



# Executive Orders

## Executive Orders S-03-08

**WHEREAS** last year California experienced devastating wildfires that destroyed lives, property, businesses, and the environment and resulted in the largest deployment of firefighting resources and the highest number of evacuations in state history; and

**WHEREAS** this year, California once again finds itself facing an imminent threat of devastating wildfires and imminent peril to people and property; and

**WHEREAS** the number of dead, dying and diseased trees continues to increase as a result of bark beetle infestation in Southern California, providing a readily available fuel load which creates an imminent threat of catastrophic fires; and

**WHEREAS** current below-normal precipitation, seasonally higher-than-normal temperatures, strong winds, and low relative humidity have contributed to heavy fuel loads and the early drying of wildland vegetation; and

**WHEREAS** reductions in federal aviation assets limit federal initial attack capabilities; and

**WHEREAS** coordinated fire prevention, aggressive fuel reduction programs and strong initial attack resources are essential to protect people, property and the environment in California; and

**WHEREAS** the increased risk of catastrophic wildfires throughout California may result in harmful, secondary environmental effects, including increased emissions of air pollutants; diminished air and water quality; impacted watershed and soil stability; and compromised populations and habitats of sensitive and endangered fish and wildlife species; and

**WHEREAS** the increased risk of catastrophic wildfires could significantly impact state efforts to reduce greenhouse gases due to significant uncontrolled emissions of greenhouse gases caused by wildfire; and

**WHEREAS** immediate action is needed to respond to these conditions and to protect the people, property, economy, and environment in California.

**NOW, THEREFORE**, I, Arnold Schwarzenegger, Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, do hereby issue the following orders to become effective immediately:

**IT IS HEREBY ORDERED** that the California Department of Forestry and Fire Protection (CAL FIRE) shall secure and deploy additional resources that are necessary, as determined by the Director, to protect the safety of persons and property from wildfires during periods of elevated fire risk as follows:

- (A) Staff additional fire crews, fire engines, helitack crews, fire bulldozers, equipment and aviation resources as warranted based on fire threat conditions.
- (B) Assign a crew of four firefighters to selected CAL FIRE fire engines as warranted based on fire threat conditions.
- (C) Provide for immediate availability and utilization of the Supertanker aircraft.
- (D) Assign additional resources in the CAL FIRE Contract Counties as warranted based on fire threat conditions.
- (E) Coordinate with the Governor's Office of Emergency Services (OES) and the California National Guard for those military resources that may be available for assistance during emergencies in California.
- (F) Assign additional fire safe inspectors where and when beneficial to reduce fire risk, assist with fire hazard reduction, conduct defensible space inspections, and promote fire safe practices, public education and prevention programs.
- (G) Assign fire lookouts during peak fire conditions as part of CAL FIRE staffing patterns.
- (H) Increase staffing for command and control functions at CAL FIRE Unit Emergency Command Centers, Northern and Southern Operations Centers and the CAL FIRE Sacramento Coordination Center when necessary to respond to significant fire events.
- (I) Assign additional staff as necessary to provide emergency incident support and burn area emergency assessment and response activities.

**IT IS FURTHER ORDERED** that CAL FIRE utilize staff as necessary to support a heightened level of fire prevention public awareness and education utilizing CAL FIRE Volunteers in Prevention, Fire Safe Councils, and the Office of the State Fire Marshal.

**IT IS FURTHER ORDERED** that CAL FIRE develop and implement aggressive interdiction plans for the enforcement of laws regarding arson and illegal and dangerous fireworks, focusing on high traffic, high impact, high volume distribution and transportation points which may be the sources for the ignition of wildland fires in California.

**IT IS FURTHER ORDERED** that CAL FIRE continue, within its authority, to expedite the processing of contracts and grants of federal funds to communities, and continue to support local and regional responses to the bark beetle affected tree eradication and community emergency planning efforts.

**IT IS FURTHER ORDERED** that OES shall, in consultation and coordination with CAL FIRE and as fire threat conditions warrant, (a) deploy OES fire engine strike teams to ensure a substantial response capability to any wildland fire situation in California, with the costs of the deployment to be reimbursed consistent with the California Fire and Rescue Mutual Aid Plan and the California Fire Assistance Agreement, and (b) augment personnel at OES operations centers and emergency incident support teams as necessary to respond to significant fire events.

**IT IS FURTHER ORDERED** that the California National Guard prepare its aviation assets, and pre-position ground support equipment, as appropriate for immediate response to major wildfires and report to OES weekly on the status of all aircraft.

**IT IS FURTHER ORDERED** that the California Department of Corrections and Rehabilitation, including the Division of Juvenile Justice, establish the highest priority for assignment of minimum custody or camp-approved inmates and wards to Conservation Camp Fire Crews.

**IT IS FURTHER ORDERED** that the California Conservation Corps (CCC) report to CAL FIRE daily on the readiness of all CCC support crews for response to wildfires.

**IT IS FURTHER ORDERED** that OES review the preparedness of state agencies and departments to ensure readiness for response to wildfires.

**IT IS FURTHER ORDERED** that CAL FIRE and OES work closely with federal, state and local government agencies, bordering states, and the Mexico border states to maximize California's fire prevention and fighting capabilities and to provide appropriate reciprocal assistance when requested.

**IT IS FURTHER ORDERED** that, to the extent authorized by applicable law, the purchasing authority of CAL FIRE and OES (and other state agencies and departments as deemed necessary by the Director of OES) shall be raised to \$100,000 to expedite the contracts necessary to prepare and respond to emergencies during this fire season.

**IT IS FURTHER ORDERED** that the Department of General Services (DGS), in coordination with OES, shall establish short and long-term procurement mechanisms to secure the unique goods and services that may be required to support communities in an emergency.

**IT IS FURTHER ORDERED** that OES, in consultation and coordination with the California Resources Agency and the California Environmental Protection Agency, initiate preparedness and training efforts for local governments to ensure that post-fire watershed assessments, emergency protective measures, effective debris removal efforts, post-fire burn area assessments, and mitigation efforts to evaluate potential hazards, are implemented to address needed remediation.

**IT IS FURTHER ORDERED** that the California Environmental Protection Agency and the California Resources Agency shall oversee the Climate Action Team's development of measures for wildfire fuels reduction and biomass utilization.

**IT IS FURTHER ORDERED** that CAL FIRE shall provide educational information to homeowners on defensible space and California Building and Fire Codes ignition-resistant building materials, and shall develop training for defensible space inspection and building ignitability in consultation with the Department of Insurance, OES, and the Federal Emergency Management Agency (FEMA).

**IT IS FURTHER ORDERED** that CAL FIRE shall conduct vigorous defensible space inspections, and shall impose fines and/or liens pursuant to applicable authority if necessary.

**IT IS FURTHER ORDERED** that to assist landowners to meet their 100-foot defensible space requirements to reduce hazardous vegetation and landscaping, CAL FIRE, in consultation with the California Biomass/Biofuel Collaborative, may enter into contracts, agreements, and arrangements for the chipping, hauling, burning, or other methods of disposal of hazardous vegetation removed by landowners as required by Public Resources Code section 4291 and Government Code section 51182.

**IT IS FURTHER ORDERED** that OES shall continue to support the development of fire hazard information and shall continue to make it available to the public.

**IT IS FURTHER ORDERED** that OES shall assist local communities to help ensure that federal hazard mitigation grants are focused on the areas of greatest vulnerability in the Wildland Urban Interface in California.

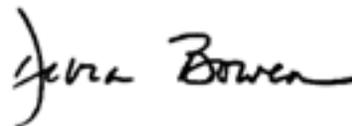
This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**I FURTHER DIRECT** that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 9th day of May 2008.



**ARNOLD SCHWARZENEGGER**  
Governor of California



**ATTEST: DEBRA BOWEN**  
Secretary of State

# State and Federal Declarations

## Federal Register Notice

Billing Code 9110-10-P

### Department of Homeland Security

Federal Emergency Management Agency

[FEMA-3287-EM]

California; Emergency and Related Determinations

#### Agency:

Federal Emergency Management Agency, DHS.

#### Action:

Notice.

#### Summary:

This is a notice of the Presidential declaration of an emergency for the State of California (FEMA-3287-EM), dated June 28, 2008, and related determinations.

#### Effective Date:

June 28, 2008.

#### For Further Information Contact:

Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2705.

#### Supplementary Information:

Notice is hereby given that, in a letter dated June 28, 2008, the President declared an emergency declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206 (the Stafford Act), as follows:

I have determined that the emergency conditions in certain areas of the State of California resulting from wildfires beginning on June 20, 2008, and continuing, are of sufficient severity and magnitude to warrant an emergency declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206 (the Stafford Act). Therefore, I declare that such an emergency exists in the State of California.

You are authorized to provide appropriate assistance for required emergency measures, authorized under Title V of the Stafford Act, to save lives and to protect property and public health and safety, and to lessen or avert the threat of a catastrophe in the designated areas. Specifically, you are authorized to provide assistance for emergency protective measures (Category B), limited to direct Federal assistance, under the Public Assistance program. This assistance excludes regular time costs for subgrantees' regular employees. In addition, you are authorized to provide such other forms of assistance under Title V of the Stafford Act as you may deem appropriate.

## Federal Register Notice

Billing Code 9110-10-P

### Department of Homeland Security

Federal Emergency Management Agency

[FEMA-3287-EM]

California; Amendment No. 2 to Notice of an Emergency Declaration

**Agency:**

Federal Emergency Management Agency, DHS.

**Action:**

Notice.

**Summary:**

This notice amends the notice of an emergency declaration for the State of California (FEMA-3287-EM), dated June 28, 2008, and related determinations.

**Effective Date:**

July 9, 2008.

**For Further Information Contact:**

Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2705.

**Supplementary Information:**

The notice of an emergency declaration for the State of California is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared an emergency by the President in his declaration of June 28, 2008.

Butte, Kern, Mariposa, Mendocino, Monterey, Plumas, Santa Barbara, Santa Clara, Santa Cruz, Shasta, and Trinity Counties for emergency protective measures, (Category B), including direct Federal assistance,

under the Public Assistance program, for a period of up to 60 days beginning on June 20, 2008, and ending on August 20, 2008, or the close of the incident period, whichever occurs first.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidential Declared Disaster Areas; 97.049, Presidential Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050 Presidential Declared Disaster Assistance to Individuals and Households - Other Needs, 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.)



R. DAVID PAULISON

Administrator,

Federal Emergency Management Agency

## Federal Register Notice

Billing Code 9110-10-P

### Department of Homeland Security

Federal Emergency Management Agency

[FEMA-3287-EM]

California; Amendment No. 3 to Notice of an Emergency Declaration

**Agency:**

Federal Emergency Management Agency, DHS.

**Action:**

Notice.

**Summary:**

This notice amends the notice of an emergency declaration for the State of California (FEMA-3287-EM), dated June 28, 2008, and related determinations.

**Effective Date:**

August 20, 2008.

**For Further Information Contact:**

Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-3886.

**Supplementary Information:**

Notice is hereby given that the incident period for this emergency is closed effective August 20, 2008.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and

drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households - Other Needs, 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant).



**R. DAVID PAULISON**

Administrator,

Federal Emergency Management Agency

## Federal Register Notice

Billing Code 9110-10-P

### Department of Homeland Security

Federal Emergency Management Agency

[FEMA-3287-EM]

California; Amendment No. 4 to Notice of an Emergency Declaration

**Agency:**

Federal Emergency Management Agency, DHS.

**Action:**

Notice.

**Summary:**

This notice amends the notice of an emergency declaration for the State of California (FEMA-3287-EM), dated June 28, 2008, and related determinations.

**Effective Date:**

September 16, 2008.

**For Further Information Contact:**

Peggy Miller, Disaster Assistance Directorate, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, (202) 646-2705.

**Supplementary Information:**

The notice of an emergency declaration for the State of California is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared an emergency by the President in his declaration of June 28, 2008.

Hoopa Valley Tribe and Yurok Tribe of the Yurok Reservation for emergency protective measures, (Category B), including direct Federal assistance,

under the Public Assistance program, for a period of up to 60 days beginning on June 20, 2008, and ending on August 20, 2008.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households - Other Needs; 97.036, Disaster Grants - Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant).



R. DAVID PAULISON

Administrator,

Federal Emergency Management Agency

## Designated Counties for California Wildfires

Disaster Summary For  
FEMA-3287-EM, California

**Declaration Date:** June 28, 2008

**Incident Type:** Wildfires

**Incident Period:** June 20 - August 20, 2008

### Designations and Types of Assistance:

The Department of Homeland Security, Federal Emergency Management Agency (FEMA), is authorized to provide appropriate assistance for required emergency measures, authorized under Title V of the Stafford Act, to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in the designated areas with respect to (uncontained) fires existing at this time. Specifically, FEMA is authorized to provide emergency protective measures (Category B), limited to direct Federal assistance, under the Public Assistance program at 75% Federal funding.

This assistance is for the counties of Butte, Mendocino, Monterey, Santa Clara, Santa Cruz, Shasta, and Trinity.

Butte, Kern, Mariposa, Mendocino, Monterey, Plumas, Santa Barbara, Santa Clara, Santa Cruz, Shasta, and

Trinity Counties for emergency protective measures, (Category B), including direct Federal assistance, under the Public Assistance program, for a period of up to 60 days beginning on June 20, 2008, and ending on August 20, 2008, or the close of the incident period, whichever occurs first.

Hoopa Valley Tribe and Yurok Tribe of the Yurok Reservation for emergency protective measures, (Category B), including direct Federal assistance, under the Public Assistance program, for a period of up to 60 days beginning on June 20, 2008, and ending on August 20, 2008.

### Other:

Additional designations may be made at a later date after further evaluation.

## Decision Not to Approve New or Continued Wildland Fire Use or Prescribed Fire

File Code: 5140

**Date:** July 9, 2008

**To:** Forest Supervisors

Based on current statewide fire activity and air quality considerations in California, I have decided not to approve any new or continued Wildland Fire Use (WFU) or Prescribed Fire applications on National

Forest System lands in the Pacific Southwest Region effective immediately. This decision will remain in effect until the National, and Geographic Area, Preparedness Levels have decreased to 3 or lower.