working together to support common goals through an integrated response strategy.

National Incident Management System (NIMS). In 2004, the U.S. Department of Homeland Security released the National Incident Management System as a standardized incident response structure for emergency management across the nation. The federal government has required all states and local agencies that receive federal funds for

emergency response to adopt NIMS.[29] NIMS is based in large part on SEMS and the Incident Command Structure.[30] California's Emergency Plan, which is based on SEMS, complies with federal requirements for NIMS.[31]

State Emergency Preparedness Agencies

California has 42 agencies with leadership or supporting responsibilities for emergency preparedness. Additionally, each agency is expected to manage its own preparedness to continue operating during and following emergency and catastrophic events. Two state agencies stand out for their overarching responsibilities: The Governor's Office of Emergency Services and the Office of Homeland Security share responsibility for leading California's emergency preparedness efforts.[32]

Governor's Office of Emergency Services (OES). OES coordinates overall state agency response to major disasters in support of local government. The office is responsible for assuring the State's readiness to respond to and recover from natural, man-made and war-caused emergencies, and for assisting local governments in their emergency preparedness, response and recovery efforts.[33]

Office of Homeland Security (OHS). OHS coordinates the State's homeland security activities and is charged with developing a comprehensive state homeland security strategy that includes prevention, preparedness, response and recovery.[34]

The following agencies have lead responsibilities for specific emergency services:

California Military Department. The Military Department is responsible for the command, leadership and management of the California Army and Air National Guard and five other related programs.

Department of Health Services (DHS). DHS is the lead state agency for bioterrorism and other health related threats, such as West Nile Virus, food borne disease and pandemic influenza.

Emergency Management Services Authority (EMSA). EMSA provides medical resources to local governments during emergencies, including the deployment of medical supplies and personnel from unaffected regions of the state to meet the needs of disaster victims.

Department of Transportation (Caltrans). Caltrans is the lead agency for providing transportation support during emergency responses, assessing route conditions, supporting recovery efforts for the transportation network and supporting movement control.

California Highway Patrol (CHP). The CHP coordinates interstate highway movement and would manage evacuations in coordination with Caltrans.

Department of Social Services (DSS). DSS is charged with coordinating state resources to provide care and shelter during emergencies.[35]

Meeting the Needs of Vulnerable Populations

Hurricane Katrina revealed that many community members lack the means to evacuate, or provide for their own shelter. The federal government has called for improved planning and procedures to ensure the safety of vulnerable populations.

While some California communities have identified vulnerable populations and have designed emergency response strategies to meet their unique needs, others have not. The State assigns this responsibility to local governments or private agencies. For instance, licensed care providers are required to develop evacuation plans for their residents. But Katrina revealed that many care providers lacked familiarity with emergency strategies and may not be best suited to develop evacuation plans or make evacuation decisions. Even public hospitals in New Orleans failed to anticipate the scale of devastation and appropriately evacuate.

California's Vulnerable Populations

- Close to 5 million elderly
- Almost 4.5 million disabled
- Approximately 5 million living in poverty
- 3.5 million with limited or no English ability

There are real concerns that wide-scale emergencies will overwhelm the ability of specialty transport companies to evacuate medically fragile or other populations with special needs. Parents certainly are concerned that public agencies be prepared to reunite parents and children who would be isolated during catastrophic events that occur when large numbers of children are in school or otherwise away from home and their families. And the large number of languages spoken in California will further complicate efforts to provide services to residents during the chaos of a catastrophe.

OES reports that it has begun statewide evacuation planning efforts for vulnerable populations, but state officials report that "individuals with no resources and no equipment or supplies could...overwhelm local and state resources." The public and policy-makers must be assured the plans and resources in place are adequate. And they must be assured that provisions to reunite children and parents and to provide services in the languages of residents will work in the chaos of a crisis.

As part of disaster planning, the State must require that emergency management officials know where vulnerable individuals live and work, and develop plans for ensuring their needs will be met in a catastrophe. Regions should inventory the location and needs of vulnerable individuals, create confidential registries for elderly, disabled people and other special needs populations, and partner with community groups, churches and neighborhood groups to ensure that vulnerable residents are not unduly impacted by a catastrophe.

Sources: See page 90.

Preparing for Catastrophic Events

Finding 1: Despite known risks, California is unprepared to respond to a catastrophic emergency.

For years, experts have documented California's risks for catastrophic emergencies. And they have called for improved preparedness. But the State has not put in place a catastrophic response strategy or a plan to implement that strategy. The Governor's Office of Emergency Services is charged with assuring California's readiness for catastrophic events and for leading recovery efforts.[36] But OES officials admit that the California Emergency Plan is inadequate to address catastrophic events.[37] The State has reported that "a catastrophic event could overwhelm current emergency plans, the resources of local government, and the capability of the state's mutual aid system."[38] Yet the department has not built the organizational and management capacity needed. Nor has the department made needed investments in training and exercises to ensure that California's elected leaders, emergency management officials and communities are prepared. And OES has failed to design a recovery strategy to guide the rebuilding of California's communities and economy following a devastating event.

"A catastrophic event could overwhelm current emergency plans, the resources of local government, and the capability of the state's mutual aid system."

OES is Charged with Leadership, but Defines its Mission as Coordination

California's Emergency Services Act empowers the governor to tap every dollar, every resource and every authority of the State to ensure that Californians and their property are secured from the risks of catastrophic events.[39] That authority is housed in the Governor's Office of Emergency Services.

Under the law, the governor is authorized to unilaterally suspend statutes and regulations that hinder emergency response and issue new rules that have the effect of law.[40] He is authorized to use any state resource to prepare for emergencies and respond. The law empowers the governor to commandeer private facilities, equipment and personnel necessary to support California's safety. And he is authorized to work with the president of the United States, federal agencies and the armed forces to ensure preparedness.[41]

Emergencies, Disasters and Catastrophes

Despite no consensus on definitions for these terms, experts report that emergencies, disasters and catastrophes differ on more than just scale. Each requires unique response strategies as a consequence of their impact on communities and how emergency responders and resources must be mobilized. The most challenging of events are catastrophes.

Catastrophes stand apart. During catastrophes, most or all infrastructure is damaged and may be inoperable. Residents in impacted communities – including emergency responders – are unable to undertake normal roles. Large numbers of residents and responders are victims. Most or all traditional functions – including government operations – are completely or partially shut down. Local mutual aid strategies are ineffective, because of the distribution of impacts on neighboring jurisdictions and communities. The loss of water and sewer services and local law enforcement and interruptions in the supply of shelter, food and medical care create additional victims even beyond those impacted by the original event.

Catastrophes require different operating procedures. The loss of functional infrastructure halts the use of traditional communication, transportation and power networks. Local responders familiar with community needs and resources often are unavailable, necessitating reliance on external responders with little knowledge of local geography, cultures and possibly languages. Resource demands far outstrip supplies, creating competition and political pressure for scarce response capacity. Reliance on an expanding circle of mutual aid networks results in far more complex management challenges to integrate disparate areas of expertise, equipment, policies and procedures, and response strategies. The scale of impacts and the number of responders involved increases errors in assessments and conflicting information regarding needs and resources.

Catastrophes require regional, statewide or federal authority. The scale of impacts during catastrophes, the number of responders required, the political jurisdictions affected and the range of organizations called upon to respond, require a regional, statewide or national authority to manage. Local officials generally cannot manage catastrophic response because the authority needed to do so exceeds their jurisdiction.

Sources: E. L. Quarantelli. 2000. "Emergencies, Disasters and Catastrophes are Different Phenomena." See endnote 73. Scott Wells, Federal Coordinating Officer, Louisiana Hurricanes Katrina and Rita. December 8, 2005. Testimony before the Senate Homeland Security and Governmental Affairs Committee. See endnote 72.

The vast powers of the governor to protect state residents include the authority to require local emergency plans, to approve those plans, to put in place training and information programs, pre-position supplies, survey the assets of industry that could be tapped and order tests and exercises to ensure that emergency preparations are adequate to the task.[42]

To marshal these powers, the State established the Governor's Office of Emergency Services and vested it with powers beyond those of other agencies. OES can direct the work of other state agencies – during emergencies and in advance. OES is instructed to work with local and federal governments and the private sector to leverage their assets to meet needs. And while the California Emergency Plan prioritizes local control, OES is authorized to take "such actions as are necessary and proper" to protect against risks.[43]

Yet despite these vast powers, the State is not prepared for the risks it faces.

California Lacks a Catastrophe Response Plan

The Legislature empowered the Office of Emergency Services with tremendous authority. But it has not used that authority to ensure that California is prepared for a catastrophic event. OES largely defines its role as coordinating resources in support of state and local agencies.

1. State agencies are ill prepared. In its application for federal funds, the State has sought $26 million to prepare catastrophic plans. In its application, the state recognizes that "current planning efforts and plans do not adequately address responding to events that overwhelm both local and state capacity and the extraordinary measures required for response and short- and long-term recovery."[44] But there is no guarantee the federal government will respond positively to the State's request and OES has not begun to use its existing authority to address this deficiency.

OES currently has "tasking authority" over other state agencies, which it can use to ensure they are prepared and can respond when needed.[45] But that authority has not been employed.

"[C]urrent planning efforts and plans do not adequately address responding to events that overwhelm both local and state capacity and the extraordinary measures required for response and short- and long-term recovery."

The California Emergency Plan identifies multiple state agencies engaged in emergency response, but many of those agencies will be unable to meet their responsibilities. The Department of Mental Health has binders of preparedness plans, but is only marginally prepared to ensure the safety of the nearly 5,000 Californians that reside in state hospitals.[46] The law permits the governor to task the department's 9,600 employees to support catastrophic response, but those employees have never been trained or practiced how their skills would be deployed.[47]

The Department of Social Services (DSS) is the lead agency for the essential function of providing mass shelter and care during emergency events.[48] But DSS's plans would likely fall apart during a catastrophic event. DSS has agreements in place with the American Red Cross to open and operate shelter sites.[49] The Red Cross can accommodate between 60,000 and 100,000 evacuees.[50] But when additional capacity is needed, DSS must implement its shelter plans.[51]

The DSS mass shelter and care plan calls for DSS and 21 other state agencies to house, feed, clothe and respond to the medical needs of people in shelters. Under the plan, the Department of Corrections and Rehabilitation is responsible for providing soap and other personal care goods to people in shelters. Cots, blankets and pillows are to be provided by the departments of Corrections and Rehabilitation, Developmental Services, Veterans Affairs and the Prison Industry Authority.[52] But in

Public Health and Medical Surge Capacity

In 2003, the Little Hoover Commission reviewed California's public health system. The Commission found that public health was the weakest link in California's emergency preparedness and homeland security system. Three years later, those concerns remain. The State has only begun to put in place a preparedness strategy for public health. The State must address integration issues between public health and emergency services. Local agencies have not integrated their public health capabilities into their overall emergency management strategies. Despite recent efforts, the State's ability to handle a pandemic outbreak is in question. And public officials have not put in place strategies to provide medical surge capacity during emergency or catastrophic events.

Responsibility for addressing these challenges is diffused among several state agencies and appointees, a surefire strategy to limit progress. The State and local leaders must take on these challenges. The governor must designate an individual to address these deficiencies. The Legislature must provide the authority and resources to get the job done. And community leaders must make it clear to policy-makers that lack of progress is unacceptable.

In its report, the Commission recommended the following strategies to improve preparedness:

- ✓ *Create a Department of Public Health.*
- ✓ *Establish a scientific public health board.*
- ✓ *Appoint and empower a single leader for public health and medical response.*
- ✓ *Set minimum preparedness standards for local health agencies.*
- ✓ *Refine and rehearse command and control procedures.*
- ✓ *Include the private sector and other partners in preparedness activities.*
- ✓ *Ensure surge capacity for medical response*.
- ✓ *Ensure adequate resources to address core needs.*

If enacted, proposed legislation would implement several of the Commission's recommendations, including creating a separate Department of Public Health and establishing a scientific public health board. The governor recently announced his support for creating a new Department of Public Health.

Source: Little Hoover Commission. April 2003. *To Protect & Prevent: Rebuilding California's Public Health System*. Also, SB 162 (Ortiz). February 8, 2005. Also, Governor's Press Office. April 18, 2006. *Governor Schwarzenegger Announces New Reforms to Enhance California's Emergency Preparedness*.

reality, those agencies report that they can only open their facilities to evacuees or make their grounds available as campsites.[53] The State does not have a reserve inventory of bedding, tents or other materials to address shelter needs. The Prison Industry Authority reports that it could ramp up production of mattresses and other materials in response to a catastrophic event, but only if its workforce – the prison population – were available to do the work.[54] Nor does DSS have the authority or resources to buy, manage and pre-position needed materials.

And despite investing more than $35 billion annually in health care and medical delivery systems, the State has not developed the medical surge capacity needed to respond to emergency events.[55] In a previous report, the Commission documented the limitations of California's public health and medical surge capacity.[56] And the Governor's Office recognizes the ongoing need for improvement in these areas.[57]

Nor has the State taken advantage of its emergency services advisory body. California created an Emergency Council during the Cold War to advise the governor on emergency preparedness, approve emergency plans and orders, and to ensure that agencies are adequately prepared. But the council has not met regularly in the past decade. Governor Schwarzenegger has indicated his willingness to convene the council.[58]

California Emergency Council

As currently established in statute, the membership of the Emergency Council includes:

- Governor
- Lieutenant Governor
- Attorney General
- President pro Tempore of the Senate
- Speaker of the Assembly

Five gubernatorial appointees representing:

- City government
- County government
- American Red Cross
- City or county fire services
- City or county law enforcement

Source: Government Code 8575-8582.

The council has an advisory role, and it serves as a reasonable but limited check against the unilateral authority of the governor to waive rules and regulations and issue orders that have the effect of law. But the current membership does not ensure that the council is expert, nor does it achieve the independence needed to guide policy and practice. Membership does not include the range of emergency management and preparedness experts. None of the appointments require expertise in prevention and mitigation. And the private sector is not represented.[59]

2. State-federal agreements are not in place. The law specifically calls for OES to work with its federal counterparts to put in place an emergency preparedness strategy.[60] But the State has not developed formal state-federal partnerships that clarify the role of federal agencies and the federal resources that California could call upon in response to catastrophic events. Like Louisiana, California can call upon the federal government for assistance as outlined in the National Response Plan. But Hurricane Katrina demonstrated the limitations of that strategy. And Matthew Bettenhausen, the director of the California Office of Homeland Security and a former director within the U.S. Department of Homeland Security, told the Commission that he was not clear on what federal emergency assistance would be available to California during an emergency event.[61] Further, officials with the California Department of Social Services have complained that the federal government has been unwilling to indicate whether Californians could rely on federal military bases as staging grounds for evacuees.[62] And local officials told the Commission that despite significant military assets stationed in California, their availability is unreliable because their first priority is meeting the needs of national defense.[63]

Similarly, in congressional testimony, federal officials reported that federal response to catastrophic events is inadequate, particularly in how the military could be tapped to supplement civilian response capabilities.[64] And the White House report on Hurricane Katrina

Accessing and Integrating Military Response Capacity

Some 50,000 National Guard and 22,500 active-duty military troops provided essential services in response to Hurricane Katrina. The California National Guard deployed over 1,000 troops to support emergency response. But state and federal military leaders reported a number of challenges that must be addressed to improve response to a catastrophe.

Improved integration of military and civilian response capabilities. Military officials have called for improved planning, joint training, interoperable communication strategies and better inter-governmental coordination to improve the effectiveness of military response to emergencies.

Improved integration of National Guard and active-duty forces. During Hurricane Katrina, active-duty military and National Guard commanders lacked situational awareness across the forces. And federal rules governing the use, command and cost allocations for active-duty and National Guard troops disrupted efficient deployment and slowed response.

California must clarify whether the State can rely on military forces to support emergency response, what assets are available through the military and how to best integrate the full capabilities of the National Guard and active-duty troops into an integrated emergency response strategy. A number of states have consolidated emergency management and National Guard leadership, a strategy California could explore for catastrophic response.

Sources: See page 90.

highlighted numerous challenges that would need to be addressed before any state – including California – could rely on the federal government to manage a catastrophic response.[65]

3. Private-sector contracts have not been developed. The public sector alone is incapable of meeting California's preparedness needs. The private sector has vast stores of medical supplies, building and construction materials, food, water and other goods that would be essential following a catastrophic event. Further, private businesses own and operate fleets of heavy equipment, buses, boats, planes and other resources – along with the personnel to operate them – that could be deployed to support rescues, evacuations and recovery. And many companies are expert in the management and deployment of these resources.

The Office of Emergency Services is empowered to enter into contracts to ensure that adequate supplies and materials are available for catastrophic response.[66] But OES has not done so. State officials cite contracting rules that tie their hands.[67] But OES has the authority to task the State's lead contracting agency – the Department of General Services – to determine whether legal barriers would impede such contracts, and if so to develop strategies to overcome those barriers.[68] But OES has not pursued that task. And as a result, OES cannot ensure that private sector materials would be available in response to a catastrophic event.

David Vucurevich, vice president for pharmacy purchasing for Rite Aid Corporation, told the Commission that his company is available to support California's preparedness needs. During Hurricane Katrina, the federal Centers for Medicaid and Medicare Services called upon Rite Aid, WalMart, Target and other pharmacy providers to ensure that recipients of federal medical support who were impacted by the storm received the services they needed.[69] However, the lack of preplanning and contingency contracts impeded the ability of these corporations to serve the communities along the Gulf Coast.[70]

Rite Aid is California's largest pharmacy chain. But no state agency has contacted the company to ensure that its resources would be available to meet the needs of evacuees or victims of a catastrophic event.[71]

4. OES has no strategy to assume control during a catastrophic event. A central lesson from Hurricane Katrina is the need for state and local agencies to plan and prepare for catastrophic scenarios where local governments would be overwhelmed or incapacitated. And catastrophic response differs from the response to the "typical" emergencies that impact the state. Scott Wells, the federal coordinating officer for Louisiana during Hurricanes Katrina and Rita, testified before Congress that "all disasters are local – disasters start at the local level and disasters end at the local level." But he asserted that the standardized emergency response system does not work for large events. "[I]t falls apart for a catastrophic disaster."[72] Enrico L. Quarantelli, professor emeritus at the Disaster Research Center, argues similarly that catastrophic events are qualitatively different from the high frequency emergencies around which the emergency preparedness system has been designed. The scale of devastation destroys the foundation of local government, which is the base upon which the emergency management system is built.[73]

"One of the most common mistakes in an emergency preparedness program is poor management structure. Not knowing who is in charge and under what circumstances, and who has what responsibility inevitably creates chaos."

OES Director Henry Renteria and former OES Director Richard Andrews told the Commission that despite provisions in California's emergency plan to preserve local control of emergency response, the State has the authority and responsibility to assume control of emergency management when local agencies are overwhelmed or unavailable.[74] Armed with this blanket authority, state officials charge that the State is adequately prepared to step in when local governments are overwhelmed.

But the State has not planned for how it would assume control of emergency response or conducted exercises to deploy that authority. OES points out that the California Emergency Plan provides a framework for response but does not specifically address catastrophic events.[75] And

the State has not identified emergency management leaders for the task. In its federal grant application, the State recognized that "[o]ne of the most common mistakes in an emergency preparedness program is poor management structure. Not knowing who is in charge and under what circumstances, and who has what responsibility inevitably creates chaos. Lines of succession are critical."[76] But the State has not clarified those lines of succession. Nor has the State outlined how it would help local agencies recover and how it would transition emergency management back to local control.

5. The State has not put in place a training and exercise strategy to ensure preparedness. OES is explicitly authorized to ensure that state and local agencies are sufficiently prepared.[77] Experts report that training is essential to preparedness and realistic exercises are the single most reliable strategy to ensure preparedness.[78] But California does not have a unified training strategy to ensure that emergency managers and responders have the skills and experience needed to manage a large-scale emergency event. And although the State and local governments invest millions in a testing and exercise program – Golden Guardian – the effort is widely regarded as inadequate.

California's Golden Guardian program is the State's primary training and exercise program for large-scale emergencies.[79] The training exercise is funded and managed through the Office of Homeland Security.[80] During Golden Guardian 2005, OHS deputy director for training and exercises, Colonel Emory Hagan, told the Commission that many agencies complain that they are not benefiting from Golden Guardian. He commented that agencies must invest their staff and time for training and exercises to be relevant.[81] But several departments told the Commission that OHS has consistently denied their requests to expand the exercise away from terrorist attacks toward more probable events – including earthquakes.

In planning Golden Guardian 2005, it was suggested that state operated shelters be opened to test the shelter and care plan. OHS reportedly turned down the proposal. And local officials reported that Golden Guardian requires them to unfurl their fire hoses and turn out their police and sheriff's forces, but does little to provide realistic and challenging tests of their personnel and equipment.[82]

And as the State prepares for Golden Guardian 2006 in November, state and local officials have sought support for an exercise that tests California's ability to respond to a large-scale earthquake in the Bay Area. Experts predict a massive seismic event will hit the region in the next 30 years.[83] But OHS has reportedly insisted that the Golden Guardian exercise must concentrate on response to a terrorist attack.[84]

California's core training strategy also is deficient. High-quality training is a proven strategy to extend capabilities and improve the efficiency and effectiveness of emergency response. Leon Panetta, the former chief of staff to President Clinton and former director of the U.S. Office of Management and Budget, testified before the Commission that California has a nationally recognized training center, but diminished support has rendered the center "essentially ineffective."[85]

Since 2000, state support for the State Training Center operated by OES has declined by 60 percent.[86] Much of that funding has been made up by increased support from local governments. But overall, fiscal support for training has been stagnant, despite the increased risks associated with growing populations living in vulnerable areas, the potential for flu pandemics, the increasing complexity of emergency response associated with SEMS and the National Incident Management System, and other challenges.

And regional OES officials report that vacancies and low staffing levels prevent the OES regional offices from providing the training and support that local officials need to become well-versed in the demands of California's Standardized Emergency Management System or the National Incident Management System. Local officials further commented that although large cities and counties may have the resources to meet training needs, California's small communities have largely been unable to fund and staff necessary training events.[87]

The State Must Develop Capacity for Catastrophic Response

California must reclaim its stature as an international leader in emergency preparedness and put in place a catastrophic response plan. The threats facing the State are too real and too large to ignore.

1. A plan for takeover of local emergency management is needed. The failed and delayed response to Hurricane Katrina revealed the need to put in place policies and procedures for when local agencies are overwhelmed. Some local emergency managers charge that state takeover would be unwise and local government should instead rely on continuity plans that determine how local agencies are to be governed during catastrophic events.[88] Experts argue that provisions for a catastrophic response must be prepared in advance, agreed upon and practiced.[89]

The Government Code outlines the following authorities of the governor and the Office of Emergency Services to ensure the adequacy of emergency response:

- ✓ Direct the work of all state entities and employees and deploy any property, services and resources of the State to meet needs.
- ✓ Unilaterally make, amend, rescind and enforce orders and regulations that have the effect of law.
- ✓ Pre-position food, clothing, supplies, medicines, equipment and other materials that will be necessary in an emergency.
- ✓ Contract with, assign responsibilities to, and commandeer the property or personnel of public and private agencies.
- ✓ Recruit, train and utilize volunteer workers to address needs.
- ✓ Leverage the resources of other states, the federal government and the armed forces.

Building Catastrophe Management Teams

In response to large wildfires, the Department of Forestry and Fire Protection (CDF) has developed rapid-response Incident Management Teams (IMTs) that can be deployed to support local incident commanders. Made up of certified emergency managers, IMTs provide logistical, management and firefighting expertise. For non-fire emergencies, the IMTs can provide specialized assistance.

When calls for mutual aid exceed response capacity, CDF and OES turn to a Multi-Agency Coordinating System (MACS) to prioritize requests for assistance and ration resources. Under MACS, the coordination team includes representatives from the agencies involved in response to specific events. When needed, the State also can activate an Area Command Team (ACT) to coordinate aid across multiple incidents.

But California has not built on the strategic value of these structures and strategies to develop catastrophe response teams that could be called upon during a large-scale event. To fortify the State's capability, it must put in place rapidly deployable catastrophe management teams. Each team should be led by an experienced, trained and certified state emergency management leader who reports to the director of the State's lead emergency services agency. Team leaders should possess the following capabilities:

- ✓ Ability to exercise the authority of the governor in marshaling public and private resources.
- ✓ Authority and skills to manage and integrate all emergency response personnel and resources, including fire, police and public health.
- ✓ Access to equipment and personnel needed for situational awareness of unfolding events.
- ✓ Capacity and authority to identify and prioritize needs and manage mutual aid responses.
- ✓ Ability to secure self-reliant communications, even when local communication networks are lost.
- ✓ Expertise to manage logistics and supply chain strategies to meet needs.
- ✓ Authority to call for and manage mass evacuations when necessary.

Modeled on IMTs, membership should include experts in the following essential areas:

- ✓ Emergency management
- ✓ Law enforcement
- ✓ Fire services
- ✓ Public works
- ✓ Medical response
- ✓ Public health
- ✓ Local government management
- ✓ Financial management

To support these teams, the State must:

- ✓ Provide appropriate training and exercises.
- ✓ Implement professional development programs for emergency management leaders.
- ✓ Develop a certification program to identify potential leaders.

Sources: Chief Kevin Olson, Deputy Chief, Operations, Sacramento Headquarters, California Department of Forestry and Fire Protection. March 21, 2006. Personal communication. California Geographic Area Coordination Center Operations Temporary Web Site. http://www.fs.fed.us/r5/fire/south/fwx/operations/teamsites.html. Accessed March 20, 2006. "National Type I Interagency Incident Management Teams and Regional GACCs. http://www.wildlandfire.com/docs/IIMT.htm. Accessed March 15, 2006. Firescope California. June 2004. *Field Operations Guide*. ICS 420-1. http://www.firescope.org/ics-8x11-fog.htm.

- ✓ Ensure that adequately trained and equipped personnel can be rapidly deployed anywhere in the state.[90]

But the State must put in place a plan and a strategy for using those authorities to meet needs.

2. Leadership roles and qualifications must be outlined in advance. Hurricane Katrina revealed the folly of inadequate leadership and the White House has called for building catastrophic emergency management teams with the skills, training and experience to respond to events on the scale of Hurricane Katrina.[91] While state officials argue they have the authority to put emergency management teams in place, the State has not developed on-call catastrophe management teams to lead emergency response. Nor has it put forth training and certification standards for catastrophic response managers or designed professional development programs necessary to build leadership capacity. To improve outcomes, the State must put in place strategies to ensure the State has the leadership and management capacity to command the response to catastrophic events.

3. Policies must be in place to communicate state authority to local agencies and the public. Confusion in the Gulf Coast following Hurricane Katrina impeded effective response. State police prevented federal contractors from entering the region. Emergency responders were denied access to fuel supplies. And emergency managers were required to obtain multiple identity cards and access passes issued by federal, state and local agencies.[92] In the absence of planning and exercises, during a catastrophic event, California may repeat these same mistakes. The State has never exercised its authority to command catastrophic response, and thus no plans are in place to communicate its decision to assume control to local and federal officials, emergency responders and the public. California must develop and implement policies and programs to ensure that local, state and federal officials recognize the State's authority when it assumes control of catastrophic response.

4. Contingency plans are required for efficient, effective catastrophic response. Hurricane Katrina demonstrated that policies and procedures developed during times of calm can impede emergency response. Complex and protracted contracting requirements, decision-making procedures and licensing and bonding rules can hinder response. The Emergency Services Act empowers the governor to suspend rules and regulations and issue new rules that have the effect of law. And the law allows the governor to develop those rules in advance, with review by the Emergency Council.[93] But those rules are not in place.

In Southern California, local officials reported that they hoped the governor would issue advance emergency orders to streamline licensing procedures so that health care professionals from other jurisdictions would not be barred from providing services in the event of a disaster.[94]

In the absence of those orders, local emergency planning must abide by all existing laws and regulations governing emergency medical services.

But the State has not put in place the needed procedures for catastrophic response. The eight existing emergency orders fail to provide the guidance that emergency managers need in a catastrophe.

Contingency Plans for Catastrophic Response Must be Enhanced

The following contingent orders are currently in place, but they provide insufficient guidance:

- ✓ Regulations governing periods of appointment for emergency appointments are waived.
- ✓ All available drugs and medical supplies shall be accessible for emergency response.
- ✓ Employment rules are waived to permit cash compensation to expedite emergency operations.
- ✓ Bonding requirements for state contracts are suspended.
- ✓ Zoning, public health, safety, or intrastate transportation laws which impair the provision of temporary housing are suspended.
- ✓ Petroleum stocks shall be available to support emergency response and mitigation.
- ✓ Banks will support emergency measures issued by state banking authorities.
- ✓ Statutes governing the location of portable cellular equipment and facilities are suspended.

The State must identify the barriers to efficient response revealed by Hurricane Katrina and develop contingent orders based on lessons learned, including provisions to:

- ✓ ***Ensure an adequate management strategy.*** The State must develop policies and procedures to put in place a management strategy to marshal the full authority and capacity of the State.
- ✓ ***Build and empower the teams needed to manage response.*** The State must build response teams capable of stepping in when local authorities are overwhelmed or unavailable. And the State must put in place contingency orders to empower those teams to manage emergency response.
- ✓ ***Develop an adequate communications strategy.*** The State must put in place a strategy to declare its decision to assume control of emergency response, and to communicate with local officials, the public, federal officials and the many other partners who will be involved with catastrophic response.
- ✓ ***Deploy sufficient resources.*** The State must ensure that emergency managers and responders have unimpeded access to needed public and private resources during a catastrophic event.
- ✓ ***Streamline access to key commodities.*** The State must ensure that supplies are pre-positioned or otherwise available to meet the need for cash, fuel, water, ice, food, and other essential goods.
- ✓ ***Provide information to families and evacuees.*** The State must develop and implement a strategy to post and share information on evacuees, victims and displaced individuals to permit the rapid reuniting of families affected by emergency events.
- ✓ ***Remove barriers to appropriate response.*** Numerous rules will impede catastrophic response, including restrictions on licensing, information sharing, bonding and contracting requirements and other concerns revealed by Hurricane Katrina. The State must put in place a strategy to ensure that it can tap medical personnel, volunteers, and other resources necessary to save lives and prevent greater harm to families and communities.

Source: Orders and Regulations Which May Be Selectively Promulgated by the Governor During a State of Emergency. On file.

For catastrophic response, the State must develop appropriate policies and procedures – and do so in advance – to implement its vast authority to streamline decision-making and support emergency management. In developing contingency orders, the State must explore legal and other barriers that could hinder adequate response, particularly in the areas of California's criminal justice system, such as the movement and management of prisoners, sexually violent predators and others whose movements are heavily regulated. Those explorations must involve the Attorney General, the courts and other state, local and federal officials.

5. Analysis and strategy must guide policy and practice. To improve catastrophic response, the public, policy-makers and administrators need to understand how the existing emergency response strategy and resources would function during a catastrophic event. A gap analysis is one mechanism that can compare strategies and performance against best practices or potential performance and can guide policy, organizational reforms and funding decisions.

To undertake a gap analysis, the State must do the following:

- ✓ ***Define clear goals.*** Although standards for emergency preparedness do exist, such as those developed by the Emergency Management Accreditation Program, the state of Oregon's emergency preparedness benchmarks and the federal government's benchmarks, those standards may not be adequate or appropriate for California's emergency preparedness needs. Policy-makers must be clear on what they hope to accomplish.
- ✓ ***Identify issues to review.*** The adequacy of emergency preparedness may be determined by a number of organizational factors, including leadership capacity, organizational design, distribution of responsibilities between state and local agencies, adequacy of funding, regulatory and related incentives, management strategies or public policy. Additionally, adequacy may be related to issues of strategy, such as the availability of training, exercises or equipment, the comprehensiveness of plans, mutual aid agreements, interoperable communications, etc. Policy-makers must determine which issues are to be reviewed.
- ✓ ***Identify information to be collected.*** The data and other information that are collected will determine the quality of the analysis. California lacks clear benchmarks for preparedness and thus there are no agreed upon indicators for preparedness. A gap analysis requires a rigorous process for selecting data that will serve as valid and reliable indicators of preparedness.
- ✓ ***Determine how performance will be assessed.*** Gap analyses often assess the current level of effectiveness against a desired level of effectiveness and outline the cost to meet that target. But the State

lacks a clear baseline or benchmarks for determining effectiveness or cost information. Thus policy-makers will need to determine how data will be interpreted and how to assess effectiveness.

- ✓ ***Build support for analysis and implementation.*** A quality gap analysis will help organizations looking to improve performance. But decision-makers must recognize the need to improve and they must be open to the analysis. In seeking a gap analysis, policy-makers must build support for the process, analysis and recommendations.
- ✓ ***Use analysis to guide strategic planning***. A gap analysis alone will not address California's deficiencies. A quality gap analysis must be followed with a strategic plan to learn from the analysis and put in place policies, resources and procedures to improve preparedness.

6. *Training must include senior officials.* The public and emergency managers must have confidence that elected leaders understand their roles and responsibilities during emergency events. Brent Woodworth, Worldwide Segment Manager for the IBM Crisis Response Team testified that senior government leaders must be highly visible, speak with a single voice, demonstrate control, knowledge and confidence to maintain public trust and cooperation.[95]

In Oakland, the Commission met with local elected leaders who commented that they often are unaware of the provisions of emergency plans, what resources they can rely on the State to provide and the role of the federal government during catastrophic events.[96] An executive-level training and preparedness exercise conducted at the national level revealed similar concerns, even among highly trained federal leaders.[97] But California emergency management leaders told the Commission they were unaware of the last time the governor, the attorney general, other constitutional officers, legislative leaders and the governor's cabinet were involved in a training exercise for emergency preparedness.[98]

And emergency managers point out that the challenges of responding to the demands of elected leaders – because of inadequate awareness of emergency preparations or calls for special favors for friends and family members – complicate efforts to manage essential response functions.

Exercising Executive Decision-Making

In 2005, the Center for Strategic and International Studies conducted an exercise to test what is needed for executive branch leaders to respond effectively to terrorist attacks within the U.S. The exercise indicated that elected leaders and top agency officials must be fully engaged in preparing for emergencies, understand their roles and responsibilities, and have the right information and decision tools to understand the implications of their decisions.

To ensure that California is prepared for a catastrophic event that requires tapping the full authority and resources of local governments, the private sector and the State and the federal government, emergency management officials must put in place a training and exercise strategy for state leaders. That strategy must ensure that the governor, the Legislature, other constitutional officers – particularly the attorney general and the insurance commissioner – and senior administration officials understand their roles and responsibilities and are prepared to respond to a catastrophic event. It should ensure that emergency response structures, plans and information flow support their ability to make effective decisions for the State.

Source: Center for Strategic and International Studies.

Managing Transformational Change

In 2004, in response to the governor's efforts through the California Performance Review, the Commission brought together national experts experienced in managing reforms in other states, the federal government and other nations. These experienced leaders and researchers were asked to identify the elements necessary to reform and reorganize state operations. They identified the following components of successful efforts to bring about transformational change:

1. ***Leadership must be forceful and sustained.*** Reform efforts must be led by the governor and cannot be stalled by daily challenges. In exercising leadership, the governor needs to establish support within the Legislature for reform. And he must designate a champion – someone skilled in the culture of government and the process of managing change – who speaks with the authority of the governor and has the respect of the Legislature to manage the effort. That champion must have day-to-day responsibility for planning and implementing reforms.
2. ***Goals and purpose of reform must be clear.*** Successful reforms require agreement between the Legislature and governor on the problems to be solved and the results that are expected. To enlist the support of the public, results must be defined in terms of meaningful outcomes that affect communities. Reforms in emergency services must make communities safer and reduce public liabilities.
3. ***Strategic priorities should be established.*** In transforming how the State manages emergency services and homeland security, the governor must set priorities and achieve early successes to sustain the commitment to change.
4. ***Productivity and performance are key.*** Reforms must target outcomes, and they must capture improvements in productivity. Spending more to achieve more is not the goal. Achieving more with the resources that are available is the goal.[1]

To transform emergency services and homeland security operations, the governor must designate a reform and management team to lead and manage the reform process, build support within the Legislature, the administration, the emergency services community and the public.

The Office of Emergency Services is California's primary emergency services leader, but the department has limited resources, insufficient political capital and inadequate staff for the job. Despite its mandate, the department has not been able to monitor the adequacy of preparedness across the executive branch or throughout local agencies, it cannot require improvement plans and it lacks the political capital to create consequences for state departments or local agencies that fail to meet their obligations.

Source: Little Hoover Commission. December 2004. *Historic Opportunities: Transforming California State Government.*

Recommendation 1: The State must put in place a comprehensive strategy for responding to a catastrophic event, and it should seek the assistance of independent consultants to guide that strategy. Specifically, the governor and Legislature should:

- ***Identify a clear chain of command for catastrophic response. California needs a clear chain of command that it can call upon for exercising state authority during catastrophic events.*** That command structure – under the direction of the governor, supported by the emergency services director and implemented by a catastrophe management team leader – must integrate the resources of local, state and federal agencies, communities and the private sector. Particular attention should be paid to integrating the response capabilities and resources of the National Guard and active duty military forces into California's preparedness strategy.
- ***Establish catastrophe management teams.*** By their nature, catastrophes will overwhelm local resources and management capacity. Catastrophe management teams, under the command of the most experienced and capable leaders, and with the full authority of the governor, must be trained, available for rapid deployment and able to integrate local, regional and statewide responses with non-profit, private sector, federal, military and international aid. Criteria must be developed for when and how the State deploys its teams and assumes control of emergency response.
- ***Fortify the California Emergency Council.*** The membership and functions of the council should be reformed. The council should be independent and advisory to the governor and Legislature.
  - ✓ ***Membership.*** Appointments should be made by the governor, Senate and Assembly and include representatives of state and local agencies, the private sector and non-profit organizations, academic experts and the public. Membership should reflect the various disciplines involved in emergency preparedness, including emergency services, law enforcement, fire fighting, public health, mass shelter and care and others. Specific attention should be paid to the appointment of individuals with expertise in mitigation and prevention strategies.
  - ✓ ***Function.*** It should be tasked with managing a gap analysis, advising the State in preparing a strategic plan, and monitoring performance. To support its operation, the council should be funded with a small but capable staff. The reformed council should not have approval authority over contingent orders established in advance of emergencies; instead that authority should be vested with the Legislature and the Joint Legislative Budget Committee.

- ***Establish an interagency council charged with integrating emergency preparedness throughout state departments.*** Led by the State's lead agency for emergency preparedness, with membership that includes agency secretaries and department directors, the council should guide strategic planning, assist in the planning and management of emergency exercises and ensure emergency preparedness is a priority for all state agencies.
- ***Establish a reform and management team.*** Using executive authority, the governor should appoint a management team to transform emergency preparedness. Led by the governor's point person for emergency preparedness, and working in concert with federal, local, private sector and non-profit partners, the reform and management team should be charged with implementing the internal reforms recommended throughout this report.
- ***Contract for an independent gap analysis.*** Informed by the lessons from Hurricane Katrina, the State should contract with an independent consulting firm for a gap analysis to assess the strengths and vulnerabilities of California's emergency preparedness system for a catastrophic event and the projected costs to address those vulnerabilities. The gap analysis should be managed by the Emergency Council and submitted to the governor, Legislature and public. Provisions should be developed for aspects of the analysis that require confidentiality. At a minimum, the gap analysis should address the following core issues:
  - ✓ Awareness of risks and preparedness for catastrophic events, including the need for unity of command and interoperable communications.
  - ✓ Adequacy of mitigation and prevention efforts.
  - ✓ Integration of all state, local, federal, National Guard, active-duty military and private-sector emergency response capabilities.
  - ✓ Preparedness and adequacy of local governments for high-frequency and catastrophic emergencies.
  - ✓ Fiscal and regulatory strategies to enhance preparedness, including prevention and mitigation efforts.
- ***Require a strategic plan***. The strategic plan should be developed by the reform and management team, in consultation with the Interagency Council and the Emergency Council, and with guidance from an independent consulting team. The strategic plan should address the concerns revealed by the gap analysis. The plan should be prepared in time to inform the governor's 2007-08 May budget revision and presented to the Legislature and public with the governor's budget proposal. The strategic plan should include

effectiveness measures and milestones for reform in preparation, response, recovery, mitigation and prevention.

- ***Contract for an executive level training and exercise strategy.*** The governor and Legislature should contract with a private consulting firm for the development of an executive-level exercise program to test the preparedness of California's elected leaders and senior officials to respond to a catastrophic event.

Integrating Emergency Services

Finding 2: Fragmented authority and responsibility among state agencies undermines preparedness and hinders accountability.

California has two agencies with primary responsibility for ensuring California's preparedness for emergencies and catastrophic events, the Office of Emergency Services and the Office of Homeland Security. Local officials report confusion and conflict in the overlapping missions of the offices. And while state law charges the governor with ensuring public safety and protecting residents, state emergency management officials assert that they are not empowered to ensure that state and local agencies have the plans, resources and personnel in place to meet needs. Moreover, the State has failed to aggressively pursue mitigation and prevention strategies to reduce risks or put in place recovery plans to reduce the consequences of emergency and catastrophic events.

Responsibility for Preparedness is Fragmented

OES is responsible for assuring the State's readiness to respond to natural, man-made, and war-caused emergencies, and for assisting local governments in their emergency preparedness efforts, including allocating federal funds to local governments and leading recovery efforts.[99] OHS develops and coordinates a comprehensive state strategy related to terrorism that includes prevention, preparedness, and response and recovery. OHS also serves as the state administering agent for federal homeland security grants and as the primary liaison with the U.S. Department of Homeland Security.[100]

Six additional state agencies have leadership roles in preparedness: two of those agencies, the Military Department and the Department of Health Services (DHS) have the authority to act independent of OES and OHS.[101] Fragmented responsibility and authority produces conflict, confusion and deficiencies.

1. Fragmented responsibility and authority produce conflict. Local and state officials assert that the overlapping responsibilities of the State's two lead agencies – OES and OHS – results in conflict. Both agencies, along with the National Guard, promote training to ensure that response strategies are tuned and practiced. OES, OHS and DHS each receive and allocate federal funds to local agencies. And each department has

distinct federal and local partners. OES has long-standing ties with FEMA and local emergency services agencies. OHS has strong ties with the federal Department of Homeland Security, and federal and local law enforcement agencies. The current OHS director was recruited from the Department of Homeland Security.[102] The Department of Health Services works closely with the U.S. Centers for Disease Control. The department also partners with local public health agencies, which often are not engaged with local emergency services managers.[103]

Local officials testified that OHS and OES have established conflicting and duplicative reporting requirements. The departments fail to coordinate training and planning sessions, grant applications or conferences. As a result, the costs of complying with state requirements increase, local staff are unable to take advantage of training and planning opportunities, and agencies with limited staff are overtaxed.[104]

Emergency management officials also report that local governments have done a poor job of integrating public health strategies into emergency management plans. This deficiency is caused, in part, because local public health officials take their cues from the Department of Health Services, while local emergency managers respond to direction from OES. An inadequate partnership between the Department of Health Services and the Office of Emergency Services undermines strategies to improve the integration of public health and emergency management strategies.

Beyond these significant challenges, state and local emergency management leaders confide that OHS controls most of the funding for emergency preparedness, but OES has the staff and expertise needed to guide its use.[105] Despite public claims that OES and OHS are working in lock-step, career emergency managers report that OHS has locked OES officials out of planning sessions for training programs, the review of grant applications and policy discussions.[106] Disagreements between OHS and OES are so severe, that OHS has denied requests for funding from OES, the sister agency in which OHS is housed.

2. Fragmented responsibility and authority result in confusion. Local officials report that it is unclear which state agency is in charge of key components of emergency preparedness. Under the Emergency Plan, Caltrans is charged with planning evacuation routes; the California Highway Patrol manages traffic flow. But local officials report that Caltrans and the CHP provide conflicting information on how to manage evacuations.[107] And it is unclear how these two agencies are supposed to work with local officials, who are charged with deciding when to evacuate. Finally, the Department of Social Services is charged with providing care and shelter to evacuees, but DSS is not engaged with

other state or local officials who would be engaged in evacuation decisions.

Similarly, the Department of Health Services and the Emergency Medical Services Authority (EMSA) are each involved in meeting medical needs during emergency events. But the roles and responsibilities of each agency are unclear. State officials report that EMSA is responsible for the initial triage and transport of victims to hospitals, while Health Services is responsible for ensuring adequate hospital response.[108] But health officials point out that field care and hospital services must be integrated and cannot be separated by the emergency room door.

In response to a federal request for information on evacuation planning, OES reported that the need for evacuation during a catastrophic event would be determined by the State. Caltrans reported that the need would be determined by local authorities. The Military Department reported that California does not have a specific plan for dealing with

Lack of Unity in Command

Under the Standardized Emergency Management System (SEMS), emergency events that cross political jurisdictions or involve responders from multiple agencies are handled through a unified command. Unified command refers to leaders from multiple agencies working together to support common goals.

But emergency management officials contend that California has a weak record using a unified command or integrating response strategies. Former OES Director Richard Andrews testified that with the exception of state fire agencies, California has little experience bringing together local, state and federal agencies under a unified command. And local emergency managers express frustration that law enforcement, fire response and emergency management efforts often are handled through separate command structures.

California's Emergency Plan identifies numerous, separate mutual aid systems, including: fire, hazardous materials, law enforcement, search and rescue, medical/health services, public works – including water and sewer systems – emergency services and others. Each mutual aid network has evolved in response to different needs and at different times and thus they are not organized around consistent boundaries.

In developing SEMS, state and local leaders built upon the significant organizational strategies already in place. But as work on SEMS and the mutual aid system evolved, fire and law enforcement officials expressed concern that proposed changes would disrupt their existing strategies. As a result, under SEMS, fire, law enforcement, emergency services response, and other response strategies are each managed independently. In other words, under California's standard preparedness strategy, emergency management officials do not manage the work of fire, law enforcement or other responders.

This strategy of independence across professional disciplines has its strengths. But experts caution that separate command structures can undermine effectiveness. Dr. Eric Koscove, chief of the emergency department at Kaiser Permanente in Santa Clara, told the Commission in 2005 that under certain emergency scenarios – such as bioterrorism and infectious disease outbreaks – the State must set aside its reliance on the use of historic county-based structures for emergency management. Instead, he argued, the entire state needs to work as a single, strong entity.

Sources: Richard Andrews, former Director, Governor's Office of Emergency Services and former Director, Office of Homeland Security. February 23, 2006. Testimony to the Commission. Also, Deborah Steffen, former Director, San Diego County Office of Emergency Services and former Regional Administrator, Governor's Office of Emergency Services. January 26, 2006. Testimony to the Commission. Also, Eric M. Koscove, M.D., Chief, Emergency Department, Kaiser Permanente Medical Center, Santa Clara, and Bioterrorism Lead, Kaiser National Healthcare Continuity Management Committee. May 26, 2005. Testimony to the Commission.

mass evacuations. The Department of Social Services reported that plans to support a large care and shelter operation need to be developed. And the Department of Health Services stated that current plans are adequate, feasible and acceptable.[109] Although each agency was primarily reporting on its own preparedness, a successful mass evacuation would require each component to succeed.

3. Fragmented responsibility and authority result in unaddressed deficiencies. The California Emergency Plan identifies 42 state agencies engaged in emergency response, including state colleges and universities. But no single agency has assumed the responsibility to ensure that the State is prepared and resourced to respond to emergencies.[110] As reported in Finding 1, the Department of Social Services (DSS) has a plan for mass shelter and care, but that plan has never been exercised and it is unclear that the resources necessary for sheltering and caring for evacuees would be available beyond the capacity of the American Red Cross.

Similarly, numerous state agencies are engaged in mitigation and prevention efforts. In addition to the roles of OES and OHS, Caltrans is involved in bridge retrofits to address seismic safety concerns. The Department of Water Resources manages part of California's levee system. And the Department of Forestry and Fire Protection works to reduce the risks of forest fires.[111] But with responsibility for mitigation spread across many state agencies, none has risen to the challenge. OES Director Henry Renteria and OHS Director Matthew Bettenhausen, the State's lead officials for prevention and mitigation, concede that California has not made adequate investments in this essential mission.[112] And current and former officials with the Seismic Safety Commission complain that no state agency is staffed or responsible to receive the mitigation recommendations of the Commission.[113]

Director Renteria also testified that the State does not have in place an adequate system and strategy for communication among emergency responders, for alerting and communicating with the public prior to impending emergencies or a recovery plan – each a challenge that involves the authority and responsibility of numerous state and local agencies.[114]

The State Does Not Ensure That Agencies are Prepared for Emergencies

State law and state and federal funding provisions require state and local agencies to assess preparedness needs, develop improvement plans and participate in training and tactical exercise programs. But neither OES

nor OHS ensures that state and local agencies are prepared. State officials lack reliable information on which local agencies are prepared for the risks they face and which are deficient. And despite a strategic plan for preparedness, the Office of Emergency Services has not ensured that state agencies are making progress toward preparedness goals.

OES Director Henry Renteria told the Commission that each county has an emergency plan in place. But he conceded that the State does not know if each city, special district and school district has done the planning needed to meet preparedness needs.[115] Further, OES officials told the Commission that although the department collects local emergency plans, those plans are not routinely reviewed and the State lacks the authority to direct local officials to address deficiencies. Most importantly, even in areas where adequate plans are in place, particularly in smaller communities with few emergencies and thus little experience, state officials are uncertain if preparations will function as needed during emergency events.

Similarly, OES has not ensured that state agencies are prepared to meet their emergency responsibilities. State agencies are required to submit their strategic planning documents for preparedness to OES for review and approval.[116] And California's Statewide Emergency Management Strategic Plan is intended to ensure that all emergency management partners are working toward common goals.[117] But OES has not provided sufficient and consistence guidance, does not monitor the preparedness of state agencies or require improvements. At least one state official was unaware of the Statewide Emergency Management Strategic Plan, despite the intention that the plan drive the preparations of his agency.

The Department of Social Services has drafted a strategic plan for shelter and care that has been under review by OES since September 2005. But OES was unable or unwilling to provide the Commission with copies of planning documents for the Department of Housing and Community Development and the Department of Mental Health. Senior OES staff stated that the plans from those departments do not exist. But emergency preparedness leaders in each department reported that their strategic planning documents were under review by OES.[118] Officials from both departments expressed concern over their ability to provide assistance during an emergency.

Current and former OES staff told the Commission that few state agencies aggressively pursue their emergency preparedness responsibilities. Generally, emergency preparedness concerns are overshadowed by the core responsibilities of each department. Many of the 42 state agencies involved in emergency preparedness manage multi-

billion dollar programs which are unrelated to emergency preparedness, and for which they are held accountable by policy-makers and the public. As a result, the quality of emergency preparedness undertaken in these departments is less than adequate.

Prevention, Mitigation and Recovery Planning are Lacking

State and local officials assert that California has not pursued sufficient prevention and mitigation efforts and has failed to put in place a recovery plan that anticipates the consequences of a catastrophic event. Further, the State has failed to engage the private sector and the public or explore market strategies to encourage prevention and mitigation and to position communities for recovery in the event of catastrophic events.

Prevention, mitigation efforts are incomplete. California's mitigation plan, required under federal law, identifies a range of risks facing the state. But the plan does not drive public policy, annual funding deliberations or state preparedness efforts. Despite well-known and potentially catastrophic risks, the State has not ensured that vulnerable bridges and overpasses are retrofitted, that hospitals could withstand the forces of an earthquake or that local land-use decisions recognize flood and fire dangers. Recent research suggests that buildings in the Los Angeles basin previously thought capable of withstanding known earthquake risks may be vulnerable and fail in a major seismic event.[119]

In his testimony, Director Renteria told the Commission that mitigation and prevention are the elephants in the room.[120] Regional OES staff report that they have too few staff and no funding to support mitigation strategies with local governments. And California's Seismic Safety Commission, the State's lone agency charged with developing mitigation and prevention strategies and advising policy-makers on ways to reduce earthquake risks, faces potential elimination.[121]

Recovery planning is inadequate. Emergency preparedness experts told the Commission that public agencies must put in place recovery plans to quickly rebuild communities, restart the economy and reduce the long-term impacts of catastrophic events. In testimony before the Commission, OHS Director Bettenhausen remarked that one essential lesson from Katrina is the need to focus on recovery.[122] And OES Director Renteria commented that California has not sufficiently explored and exercised a strategy to respond to the collapse of local government. No local official will want to give up control, and it is unclear, he said, how the State would return control to local officials following a catastrophic event.[123]

Mary Comerio, professor of architecture at UC Berkeley, told the Commission that quickly meeting long-term housing needs following a catastrophic event is essential to recovery. But the State has failed to sustain past practices of working with the building and architecture communities to put in place and exercise recovery plans for housing.[124]

The State's two lead agencies for housing, the Department of Housing and Community Development and the Housing Finance Agency, each told the Commission that they would be available to advise policy-makers on how best to respond to a catastrophic event, but that no housing recovery plans are currently in place.[125] Director Renteria told the Commission that California must do more to put recovery plans in place, but he failed to outline a strategy for doing so.[126]

The Private Sector and Public are Not Sufficiently Engaged

David Vucurevich, vice president of pharmacy purchasing for Rite Aid Corporation and Richard Cooper from the U.S. Department of Homeland Security, outlined for the Commission the essential role that businesses played in meeting the needs of the communities hit by Hurricanes Katrina and Rita.[127] And the White House report on Hurricane Katrina calls for more comprehensive public-private partnerships for all aspects of emergency preparedness.[128] But California lacks a robust strategy for engaging the private sector to support preparedness.

The Office of Emergency Services reports an initiative to engage the private sector in preparedness is underway. But the department was unable to identify the companies engaged in the effort. Nor was the department able to articulate the goals and strategy for the effort. Rite Aid is the single largest pharmacy provider in California, but state officials have had no contact with the company regarding opportunities to support preparedness and recovery planning.[129]

State and local officials also uniformly agree that more must be done to engage the public on their roles and responsibilities for emergency preparedness. First, experts recommend that public agencies educate the public on strategies to improve their personal and household preparedness.[130] Hurricane Katrina demonstrated that emergency responders may not be available to rescue individuals and families for days or even weeks. Improved personal preparedness can reduce demands on professional responders and save lives. Second, research demonstrates that even untrained individuals are capable of responding to extreme and highly unusual demands during emergency and catastrophic events. Unorganized, ad hoc emergency responses from individuals and groups following Hurricane Katrina saved thousands of lives and protected property in the neighborhoods of New Orleans.[131]

To Move Forward, the State Must Unify Responsibility, Enhance Leadership and Fortify Authority

Improving emergency preparedness will require the State to reengineer its organizational strategy. Policy-makers must clarify responsibility and authority for emergency preparedness and develop a unified strategy for prevention and mitigation, planning, response and recovery.

Specifically, the State must address the following challenges:

Empower the emergency services department. California's lead agency for preparedness must have the leadership, authority and resources to drive reforms. The State's preparedness leader must have the authority to promote improvements in each component of California's preparedness mission. That authority must extend to local and state preparedness strategies, including the efforts of other state agencies.

Bolster planning. The State must improve its investment in prevention, mitigation and recovery planning. California must invest in timely and relevant analyses of risks and vulnerabilities, tried-and-true and innovative mitigation and prevention strategies, and training and exercises to improve response capacity. Planning should result in clear strategies for prevention, mitigation, public engagement, and contingency plans for catastrophic response.

Comments from James Lee Witt on the Job of the Emergency Services Director

Former FEMA Director James Lee Witt advised the Commission that California's emergency services director must be charged with the following five core responsibilities:

- ✓ ***Building strong partnerships.*** Partnering with other state leaders, local government, academia, the private sector, the public and the media is central to the role of the emergency services leader. These partnerships will bolster preparedness by facilitating recruitment and training, establishing credibility and enabling collaboration, creating a reliable communication mechanism, and leveraging new knowledge to assess risks and manage response. And the director will rely on these partnerships when leading response to catastrophic events.
- ✓ ***Infusing preparedness throughout the executive branch.*** The emergency services leader must build upon the relationships established with leaders of other agencies to integrate emergency preparedness as a priority in the operations of all state departments.
- ✓ ***Using fiscal policy to meet goals.*** The emergency services leader must be aware of state and federal fiscal policies to enable the leader to fully leverage available resources and to achieve outcomes.
- ✓ ***Empowering civil servants to work for outcomes.*** The director must inspire in emergency managers the confidence, innovation and passion necessary to protect Californians.
- ✓ ***Viewing residents as customers.*** The best interest of victims of past and future events must be at the core of every decision made by the emergency services leader. Each stage of policy formation, resource allocation and management decisions must focus on the needs of Californians. Soliciting feedback from victims and residents about the department's prevention and mitigation, preparation, response, and recovery efforts – and improving service based on satisfaction levels – is essential.

Source: James Lee Witt, March 16, 2006. Personal communication.

Integrate strategies. Emergency preparedness must be integrated into the operations of all state agencies. And emergency response must produce a unified strategy that brings together the response capacity of fire, law enforcement, emergency management, public health and public works and other agencies and professions that would be called upon for emergency and catastrophic response. The State's preparedness leader must ensure that each agency in a leadership and supporting capacity for preparedness is up to the job and reliable when called upon. A cabinet-level, interagency council for preparedness can help integrate preparedness throughout the executive branch and across disciplines. The governor's emergency preparedness leader could chair that council.

Focus on outcomes. Policy-makers and administrators must understand the risks and vulnerabilities of emergencies and catastrophic events in California and state officials must document and report their performance. Policy-makers must put in place preparedness standards for state agencies and local governments and benchmarks to guide planning, promote improvement and monitor outcomes.

Leverage public and private resources. The public sector alone cannot bear the cost of emergency preparedness. The State's emergency management leader must leverage federal, local, private sector and community resources to improve preparedness and outcomes. Specifically, the State must explore innovative market strategies to promote prevention and mitigation, preparation, response and recovery. And while emergency management currently is largely the domain for first responders, success will require new partnerships with community organizations, research institutions, the insurance and finance industries and others to expand strategies to support preparedness.

Build public commitment. To ensure public support and commitment for emergency preparedness, the emergency management leader must lead a statewide effort to tap the skills, knowledge and abilities of the public to bolster the preparedness of households and businesses, as well as support public and private sector emergency response.

During emergency events, the natural inclination of the public to assist can magnify the capabilities of professional emergency responders, or it can impede the delivery of essential care. During routine traffic accidents, knowledgeable bystanders can extinguish fires, extract victims and administer life-saving medical care. But more often, curious stares from motorists impede the arrival of rescuers. Similar outcomes are seen during catastrophic events.

Building Public-Private Partnerships

Public-private partnerships should be expanded to pursue three opportunities:

1. Access private sector assets to support response. Hurricane Katrina demonstrated that public sector emergency response capacity can be overwhelmed by large-scale catastrophes. In the Gulf States, local, state and federal government resources were not sufficient to respond to immediate needs, but effective partnerships with the private sector were lacking. Private-sector distribution of essential goods was slowed because sufficient protocols and contingency plans had not been established prior to the disaster. To bolster response capacity, public officials and private sector leaders have called for states and local agencies to improve public-private partnerships to supplement public sector responses.

To bolster state and local response capacity, the State must explore opportunities to collaborate with the private sector and leverage private sector assets for preparedness.

2. Tap private sector expertise to support preparedness. Hurricane Katrina also demonstrated that the public sector has not adopted state-of-the-art supply chain management and other strategies which could speed response. Moreover, private sector expertise in management strategies, communications, networking and other areas could further enhance public sector capacity.

To ensure that emergency managers and responders are armed with cutting-edge expertise necessary to ensure quick response, the State must tap the continuously evolving knowledge of the private sector.

3. Leverage market opportunities to support preparedness. The federal government and some states have called for market-based strategies to bolster preparedness. Strategies proposed include catastrophic insurance plans and savings accounts. While some communities have put in place market-based incentives for preparedness, the State has not aggressively pursued these or other strategies – including performance-based building codes that can create incentives for buildings that exceed minimum construction standards, tax and regulatory incentives, or independent certifications of preparedness.

To fully leverage the potential of private sector collaboration, the State must promote market strategies to improve household, business and public sector preparedness.

Sources: Frances Fragos Townsend, Assistant to the President for Homeland Security and Counterterrorism. February 2006. *The Federal Response to Hurricane Katrina: Lessons Learned*. Also, Michael Jones, Chairman of the Board, The Security Network. February 13, 2006. Little Hoover Commission. Advisory Panel Meeting. Also, Brent H. Woodworth, Worldwide Segment Manager, IBM Crisis Response Team. February 23, 2006. Testimony to the Commission.

California has a long history of organizing volunteer capacity to extend the reach of professional responders. The California Service Corps coordinates the efforts of volunteers during emergency events. The state is home to 33,000 Californians trained in the Community Emergency Response Team (CERT) program. Other volunteers are engaged in law enforcement, fire services and search and rescue efforts.[132]

California's emergency preparedness strategy must address both volunteer challenges. The State must put in place a strategy to leverage the public as emergency responders, through education, training and exercises. And the State must develop strategies to manage ad hoc public response to emergencies that has the potential to impede professional responses and cause additional harm.

To address these challenges, the State must put in place a skilled leader and rethink its organizational strategy.

The State Emergency Services Leader

California's emergency services leader must safeguard California's residents, communities and economy against emergency and catastrophic events. The task is daunting. People determined to cause harm – through terror or other means – will not be stopped. And the forces of nature – earthquakes, fires and floods – cannot be constrained. But the costs and consequences of failure are unacceptable. Hurricane Katrina killed more than 1,300 people and displaced more than a million Gulf Coast residents. The Loma Prieta and Northridge earthquakes caused billions of dollars in damages. The next large earthquake is projected to produce even more catastrophic impacts.

Appoint the best. The challenges facing California require a highly qualified leader with the political and management skills comparable to those of an executive of a worldwide organization or a senior military official. California's emergency management leader must have a national presence, the ability to marshal 37 million Californians to prepare for the unthinkable and the unavoidable, and the vision to safeguard the economy against harm. That leader must be prepared to achieve the following:

- ***Establish a vision.*** The emergency services leader must have a proven record of developing and implementing a broad vision for preparedness. The leader must demonstrate the capacity, knowledge and confidence to garner public and professional trust.
- ***Create an effective strategy.*** The leader must possess acute analytic, critical thinking and decision-making skills. The ability to plan strategically and make good judgments – in advance of emergency events and under extreme pressure – is essential. And the leader must continually measure progress and refine the preparedness strategy to achieve outcomes.
- ***Build commitment.*** This leader must demonstrate the ability to collaborate, form coalitions and resolve conflicts among various levels of government, disparate emergency management professionals, the private sector and the public to forge a commitment to success.
- ***Leverage multiple tools.*** The State's emergency services leader must be skilled at using every available tool to ensure California's preparedness. The leader must be prepared to develop market, fiscal, policy, regulatory and other tools to prepare and protect California.

Streamline State Operations

The Office of Emergency Services and the Office of Homeland Security share primary responsibility for preparedness in California. But the existing organizational strategy is not aligned with the job. Duplication of functions across the offices increases costs and reduces effectiveness. Streamlining the State's organizational strategy could enhance efficiency, enable the emergency preparedness leader to leverage all state resources to meet needs and allow the State to shift funding to high priority needs.

OES is the larger of California's two lead agencies, with an operational budget of $82 million for fiscal year 2005-06. Staff positions at OES have declined during the past decade from approximately 700 positions in 1995 to 479 positions in 2005. Of these, approximately 200 individuals potentially would be available for deployment into the field to support disaster response. Most of those professionals are dedicated to staffing state operations centers or offering recovery assistance. Just 40 positions within OES are dedicated to staffing the State's three regional operations centers.[133]

This staff pattern undermines California's preparedness. In the Southern California region, the OES regional office employs 14 staff. An emergency event that requires the activation of the regional emergency operations center requires a minimum of three to four staff, depending on the event. The regional center routinely dispatches one staff member to the local operational center. Staff work in 12-hour shifts. A single, sustained minor event in Southern California will require the full attention of a minimum 8 to 10 of the regional staff, leaving little room for staff vacancies or vacations.[134]

In 2005, the Southern California regional operation center was activated 15 times for minor events. On two occasions, the center was activated for significant emergencies, level II in the vernacular of emergency management. In those instances, the center was required to transfer staff from other regional operations to ensure that the 20 to 30 staff required were available.[135]

Similar challenges occur in Northern California although they are compounded by persistent vacancies. The State's coastal operations center has 10 positions, the minimum number to support emergency operations over a 24-hour period.[136] Twice during 2005, the coastal center was required to call for OES staff from other parts of the state. Both instances were relatively routine. The Golden Guardian exercises in November 2005 required 20 staff to address the demands of the drill. The New Year's flooding required 35 people per shift to meet needs.[137]

But emergency managers are quick to point out that a strategy of calling upon other regional centers to support regional operations only works if California does not experience sustained, simultaneous events in different regions of the state.

In contrast, OHS is rather small, with just 53 employees and an operational budget of $5.5 million.[138] Organizationally, OHS is a division within OES. But in establishing OHS through executive order, the governor determined that the director of the Office of Emergency Services would report to the director of the Office of Homeland Security.[139]

As outlined earlier, the overlapping responsibilities of the two offices results in a number of challenges. Each office works with state and local agencies in the areas of planning, training and grants administration. As indicated in the organizational charts on the next page, both OHS and OES are engaged in training, grants management, planning and working with local, federal and other state partners.

Streamlining state operations by consolidating OES and OHS into a single entity could allow the state to reduce its administrative costs,

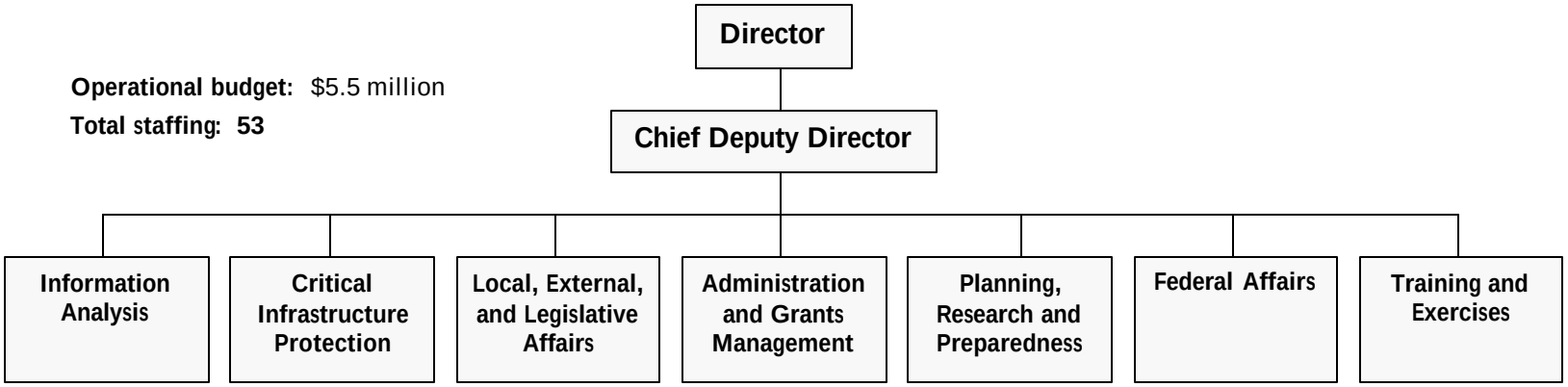
reduce the conflict and duplication that result from having separate agencies, improve coordination and focus on outcomes and dedicate additional staff to the essential function of supporting emergency response.

The pages that follow present the organizational charts for the Office of Homeland Security and the Office of Emergency Services, along with a proposed organizational chart that brings together the two offices into a single agency focus on all-hazards. Under this proposal, the leadership and staff of California's emergency services and homeland security agency would be organized around building partnerships with the federal government and other states, local governments, the private sector and the public. Each of these four divisions would be charged with working to support emergency preparedness through prevention and mitigation, planning and preparations, response and recovery.

California's Existing Organizational Strategy

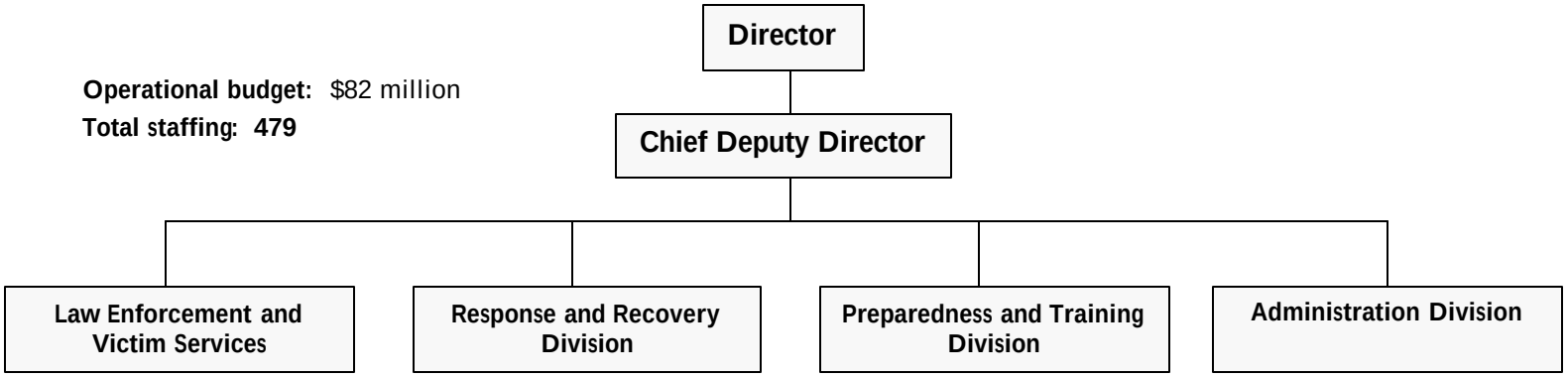
Governor's Office of Homeland Security

Operational budget: $5.5 million
Total staffing: **53**



Governor's Office of Emergency Services

Operational budget: $82 million
Total staffing: **479**



Proposed Organizational Design for Governor's Office of Emergency Services and Homeland Security

California must consolidate its lead emergency management and homeland security offices and focus those resources on building the partnerships and strategies needed for each element of emergency preparedness – prevention and mitigation, preparation, response, and recovery.

California Emergency Council

Director

Interagency Preparedness Council

Recommended in Finding 1.

Catastrophe Management Teams

Recommended in Finding 1.

	Division of State-National Partnerships The State must establish strong partnerships with the federal government and other states to meet preparedness needs. ***Establish a national presence to:***	**Division of State-Local Partnerships** The State must establish standards for preparedness, provide incentives and assistance to support mitigation, preparation, response and recovery. ***Establish local partnerships to:***	**Division of Public-Private Partnerships** The State must establish partnerships with private organizations to bolster available expertise, assets and resources for preparedness. ***Establish private partnerships to:***	**Division of Community & Household Preparedness** To succeed in emergency preparedness, the State must tap its greatest resource – its people – to support every aspect of preparedness. ***Establish strategies to:***
Prevention and Mitigation California must establish a rigorous prevention and mitigation strategy that evolves with improved knowledge of risks.	• Promote improved and standardized risk assessments • Expand federal investments and research on risks and prevention and mitigation strategies • Improve federal preparedness standards to meet state needs	• Integrate and expand prevention and mitigation efforts throughout local government • Develop performance standards and measures for preparedness • Support local efforts to meet performance standards	• Inspire prevention and mitigation • Leverage technology to improve risk assessments, prevention and mitigation strategies	• Fortify homes, families and businesses against risks • Educate residents on preparedness needs
Preparation Each California community, business and household should be prepared for emergency events.			• Develop contingency contracts for state and local agencies to access public sector assets	• Develop a statewide public communication system • Direct the public on how to respond during emergencies
Response The State must ensure that public agencies can marshal the resources, assets and expertise required to respond to emergency events.	• Develop tax and regulatory strategies to encourage preparedness • Support the creation of a national communication strategy	• Establish professional development and training opportunities to attract and retain leaders • Ensure local agencies develop the tools, staff and capacity to respond to emergencies and disasters	• Craft regulatory, fiscal and tax incentives to support preparedness • Capture private sector expertise, assets and resources to support response	• Tap volunteers to assist in response • Support households and businesses following an emergency event
Recovery California must be capable of rebuilding its communities, economy and infrastructure following emergency events.	• Ensure federal resources are available immediately following an event • Expand insurance programs and other strategies to support timely recovery and rebuilding	• Coordinate regional responses • Equip local governments to rebound from a catastrophic event	• Produce a strategy to manage volunteers and donations • Meet recovery needs for communities, the private sector, public agencies and the economy	

Recommendation 2: The governor and Legislature should restructure state emergency management operations into a single, cabinet-level entity under the direction of an experienced leader. Specifically:

- ***The governor and Legislature should consolidate the Office of Emergency Services and the Office of Homeland Security into the Governor's Office of Emergency Services and Homeland Security.*** The department should be charged with leading the State's efforts in emergency preparedness for all hazards, including natural and human-caused events, and it should have comprehensive authority and responsibility for bolstering emergency preparation, response, recovery, mitigation and prevention. The department should address the following four specific opportunities:
  - ✓ ***Federal and Interstate Relations.*** California must have a presence before Congress and the federal government, including the military, to advocate for sufficient resources, federal policy and guidance to meet California's emergency preparedness needs. Similarly, the department must develop robust partnerships with other states to support a national preparedness strategy.
  - ✓ ***Local Assistance.*** To build a robust emergency preparedness strategy, the department must provide the resources, tools and guidance to fortify the preparedness of local agencies for high-frequency emergencies as well as catastrophic events. To support that end, the department must develop and communicate preparedness standards for local agencies and monitor progress.
  - ✓ ***Private-Sector Partnerships.*** To expand access to resources for preparedness, the department must develop public-private partnerships to address the following needs:
    - Establish contingency contracts to access private sector assets to support response during emergency and catastrophic events.
    - Develop strategies to leverage private sector expertise to support emergency preparedness and response.
    - Identify and promote innovative market-based opportunities to expand prevention and mitigation opportunities and meet other preparedness needs.
  - ✓ ***Community and Household Preparedness.*** To meet preparedness needs, the State must tap the people of California and engage households and individuals to bolster self-preparedness and support community preparedness. Specifically, the department should:
    - ***Promote public education.*** The public must be informed of the need for emergency preparedness, the response, recovery and prevention efforts in place and their role in preparedness.

Particular attention should be directed to ensuring the public is aware of opportunities for mitigation to reduce risks and vulnerabilities in their homes and places of work and informed of how to care for themselves until help arrives.

- ***Public communication.*** The department should develop an effective strategy for public communication during emergency and catastrophic events. That strategy must recognize the language, cultural and other needs of the state's diverse communities.

- ***The governor should appoint an experienced leader as the director of the reorganized department.*** The director should sit on the governor's cabinet and be charged with integrating local, state and federal efforts for emergency preparedness in California. California's emergency preparedness leader must have the vision, leadership skills, management capacity and experience to bolster emergency preparedness based on California's risks and vulnerabilities. And the leader must be equipped with the authority and responsibility to lead the State's preparedness efforts. Among other tasks, the director should:

  - ✓ ***Develop a unified emergency response system.*** To protect California and its residents, the State must put in place a unified emergency response system that integrates emergency management, fire, law enforcement, public health and medical, public works, shelter and other emergency response components. Consistent with the findings of the gap analysis and strategic plan called for in Recommendation 1, the director should ensure that California can marshal an efficient and effective emergency response system.

  - ✓ ***Set, guide and monitor preparedness standards and benchmarks.*** The department should establish emergency preparedness standards for public agencies, the private sector and households, develop performance measures for preparedness and monitor progress to ensure that California is able to address potential risks. Standards and benchmarks are discussed further in Finding 4.

  - ✓ ***Establish a mitigation and prevention strategy.*** In partnership with other government agencies, the private sector and others, the department should develop a mitigation and prevention strategy for catastrophic threats as well as high-frequency emergencies. The strategy should explore opportunities to use land-use planning, building standards and other tools to meet prevention and mitigation goals.

- ***The governor should establish an interagency council charged with integrating emergency preparedness throughout state departments.*** Led by the director of the Governor's Office of Emergency Services and Homeland Security, with membership that includes agency secretaries and department directors, the council should guide strategic planning, assist in the planning and management of emergency exercises and ensure emergency preparedness is a priority for all state agencies.

Build a Foundation for Preparedness – Initial Steps

To get started, the governor and Legislature should initiate immediate reforms to bolster preparedness.

1. Develop contingent emergency management rules and regulations to support emergency response and recovery. The emergency management leaders should immediately develop contingency rules and regulations to guide local planning for operating under emergency conditions. Developed in consultation with the Legislature and the Emergency Council, contingent rules and regulations should address the need to simplify and expedite decision-making on contracts, workplace standards and working conditions, deployment of volunteers, accessing pre-positioned supplies, the commandeering of non-governmental assets, licensure of response personnel, debris removal and other needs during declared emergencies.

2. Ensure continuity plans for essential public services are reliable and realistic. Without advanced planning, emergency and catastrophic events could undermine the provision of essential government services. To ensure the continuity of public services, the State must ensure that each local agency and each state agency providing essential public services has a reliable and realistic continuity and restoration plan in place. Particular attention should be paid to addressing the reliability and continuity of law enforcement, corrections and the courts. State emergency services officials must work with the Attorney General, the courts and other state, local and federal officials to ensure provisions for the continued performance of those essential functions.

Ensure Sufficient and Reliable Funding to Meet Needs

Finding 3: Emergency preparedness funding is not allocated in ways that recognize the State's strategic preparedness needs and funding fails to create incentives for improvement.

Significant funding is available to support California's emergency preparedness. The majority of preparedness funding comes from the federal government, often with substantial limitations on how it can be used. Funds are distributed through numerous departments, allocations and grant programs, undermining opportunities to address strategic needs. And despite internationally recognized response capacity, the State has failed to invest adequately in prevention, mitigation and recovery strategies. Moreover, emergency management in California is not premised on managing risks or improving preparedness efforts, foregoing opportunities to reduce public costs and improve public safety and preparedness.

Significant Funding is Available for Emergency Preparedness

California's emergency preparedness strategy relies on mutual aid, and thus leverages billions in funding to support preparedness and response needs. In addition to the funding available through the State's core emergency preparedness agencies, California draws upon the significant resources of many state agencies, including the Department of Forestry, the Department of Water Resources, the Department of Food and Agriculture, and others.

The State's lead emergency management agencies, the Office of Emergency Services and the Office of Homeland Security, receive the majority of their funding from the federal government. Much of those funds are then passed through to local agencies. The Office of Emergency Services receives $1 billion annually. Nearly 90 percent of that is federal funding. And nearly 90 percent of those funds are distributed to local governments to support their preparedness needs. In the 2005-06 fiscal year, the State General Fund provided $46 million to support the Office of Emergency Services.[140]

The Office of Homeland Security is funded similarly. In fiscal year 2005-06, the department received $33.3 million: $33.2 million in federal funds and just $100,000 in state funds.[141]

Additionally, the Department of Health Services maintains an Emergency Preparedness Office. The office supports state and local efforts to plan for and respond to emergency events. The governor's 2006-07 budget includes $150 million for those efforts; nearly 70 percent of those funds are provided by the federal government.[142]

While many local agencies receive state and federal funds through the state budget, some agencies receive funds directly from the federal government. In 2003, Los Angeles and San Francisco each received direct allocations of nearly $19 million.[143] The city of Los Angeles estimates that its emergency preparedness budget for 2005-06 includes $32 million in state and federal allocations.[144] Additionally, in the 2005-06 fiscal year, the state budget for the California Military Department included $112 million in state and federal funds.[145] But the Military Department also received more than $600 million in direct federal funds that were not reflected in the state budget.[146] These funds are used to support the California National Guard's federal responsibilities. But these federal dollars also create response capacity – through training, equipment purchases and other functions – that California can call upon to meet emergency response needs.

Major Federal Funding for Emergency Preparedness

From 2003 through 2005, OHS and OES administered six major homeland security grant programs to California's operational areas, with the exception of the Los Angeles operational area, which is funded directly by the federal government.

State Homeland Security Grant Program (SHSGP). State Homeland Security Grants provide funding for specialized equipment, exercises, training and planning as well as for administrative activities. For the past several years, the SHSGP grant has been the primary homeland security funding for all state and local government.

Urban Areas Security Initiative (UASI). UASI grants are available to metropolitan areas designated as "high threat" areas. Using a confidential formula, federal officials determine which areas qualify and the level of funding available. UASI grants support planning, equipment purchases, training and exercises to support preparedness.

Emergency Management Performance Grants (EMP). EMP grants require a 50-percent non-federal match and support basic emergency

preparedness and response capabilities. Funds are predominantly used to support salaries for personnel who plan, train, coordinate and conduct preparedness exercises.

Law Enforcement Terrorism Prevention Program (LETPP). LETPP grants support equipment purchases to further efforts to efficiently and expeditiously share information and intelligence to preempt terrorist attacks. To a limited extent, these funds can be used for terrorism investigations and to make vulnerable targets more resistant to attack. LETPP grants are awarded based on risk and need.

Citizen Corps Program (CCP). CCP grants are provided to develop and maintain Citizen Corps Councils, which coordinate volunteer activities in communities. Funding is available to create and implement plans to engage the community in emergency preparedness and family safety and to encourage citizen participation in emergency plans and activities. Funding can be used for Community Emergency Response Teams, Neighborhood Watch, Volunteers in Police Service, Medical Reserve Corps, Fire Corps, and Citizen Corps.

Metropolitan Medical Response System Program (MMRS). MMRS grants support planning and preparedness for responding to mass casualty incidents. California is home to 18 federally-designated MMRS jurisdictions that receive funding.[147]

Additional Federal Funding Sources

The Federal Emergency Management Agency (FEMA) manages three mitigation grant programs. Other federal programs also provide support for mitigation.

Hazard Mitigation Grant Program (HMGP). HMGP grants are awarded to state and local governments following a disaster to implement long-term mitigation measures. Since the program's inception in 1989, California has been allocated $960 million from 23 hazard mitigation grants.

Pre-Disaster Hazard Mitigation Grant Program (PDM). PDM funds are available for hazard mitigation planning and the implementation of mitigation projects prior to a disaster. PDM grants are awarded on a competitive basis. California has received or is in the process of receiving $86.4 million in PDM grants from 2002 through 2005.[148]

Flood Mitigation Assistance Program. The Flood Mitigation Assistance Program was established in 1997 and is part of the National Flood Insurance Program which provides insurance to consumers and businesses. Funding is generated by the premiums paid by the insured

and funds are allocated based on the number of flood insurance policy holders in the state. Funds may be used for planning and projects. Nationally, $20 million is appropriated annually and California has received $7.6 million since 1998, with an average of $720,000 per year.[149]

The table below lists the major grants awarded in California in 2005 for emergency preparedness efforts, the state department that administers the grant and the federal funding source. Grants administered directly from the federal government to local entities are not included.

Major Federal Emergency Preparedness Grants Awarded in California in 2005

Department	Grant	Amount	Source
OHS	State Homeland Security Grant	$84.6 million	DHS
OHS	Urban Area Security Initiative	$148.3 million	DHS
OHS	Emergency Management Performance Grants	$13.8 million	DHS
OHS	Law Enforcement Terrorism Prevention Program	$30.7 million	DHS
OHS	Citizen Corps Program	$1 million	DHS
OHS	Metropolitan Medical Response System	$4 million	DHS
OHS	Transit Security Grant	$19.35 million	DHS
OHS	Buffer Zone Protection Program	$12.9 million	DHS
Department of Health Services	Bioterrorism Cooperative Agreement	$60.5 million*	CDC
Department of Health Services	Bioterrorism Cooperative Agreement	$39.2 million*	U.S. Dept. of Health & Human Services
OES	Hazard Mitigation Grant Program	$3.6 million**	FEMA
OES	Pre-Disaster Hazard Mitigation Grant Program	$75.7 million***	FEMA
OES	Flood Mitigation Assistance	$576,049	FEMA

* Los Angeles County is a direct recipient of the CDC and HRSA grants. **Hazard Mitigation Grants are awarded after a disaster declaration and as such, vary year to year. ***No Pre-Hazard Mitigation Grants were awarded in 2004, funding for 2004 was combined with funding for 2005. Sources: See page 90.

Other federal agencies also may provide funding and support for mitigation efforts, including:

- ✓ U.S. Department of Housing and Urban Development – Community Development Block Grant Program.
- ✓ U.S. Army Corps of Engineers – Funding for flood control projects.
- ✓ U.S. Small Business Administration – Home and business disaster mitigation and pre-disaster mitigation loans.
- ✓ U.S. Department of Agriculture – Rural Development/Community Facilities Guarantee, Community Facilities Direct Loans and Grants and Volunteer Fire Assistance.
- ✓ Natural Resources Conservation Service – Conservation Reserve Program, Environmental Quality Incentives Program, Small Watershed Program and Flood Prevention Program, Emergency Watershed Protection Program.
- ✓ National Oceanic Atmosphere Administration – Coastal Services Center Cooperative Agreements and the Coastal Zone Management Administration/Implementation Awards.[150]

But Funding is Not Allocated Strategically

Despite substantial funding, significant needs have gone unmet. As stated elsewhere, California has not developed catastrophic response plans. The State lacks an interoperable communication system. Numerous bridges, overpasses and even schools have yet to be retrofitted.[151] And many state and local agencies lack sufficient staff, equipment or other resources to effectively meet their preparedness goals. For the most part, federal policies determine how California can apply federal dollars to meet preparedness needs. And as with other areas of state funding, annual budget discussions largely focus on marginal shifts in allocations to multiple state agencies.

Local officials complain that reliance on federal funding limits discretion and prevents California from tailoring programs to needs.[152] And priorities in federal funding have shifted in recent years. Thus local agencies are concerned that they cannot rely on federal dollars to support long-range plans or to build the staff capacity needed for effective preparedness.

The sheer number of funding sources and the distribution of funding across multiple state and local agencies clouds opportunities to recognize the scale of resources that are available and to rethink the strategic direction of preparedness funding. And the State does not systematically assess local needs or local capabilities and thus cannot develop a

spending plan to improve preparedness. As a result, policy-makers and emergency managers have not engaged in discussions of strategic needs, based on clear and valid assessments of risks and needs, and how best to meet them.

Mitigation and prevention funds are lacking. Experts recommend that emergency preparedness efforts prioritize mitigation and prevention. But few resources are available to support those efforts. California's Seismic Safety Commission is charged with identifying risks and proposing prevention and mitigation strategies.[153] But California lacks an agency with the mission to pursue and implement the mitigation strategies that would reduce California's vulnerabilities.[154] And OES Director Renteria confirmed in his testimony that mitigation and prevention efforts are lacking.[155]

California's hazard mitigation plan identifies numerous goals and objectives, but that planning document has not been integrated into the State's policy discussions. For instance, Goal 2 of the plan calls for discouraging development in high hazard areas.[156] Yet the cities and counties around Sacramento continue to permit housing developments in areas at risk for catastrophic flooding. And the State has not modified General Plan or other requirements that guide local land use planning to address mitigation goals.

Funding Does Not Create Incentives for Improvement

State law requires local and state agencies to put in place emergency response plans and strategic management plans. As stated earlier, few of those plans are reviewed and the OES staff complain they lack the authority to require improvements.[157] But the State has not used those plans to guide its investments. The federal government has begun to link federal funds to improved preparedness efforts. For instance, the Department of Homeland Security has begun to require local agencies to develop regional response and funding proposals as a condition of receiving some federal dollars. And the federal government has developed preparedness standards and required local agencies to report and certify on their capacity to meet those standards.

The State Fails to Leverage Market Strategies for Preparedness and Prevention

Finally, California's emergency preparedness strategy has not leveraged market strategies to improve preparedness. The most significant market strategy to promote preparedness is insurance. The State offers earthquake insurance through the California Earthquake Authority, but

86 percent of California homeowners have no earthquake insurance.[158] Additionally, many communities are required to participate in the federal flood insurance program. But California has not developed and pursued additional market strategies to encourage preparedness. Instead, the State's preparedness strategy relies heavily on building response capacity and funding specific mitigation projects – such as bridge retrofitting – as funding is available.

To dramatically expand the resources available to support preparedness, the State must develop and champion market strategies to improve the preparedness of households, businesses and commercial properties to reduce vulnerabilities and consequences. As discussed in Finding 2, performance-based building codes – which can create incentives for builders and building owners to exceed minimum construction standards – building certifications, tax incentives and other strategies can create incentives for homeowners and business owners to protect their assets and reduce the likelihood of damage from emergencies and catastrophic events. Improvements in household and private sector preparedness can help avoid public costs associated with response and recovery.

Funding Should Support Preparedness Goals

The State must rethink its funding strategy for emergency preparedness. In allocating funds, the State must understand the capabilities of local agencies and their needs. State funding must create incentives for improvement. It must knock down barriers to an integrated response strategy – between communities and among professional disciplines – and it must prioritize prevention and mitigation. Additionally, funding strategies must recognize that public agencies alone cannot address California's emergency preparedness needs. The State must develop funding and fiscal strategies to engage the private sector, voluntary organizations and the public in bolstering California's emergency preparedness.

Recommendation 3: The governor and Legislature should ensure that emergency preparedness funding is adequate, strategic and creates incentives for improvement. Specifically, the State should:

- ***Prepare an inventory of state and federal funding sources for emergency preparedness.*** An inventory of state and federal funding sources and programs can inform budgeting, policy-making and grant allocation processes. Information on available funding and allocations should be available on-line to promote awareness and transparency.
- ***Assess local needs and capabilities based on risks.*** To ensure that funding is allocated strategically, the State must put in place a

strategy to periodically and systematically assess state and local needs and capabilities and identify priorities for funding. Assessments and funding priorities should be based on risks and leverage local and federal funding.

- ***Link state support for local preparedness to progress in meeting benchmarks.*** In conjunction with local officials and emergency preparedness experts, the Governor's Office of Emergency Services and Homeland Security should develop strategies to link state funding for local agencies, along with federal pass-through dollars, to local progress in meeting preparedness benchmarks.
- ***Ensure funding for catastrophic response.*** As part of the State's contingency planning, the governor and Legislature should develop a plan to fund a response to a catastrophic event. The plan should identify existing funding sources to be tapped, the programs that would likely be deferred as a result, and the policies and procedures needed to raise additional revenue or adjust the budget to accommodate the unexpected expenditures.
- ***Petition the federal government to expand support for preparedness.*** Working with the State's congressional delegation, the National Association of Governors, and the National Council of State Legislatures, the governor and Legislature should call upon the president and Congress to expand federal funding to address the following needs:
  - ✓ ***Expand all-hazards training and exercises.*** Federal funding for training and exercises should ensure that state and local agencies are equipped, trained and prepared to support integrated, unified catastrophic response and recovery strategies.
  - ✓ ***Expand mitigation and prevention funding.*** Federal funding should prioritize prevention and mitigation strategies and create incentives for state and local agencies to reduce the risks and vulnerabilities of large-scale emergencies and catastrophic events.
  - ✓ ***Establish regional and national emergency communications strategies.*** The federal government should lead a national effort to ensure that states and local agencies have the communications equipment, training and resources needed to support regional and national mutual aid strategies necessary for national preparedness.
  - ✓ ***Increase federal incentives for household and private sector investment in preparedness, mitigation and prevention.*** Incentives to consider include tax credits, low-interest loans, and other strategies.

Promote Continuous Improvement and Accountability

Finding 4: California has not put in place a structure and a strategy for promoting improvement and creating accountability.

Each year the State and the federal government invest billions in California's emergency preparedness system. But it is unclear what the public buys with those funds and whether each additional year of allocations results in improved outcomes. California's historic commitment to emergency preparedness has resulted in an emergency management and response system that works well for the emergencies that most frequently befall California. But the State is not prepared for a catastrophic event. And many other challenges continue to go unaddressed – particularly in the areas of mitigation and prevention. Further, the public and policy-makers do not have the information they need to assess the effectiveness of California's emergency preparedness system, recognize deficiencies and guide investments.

Planning is Required

State and federal policies and funding rules require significant planning for emergency preparedness. The State has an Emergency Plan, a Mitigation Plan, a Terrorism Response Plan, a Master Mutual Aid Plan, a Strategic Emergency Management Plan and numerous other plans and guidelines. Each state agency also is required to develop a strategic plan for its role in emergency response. And each local agency is required to develop plans for response, mitigation, evacuations and other aspects of emergency preparedness.[159]

Planning often is a requirement for funding. FEMA requires the State and local agencies to prepare and submit a mitigation plan to be eligible for federal dollars following a disaster declaration.[160] The Department of Homeland Security requires states and local agencies to prepare and submit self-assessments and certifications of capacity as a condition of eligibility for homeland security funding.[161] And following emergency events, state and local agencies are required to prepare after action reports, which are used to identify deficiencies, prepare improvement strategies and amend operational plans prior to the next emergency.[162]

Planning is Inadequate

But the value of these plans is unclear. Emergency managers report that planning documents are helpful, but do not drive management decisions by professionals trained to assess needs and deliver responses.[163] Similarly, policy documents – including the State's Mitigation Plan – do not have a central role in budget negotiations or policy deliberations. And it is unrealistic to expect that the federal government has the personnel and familiarity with conditions around the country to assess the accuracy of state and local self-assessments as part of its grant review process.

While after action reports can help emergency responders and managers tune their strategies, experienced emergency managers assert privately that these reports have become pro forma. Few officials are willing to publicly highlight their mistakes. None are authorized to question the wisdom of local or state policies that may have increased threats, vulnerabilities and consequences.

And planning can be costly. State and local officials assert that planning requirements can become superficial and simply an exercise associated with funding requests or other requirements.[164] Experienced managers invest in strategic planning to meet their needs, but those efforts may or may not meet state or federal planning requirements. But mandated planning takes time, involves staff work and draws resources away from other efforts.

Despite numerous planning requirements, policy-makers and the public have little meaningful information on what is in place, what is working and what is not. As mentioned elsewhere, OES Director Renteria told the Commission that not all local agencies submit required plans.[165] And State and local staff reported that many plans are never reviewed and that the planning process is not managed to drive improvements.[166]

Effectiveness Measures are Not In Place

A number of states and the federal government have developed performance and effectiveness measures to guide improvement and support accountability. But California has not.

Oregon reports on its emergency preparedness as part of its namesake benchmarks program. The Oregon Progress Board annually tracks performance, with expectations that performance improves each year. Oregon's public agencies are expected to demonstrate improved

outcomes, document the public value of their contributions and explain how the agencies contributed to improvements.[167]

Oregon Benchmarks—Key Performance Measures

Percent of Oregon Coastal Counties with Complete Evacuation Plans									
	1999	2000	2001	2002	2003	2004	2005	2006	2007
Target				57%	71%	88%	100%	86%	95%*
Data				57%	71%	75%			
Percentage of Counties with Domestic Preparedness Plans									
	1999	2000	2001	2002	2003	2004	2005	2006	2007
Target				14%	56%	83%	75%	85%	95%
Data				14%	40%	72%			
Percentage of Jurisdictions with Approved Hazard Mitigation Plans									
	1999	2000	2001	2002	2003	2004	2005	2006	2007
Target				15%	50%	65%	80%	81%	83%
Data				10%	39%	50%			
Percentage of Oregon Cities and Towns That Meet Community Preparedness Standards for Geological Natural Hazards									
	1999	2000	2001	2002	2003	2004	2005	2006	2007
Target	30%	40%	45%	50%	53%	55%	57%	60%	62%
Data	30%	40%	45%	46%	47%	50%	50%		
Percentage of Coastal Communities with Tsunami Hazard Maps and Mitigation Plans									
	1999	2000	2001	2002	2003	2004	2005	2006	2007
Target	65%	70%	75%	80%	85%	85%	87%	90%	90%
Data	65%	70%	75%	76%	77%	80%	69%		
Percentage of Communities With Ground Response Maps and Mitigation Plans for Earthquake Hazards									
	1999	2000	2001	2002	2003	2004	2005	2006	2007
Target	50%	50%	50%	55%	60%	65%	75%	78%	80%
Data	54%	70%	70%	75%	76%	78%	82%		

* In 2002 Oregon established a target of 100 percent to be met by 2005. Target percentages were revised down in later years. Source: Oregon Progress Board. "Department of State Police – Annual Performance Report – Part II, Key Measure Analysis," and "Department of Geology & Mineral Industries – Annual Performance Progress Report." Web site http://www.oregon.gov/DAS/OPB/APPR05.shtml.

Under the President's Management Agenda, the federal government has developed management standards, a score card, and performance reports for each federal agency. The federal government also recently developed an on-line strategy to share performance information with the public and stakeholders – ExpectMore.gov.[168]

And the U.S. Department of Homeland Security has developed seven performance goals and numerous measures to monitor its progress in

DHS Strategic Goals and Measures

1. ***Awareness -*** Identify and understand threats, assess vulnerabilities, determine potential impacts and disseminate timely information to our homeland security partners and the American public.
2. ***Prevention -*** Detect, deter and mitigate threats to our homeland.
3. ***Protection -*** Safeguard our people and their freedoms, critical infrastructure, property and the economy of our nation from acts of terrorism, natural disasters and other emergencies.
4. ***Response -*** Lead, manage and coordinate the national response to acts of terrorism, natural disasters, and other emergencies.
5. ***Recovery -*** Lead national, state, local, and private sector efforts to restore services and rebuild communities after acts of terrorism, natural disaster, or other emergencies.
6. ***Service -*** Serve the public effectively by facilitating lawful trade, travel and immigration.
7. ***Organizational Excellence -*** Value our most important resource, our people. Create a culture that promotes a common identity, innovation, mutual respect, accountability and teamwork to achieve efficiencies, effectiveness, and operational synergies.

Source: U.S. Department of Homeland Security. *Fiscal Year 2007 Performance Budget Overview*. http://www.dhs.gov/interweb/assetlibrary/Budget_PBO_FY2007.pdf. Accessed April 6, 2006.

meeting goals. While critics suggest that federal performance measures may be better indicators of effort than actual progress, the federal government is providing performance information that previously was unavailable.[169]

And many states participate in the Emergency Management Accreditation Program (EMAP), which has established standards and an assessment and certification program for emergency management. The EMAP assessment is based on international standards developed by the National Fire Protection Association.[170]

In her testimony to the Commission, Emily Bentley, executive director of EMAP, told the Commission that only five states have met the standards for accreditation for emergency preparedness. In a 2004 initial baseline assessment, California failed to meet approximately one third of the approximately 50 standards for accreditation. State officials have not pursued a more comprehensive evaluation.[171]

And William Jenkins, the director of Homeland Security and Justice Issues for the U.S. Government Accountability Office, told the Commission that California must take on the difficult challenge of promoting performance. He commented that the basic steps are easy to list, but extremely difficult to complete:

- ✓ Develop a strategic plan with clear goals, objectives and milestones.
- ✓ Develop performance goals that can be used to set desired performance baselines.
- ✓ Collect and analyze relevant and reliable data.
- ✓ Assess the results of analyzing those data against performance goals to guide priority setting.
- ✓ Take action based on those results.
- ✓ Monitor the effectiveness of actions taken to achieve the designated performance goals.[172]

To fortify emergency preparedness throughout California, the State must put in place clear and compelling preparedness goals, benchmarks to track progress and a strategy to communicate that progress to policy-makers and the public. In Recommendations 1 and 2, the Commission has proposed a gap analysis, a strategic plan and the integration of emergency services into a single department. Those efforts must include the adoption of preparedness goals and performance measures. To support these reforms, the executive branch must set and monitor strategies to improve readiness and outcomes.

Through its oversight and budgeting role, the Legislature also must be engaged in promoting continuous improvement and monitoring preparedness. In addition, the Legislature should tap the Emergency Council to provide expert oversight and guidance.

Recommendation 4: The governor and Legislature should put in place a strategy for continuous improvement and accountability. Specifically,

- ❑ ***The governor and Legislature should fortify internal efforts to improve progress and accountability. The governor and Legislature should:***
  - ✓ ***Require the department to develop performance measures and benchmarks for preparedness.*** Modeled after standards and benchmarks used by the federal Office of Management and Budget, measures should reflect all aspects of preparedness, be understandable to the public and present reliable and valid information on effectiveness. Performance measures and benchmarks should be subject to review and approval by the Emergency Council.
  - ✓ ***Require the department to prepare and submit an annual emergency preparedness assessment.*** As part of the budget process, the Senate and Assembly budget committees should require the Governor's Office of Emergency Services and Homeland Security to submit annually an assessment of state

and local progress toward preparedness goals. Assessments should be based on the benchmarks and standards developed by the department. The report should include strategies to be undertaken in the following budget year to achieve improvement. Annual reports should be reviewed by the Emergency Council.

- ✓ ***Require local report cards on preparedness.*** Based on the State's performance measures and benchmarks, each local agency should develop and publicly release a report card on preparedness. For those measures requiring confidentially, the State should develop strategies to assess and monitor performance without releasing sensitive information.

- ❑ ***The Legislature should direct the California Emergency Council to promote improvement and accountability. The council should be charged with the following responsibilities:***

  - ✓ ***Advise policy-makers and administrators on preparedness goals and progress in meeting them.*** The council should advise the department on the formulation of preparedness goals and benchmarks and a strategic plan as outlined in Recommendation 1. The council also should provide ongoing advice to the Legislature on legislative proposals, the governor's budget and other proposals to bolster preparedness. The council should be authorized to issue reports on preparedness as needed.

  - ✓ ***Evaluate after action reports.*** The council should assess after action reports issued by state and local agencies, report its findings to policy-makers and the public and recommend changes in policies and practices based on lessons learned following emergency events. The council also should recommend strategies to improve the value of after action reports.

- ❑ ***Authorize the Joint Legislative Budget Committee to review and approve contingent emergency rules.*** As indicated in Recommendation 1, the department should promulgate contingent emergency management rules and regulations to support catastrophic response, emergency response and recovery. To provide a reasonable check of the governor's unilateral authority, any order established in advance of an emergency that would suspend existing rules or regulations or represent new rules or regulations, as authorized by Government Code Section 8567, should be submitted to the Joint Committee, rather than the Emergency Council, for review and approval.

Conclusion

Californians have an expectation of safety. When emergencies unfold, they expect their government to respond. In most cases, state and local agencies perform admirably. Individuals often perform heroically. But when California's emergency preparedness strategy falls short – lives and property are damaged, destroyed or even lost. As demonstrated by Hurricane Katrina, mistakes in planning and preparedness can be catastrophic.

This report highlights what to experts are well-known and clear limitations to California's emergency preparedness. While the emergency management system in place is sound in concept – it is perhaps the best the world has to offer – the strategy in place to support that system is weak.

That strategy is weakened by insufficient recognition of risks and capabilities – thus preventing strategic investments by the State to bolster local capacity. Competition for scarce resources has encouraged professional silos that complicate unified response strategies. And years of waning political and fiscal support have muted the leadership necessary to build the state-local partnerships essential to fortifying statewide preparedness.

Most importantly, California's emergency preparedness strategy is weakened by a lack of leadership. Researchers for years have highlighted California's vulnerabilities to a catastrophic earthquake. No imagination is needed to see in those forecasts the destruction that would result. And models are in place today to reduce threats and vulnerabilities, promote prevention and mitigation, and harness the capabilities and resources of public servants and the private sector to respond when called. No innovation is required to deploy those models in California.

If California only relies on current practices to respond to its threats and vulnerabilities, the emergency management system will continue to fall just short of preventing the damage of recurrent flooding and fires that dominate the headlines. And in the event of a catastrophic incident – the earthquake that is projected within the lifetimes of most of the Californians living here today – too many of us will not survive.

The proposals in this report are neither unique nor radical. Nor are they overly difficult. The Commission's recommendations build upon the system in place, they call for improved investments, rethinking the role of emergency managers and a strategy that clarifies the risks, the liabilities and the progress being made. And the Commission calls for a plan that envisions the catastrophic events that are forecast.

Fundamentally, these recommendations call for leadership from the governor and the Legislature to ensure that California is prepared.

The greatest challenge facing emergency preparedness is one of political will: Mustering the courage to spend political capital and scarce dollars on stopping a problem before it appears. In the past, policy-makers have preferred to wait for problems to develop and then fund solutions instead of prevention. But Hurricane Katrina has shown that that gamble is not worth the risks.

Appendices & Notes

- ✓ ***Governor's Executive Order S-04-06, April 18, 2006***
- ✓ ***Public Hearing Witnesses & Written Comments Submitted***
- ✓ ***Advisory Panel Meeting Participants***
- ✓ ***Dissenting Opinion***
- ✓ ***Notes***

Appendix A

Governor's Executive Order S-04-06, April 18, 2006

EXECUTIVE DEPARTMENT

STATE OF CALIFORNIA

EXECUTIVE ORDER S-04-06
by the
Governor of the State of California

WHEREAS, California has successfully responded to earthquakes, floods, fires, freezes, outbreaks of infectious disease, droughts, pestilence, civil unrest, mudslides, chemical spills, and the threat of terrorist action, including 19 major disasters between 1989 and 2006 and more than 1,200 proclaimed States of Emergency between 1950 and 2006 affecting every county in the State; and

WHEREAS, the state government and many local governments, non-profit organizations, and businesses have already taken proactive steps to prepare for disasters in California; and

WHEREAS, California is a recognized leader in emergency management and the federal government has now adopted California's Standardized Emergency Management System as the core of their emergency response system; and

WHEREAS, state and local government agencies must continue to strengthen efforts to prepare for catastrophic disasters; and

WHEREAS, public-private partnerships are essential to preparing for, responding to, and recovering from disasters; and

WHEREAS, more needs to be done to educate Californians about what they can do to be better prepared for the next disaster; and

WHEREAS, the efficient mobilization of federal, private sector, and non-profit resources is critical to effectively prepare for, respond to and recover from disasters.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the powers and authority vested in me by the Constitution and statutes of the State of California do hereby issue this Order to become effective immediately:

1. The Director of the Office of Emergency Services and the Director of the Office of Homeland Security shall periodically, but no less than quarterly, convene a meeting with, among others, the Adjutant General of the California National Guard, the Secretary of Business, Transportation and Housing, the Secretary of Corrections and Rehabilitation, the Secretary of Education, the Secretary of Environmental Protection, the Director of Finance, the Secretary of Food and Agriculture, the Secretary of Health and Human Services, the Secretary of Labor and Workforce Development, the Secretary of Resources, the Secretary of State and Consumer Services, the Secretary of Veterans Affairs, the Director of Forestry and Fire Protection, the Commissioner of the California

Air Resources Board, and the Director of the Emergency Medical Services Authority.

The Directors shall utilize these meetings to: (a) assess and provide necessary information to the Governor, Legislature, local agencies, and the public on pending emergency conditions that threaten the public health and safety, (b) develop a consolidated set of budget, legislative, and administrative actions, along with identification of additional federal resources required to improve state prevention and response capabilities to deal with pending threats to public health and safety, and (c) assist in the management of emergency preparedness, response, recovery and mitigation efforts.

2. An Emergency Partnership Advisory Workgroup (Workgroup) shall be convened by the Director of the Office of Emergency Services. The Workgroup shall assist the Director in securing agreements between affected state agencies and non-profit and private sector resources necessary to respond to threatened or actual emergency situations. The Workgroup members shall be selected by the Director of the Office of Emergency Services and be composed of at least seven non-profit and private sector representatives who are involved in preparing their communities for disasters.

The Workgroup's duties shall include: (a) providing advice to the Director of the Office of Emergency Services on appropriate agreements to provide for quick access to emergency supplies and services in order to minimize the need to stockpile such supplies during normal times, (b) providing advice to the Director of the Office of Emergency Services on logistic measures needed to quickly deliver needed supplies and services to affected areas, (c) providing advice to the Director of the Office of Emergency Services on methods to utilize non-profit and private sector capabilities to increase the surge capacity of state and local agencies responding to emergencies, (d) promoting the integration of the non-profit and private sectors into the emergency services system so that people can be better informed and prepared for emergencies, and (e) encouraging systems that aid business and economic recovery after a disaster.

3. By June 1, 2006, the Director of the Office of Emergency Services shall promulgate model Continuity of Operations/Continuity of Government plans and guidelines to be provided to state and local agencies in order to assist them in ensuring the continuity of government and ensuring the provision of essential services to the public during and after a catastrophic event.

4. By September 30, 2006, all Executive Branch agencies shall update their Continuity of Operations/Continuity of Government plans consistent with the guidelines and submit them to the Cabinet Secretary and the Director of the Office of Emergency Services and include procedures for the testing and exercising of these plans.

5. All Executive Branch agencies, through the coordination of the Director of the Office of Emergency Services, shall increase their efforts for the "Be Smart, Be Prepared, Be Responsible" public awareness campaign to ensure that all individuals, families and schools have the information they need to prepare themselves until government assistance can arrive during and subsequent to disasters.

6. The Secretary of Health and Human Services shall convene a working group of representatives from hospitals and health facilities throughout California to: (a) develop by June 1, 2006, a recommended program to ensure local health facility surge capacity plans achieve federal Health Resources and Services Administration surge capacity benchmarks, and (b) participate in conducting exercises and training to prepare for natural and man-made disasters.

7. The California Service Corps, in cooperation with the Health and Human Services Agency, the Office of Emergency Services, the Office of Homeland Security, and non-profit volunteer organizations, shall ensure the coordination of volunteer activities related to disaster response and recovery, including necessary training, equipment, and transportation provisions.

IT IS FURTHER ORDERED that agencies under my direct executive authority shall cooperate in the implementation of this Order. Other entities of state government, including the University of California, California State University, California Community Colleges, constitutional officers, legislative and judicial branches, and the California Public Utilities Commission, are requested to assist in its implementation.

This Order is not intended to, and does not create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its departments, agencies, or other entities, its officers or employees, or any other person.

IN WITNESS WHEREOF I have here unto set my hand and caused the Great Seal of the State of California to be affixed this the eighteenth day of April 2006.

/s/ Arnold Schwarzenegger

Governor of California

Appendix B

Little Hoover Commission Public Hearing Witnesses & Written Comments Submitted

Witnesses Appearing at Little Hoover Commission Public Hearing on Emergency Preparedness, January 26, 2006

Matthew R. Bettenhausen, Director
Office of Homeland Security

Jonah J. Czerwinski
Director of Homeland Security Projects
Center for the Study of the Presidency
Washington, D.C.

David Heyman, Director
Homeland Security Program
Center for Strategic and International Studies, Washington, D.C.

Leon E. Panetta, Director
Leon & Sylvia Panetta Institute for Public Policy
California State University, Monterey Bay

Henry Renteria, Director
Governor's Office of Emergency Services

Guna Selvaduray
Professor and Executive Director
Collaborative for Disaster Mitigation
San Jose State University

Deborah Steffen, Former Director
San Diego County Office of Emergency Services
and Former Regional Administrator
Governor's Office of Emergency Services

Michael A. Wermuth, Director
Homeland Security Program
RAND Corporation

Witnesses Appearing at Little Hoover Commission Public Hearing on Emergency Preparedness, February 23, 2006

Richard Andrews, Former Director
Governor's Office of Emergency Services
and Former Director
Office of Homeland Security

Emily Bentley, Executive Director
Emergency Management Accreditation Program

Richard B. Cooper
Business Liaison Director for Science and Technology
Private Sector Office
U.S. Department of Homeland Security

Mark Ghilarducci
Vice President and Director
Western States Regional Office
James Lee Witt Associates

William O. Jenkins, Jr., Director
Homeland Security and Justice Issues
U.S. Government Accountability Office

Dennis S. Mileti, Former Director
Natural Hazards Center
University of Colorado at Boulder

Harvey G. Ryland
President and Chief Executive Officer
Institute for Business and Home Safety

David Vucurevich, Vice President
Pharmacy Purchasing, Rite Aid Corporation

Brent H. Woodworth
Worldwide Segment Manager
IBM Crisis Response Team

Witnesses Appearing at Little Hoover Commission Public Hearing on Emergency Preparedness, March 23, 2006

Christopher A. Godley
Emergency Services Manager
Marin County Sheriff's Office of Emergency Services
and Member
California Operational Area Coalition

Dallas Jones, Senior Public Safety Advisor
James Lee Witt Associates, LLC

Henry Renteria, Director
Governor's Office of Emergency Services

Major General William H. Wade II
Adjutant General
California National Guard

Anne A. Witkowsky, Senior Fellow
Homeland Security Program
Center for Strategic and International Studies, Washington, D.C.

Jim Wunderman
President and Chief Executive Officer
Bay Area Council

Written Comments Submitted

California Operational Area Coalition. March 13, 2006. *Consolidation of the Governor's Offices of Homeland Security and Emergency Services.*

California State Communications Association. March 20, 2006. *Disaster Preparedness – A critical lack of resources.*

Appendix C

Advisory Panel Meeting Participants

Participants at the Little Hoover Commission Oakland Advisory Panel Meeting
January 12, 2006

Rikki Baum, Director
Welfare Policy Research Project
University of California
Office of the President

Arietta Chakos, Assistant City Manager
City of Berkeley

Jim Christiansen, Chief
Alameda Fire Department

Mary C. Comerio
University of California, Berkeley

Annemarie Conroy, Executive Director
Office of Emergency Services and Homeland Security
City and County of San Francisco

The Honorable Dave Cortese
Councilmember
City of San Jose

Rich Eisner
Coastal Regional Administrator
Governor's Office of Emergency Services

Henry Gardner, Executive Director
Association of Bay Area Governments

Paul Jacks
Deputy Director of Response and Recovery
Governor's Office of Emergency Services

The Honorable Beverly Johnson, Mayor
City of Alameda

Scott McCormick, Program Manager
Collaborating Agencies Responding to Disaster

Nancy Miramontez
Emergency Response Specialist
PG&E Corporation

The Honorable Nancy Nadel
Councilmember
Oakland City Council District Three

Jeanne Perkins
Principal Earthquake Program Manager
Association of Bay Area Governments

Lyman Shaffer
Director of Corporate Security and Emergency Preparedness
PG&E Corporation

Thomas Tobin, Chief Operating Officer
GeoHazards International

The Honorable Sheila Young, Mayor
City of San Leandro

Participants at the Little Hoover Commission Los Angeles Advisory Panel Meeting
January 31, 2006

George Cummings
Director of Homeland Security
Port of Los Angeles

Keith Garcia, Chair
Emergency Network of Los Angeles

Mark Ghilarducci, Vice President
James Lee Witt Associates

Laurie A. Johnson, Vice President
Risk Management Solutions, Inc.

Jack Kyser
Senior Vice President/Chief Economist
Los Angeles County
Economic Development Corporation

Tom LaTourrette, Physical Scientist
RAND Corporation

Issac Maya, Director of Research
Center for Risk and Economic Analysis
of Terrorism Events
University of Southern California

William Petak, Professor of Policy
Planning and Development
University of Southern California

Stephen Sellers, Regional Administrator
Southern Regional Branch
Governor's Office of Emergency Services

Ellis M. Stanley, Sr., General Manager
Emergency Preparedness Department
City of Los Angeles

Maurice Suh
Deputy Mayor of Homeland Security
and Public Safety
Office of Los Angeles Mayor Antonio
Villaraigosa

Participants at the Little Hoover Commission San Diego Advisory Panel Meeting
February 13, 2006

Barbara Ayers, CERT Program Manager
City of San Diego

Chief Jeff Bowman
San Diego Fire-Rescue Department

Heather Dauler, Project Manager
County of San Diego

Michael Dayton, Deputy Director
Governor's Office of Homeland Security

J. Brent Eidson, Assistant Director
Governmental Relations, City of San Diego

August "Augie" Ghio, Chief
San Miguel Fire District

Lawrence Goldzband, Manager
Charitable Contributions Department
Pacific Gas and Electric Company

Bill Gore, Undersheriff
County of San Diego

John Hawkins, President and CEO
Cloud 9 Shuttle

Michael Jones, Chairman of the Board
The Security Network

The Honorable Christine Kehoe
California State Senate

Janie Kramer
Vice President of Clinical Services
Sharp Memorial Hospital

Chief William Lansdowne
San Diego Police Department

Steve Leventhal, Director
External Relations
Fritz Institute

Leslie Luke
Emergency Planning Projects Coordinator
Office of Emergency Services
County of San Diego

Richard J. McCarthy, Executive Director
California Seismic Safety Commission

Bill Norris, Program Manager
Office of Homeland Security
City of San Diego

Ed Prendergast, Lieutenant
County of San Diego

Stephen Sellers, Regional Administrator
Southern Regional Branch
Governor's Office of Emergency Services

Deanna Spehn, Policy Director
Office of Senator Christine Kehoe

Harold Tuck
Deputy Chief Administrative Officer
County of San Diego

Chris Van Gorder, President and CEO
Scripps Health

Bob Welty, Director
Homeland Security Projects
San Diego State University Foundation

Earl Wentworth, Assistant Sheriff
County of San Diego

Jeff Wiemann, Chief Executive Officer
American Red Cross, San Diego Chapter

Brent H. Woodworth
Worldwide Segment Manager
IBM Crisis Response Team

Janet Workman
Emergency Management Consultant
Emergency Planning and Preparedness
Southern California Edison

Kim Zagaris, Fire Chief
Governor's Office of Emergency Services

Appendix D

Dissenting Opinion

Loren Kaye

TO: Michael Alpert, Chairman, Little Hoover Commission
Members, Little Hoover Commission

DATE: May 2, 2006

SUBJECT: "Safeguarding the Golden State: Preparing for Catastrophic Events" – Minority Report

I dissented from the vote adopting the above-referenced report because I do not believe the evidence developed for the report justified many of the findings. In addition, I was disappointed with the tone of the report, which I found to be out of proportion to the evidence used as justification for the findings, and also to be more strident in tenor than befits the dignity and reputation of the Commission. My personal criteria for judging the findings of Commission reports are simple: they must be based on data, supported by a consensus of experts in the field, and use anecdotes to illustrate research rather than accumulate anecdotes to pose as research.

Based on my experience with the subject matter, and on my review of the testimony provided to the Commission in the three public hearings, I generally concur with the recommendations. However, the findings in the report sell short the incredible talents and accomplishments of California's state and local emergency services professionals.

While there is obviously more that can be done to prepare for a catastrophic emergency, California has successfully responded to more major disasters than any other state and until Hurricane Katrina, had responded to the largest disasters in the nation. I worked for the Governor during the Northridge earthquake in 1994, the Oakland Hills firestorm in 1991 and the Loma Prieta earthquake in 1989, not to mention the Los Angeles civil unrest in 1992, each of which was a disaster or emergency of historic proportion. California has responded to 19 major disasters since 1989 and more than 1,200 declared States of Emergency since 1950. And please note that the 1997 floods required the evacuation of more than 200,000 people. Indeed, the Commission heard from national and state experts who testified to the high quality of California's emergency preparedness, response and recovery capabilities.

On this point, and as an example of my concerns, the Commission heard compelling testimony from Richard Andrews, a nationally recognized expert on emergency preparedness who previously served as California's Director of Emergency Services and Interim Director of Homeland Security. Mr. Andrews said, "California – unlike Louisiana, Mississippi or Alabama – has a long history of responding to large-scale emergencies. We have proven adept in mobilizing and managing a large quantity of resources, both personnel and materiel. California emergency officials provided much of the ICS institutional skill in attempting to organize the emergency operations in the Gulf Coast following Hurricane Katrina."

In the report, Mr. Andrews is paraphrased as saying "…with the exception of state fire agencies, California has little experience bringing together local, state and federal agencies

under a unified command." In fact, Mr. Andrews' point was quite different. He stated – and I quote:

> "California's mutual aid system, created in the early 1950s as part of the civil defense initiatives of that era, remains the model for the nation. The system for mobilizing fire services' resources is historically the most robust for the simple reason that it is used most frequently. The law enforcement mutual aid system, built on the same principles as that of the fire services, is also very effective, though there are fewer instances in which large mobilizations of law enforcement mutual aid is required. Other systems – for coroners, emergency management personnel, and public works resources – are, to my knowledge, less well developed and even more infrequently utilized.
>
> "There clearly is a direct relationship between the frequency of use of the mutual aid systems and their effectiveness, and, in the absence of major events that test the systems, periodic exercises and review of operational procedures should be used to assess effectiveness. I would recommend that some attention be given to reviewing the geographic boundaries of the mutual aid regions, which have remained substantially unchanged for decades. Also, over the years there has been little change in the designation of the mutual aid coordinators for each of the regions. Periodic rotation of these responsibilities might enhance the overall effectiveness of this bedrock feature of California's emergency management system."

This is a far cry from the indictment of the system attributed to Mr. Andrews.

To cite another example, the final report makes the finding that "the State has failed to aggressively pursue mitigation and prevention strategies to reduce risks or put in place recovery plans to reduce the consequences of emergency and catastrophic events." The only support I could find for that statement was the assertion that:

> "Despite well-known and potentially catastrophic risks, the State has not ensured that vulnerable bridges and overpasses are retrofitted, that hospitals could withstand the forces of an earthquake or that local land-use decisions recognize flood and fire dangers."

In fact, in the wake of the Loma Prieta and Northridge earthquakes, unprecedented and expensive mandates for state highway bridge and overpass upgrades, as well as hospital retrofits, were enacted. The Caltrans seismic retrofit program, which diverted billions of dollars from new road construction, was recently substantially completed. The hospital retrofit program is the subject of notable ongoing controversy. And the responsibility for land use decisions anticipating the danger of floods and fires are obviously within the authority of local governments, although the top priority for the Governor and Legislature during the recent infrastructure financing negotiations has been levee repair and upgrade. Finally, nowhere in the report is it noted that California has been one of the most successful states in procuring federal funds to undertake mitigation projects, securing more than $962.5 million since 1989.

My purpose in writing this letter is not to rebut each of the overstatements or to cite every instance of hyperbole, but instead to memorialize my concern that the recommendations in this report are undermined by the intensity of the rhetoric and weakness of the argument. I look forward to working with you and the Commission staff to improve these aspects of the Commission's otherwise fine work.

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7. RAND Infrastructure, Safety, and Environment. 2005. "Assessing Container Security: A Framework for Measuring Performance of the Global Supply Chain." *Research Brief*.
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12. Thomas E. Drabek and Gerard J. Hoetmer, eds. 1991. *Emergency Management: Principles and Practice for Local Government*. Chapter 1.
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15. Thomas E. Drabek and Gerard J. Hoetmer, eds. 1991. *Emergency Management: Principles and Practice for Local Government*. Page 22.

16. Dennis S. Mileti, Former Director, Natural Hazards Center, University of Colorado at Boulder. December 1, 2005. Personal communication.

17. California Government Code, Chapter 7. *Emergency Services Act*. http://www.leginfo.ca.gov. Accessed December 15, 2005. Also, State of California. September 2005. *Emergency Plan*. See endnote 1. Also, State of California. March 24, 2005. *Statewide Emergency Management Strategic Plan*. Also, Governor's Office of Emergency Services. December 23, 1994. *Standardized Emergency Management System Guidelines*. http://www.oes.ca.gov. Last accessed April 19, 2006.

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19. California Government Code, Chapter 7. *Emergency Services Act*. See endnote 17.

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27. Deborah Steffen, Former Director, San Diego County Office of Emergency Services and Former Regional Administrator, Governor's Office of Emergency Services. January 26, 2006. Testimony to the Commission. Also, Richard Andrews, Former Director, Governor's Office of Emergency Services and Former Director, Office of Homeland Security. February 23, 2006. Testimony to the Commission. Also, Mark Ghilarducci, Vice President and Director, Western States Regional Office, James Lee Witt Associates. February 23, 2006. Testimony to the Commission.

28. Deborah Steffen, Former Director, San Diego County Office of Emergency Services and Former Regional Administrator, Governor's Office of Emergency Services. See endnote 27.

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41. California Government Code Sections 8570(c), 8570(i), 8572 and 8573. See endnote 17.

42. California Government Code, Section 8570. See endnote 17.

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44. Governor's Office of Homeland Security. FY 2006. *California Homeland Security Grant Program Application*. Response to the U.S. Department of Homeland Security Office for Domestic Preparedness Information Bulletin No. 195 October 31, 2005. See endnote 38.

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61. Matthew R. Bettenhausen, Director, Office of Homeland Security. See endnote 9.

62. Bill Vogel, Chief, Disaster and Safety Services Bureau, California Department of Social Services. See endnote 51.

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