



EXECUTIVE ORDER S-05-09

05/05/2009

WHEREAS changing climate has impacted California's weather patterns and fuel conditions, resulting in an increased risk of wildfire; and

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

WHEREAS these readily available fuel loads create an imminent threat of catastrophic fires; and

WHEREAS last year California experienced devastating wildfires that destroyed lives, property, businesses, critical infrastructure, and the environment and resulted in the largest deployment of firefighting resources 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 federal aviation assets continue to be limited; 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 people, as well as the property, economy and environment throughout California, from the negative impacts of catastrophic wildfires.

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 CAL FIRE fire engines as warranted based on fire threat conditions.

(c) Assign additional resources in the CAL FIRE Contract Counties as warranted based on fire threat conditions.

(d) Coordinate with the California Emergency Management Agency (CAL EMA) and the California National Guard for those military resources that may be available for assistance during emergencies in California.

(e) 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.

(f) Provide for supplemental detection, including staffing for fire lookouts, during peak fire conditions.

(g) 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.

(h) 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 continue, within its authority, to expedite the processing of contracts and grants of federal funds to communities, and continue to support local and regional wildfire hazard mitigation and community emergency planning efforts.

IT IS FURTHER ORDERED that CAL EMA shall, in consultation and coordination with CAL FIRE and as fire threat conditions warrant, (a) deploy CAL EMA 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 Service and Rescue Emergency Mutual Aid Plan and the California Fire Assistance Agreement; and (b) augment personnel at CAL EMA 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 to provide its aviation assets, identify personnel to train for hand crews and pre-position ground support equipment as appropriate for response to major wildfires, and report to CAL EMA on the status of all aircraft on a weekly basis.

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 CAL EMA review the preparedness of state agencies and departments to assure readiness for response to wildfires.

IT IS FURTHER ORDERED that CAL FIRE and CAL EMA work closely with federal, state and local government agencies, bordering states, and the Mexico border states to maximize California's fire prevention and firefighting 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 CAL EMA (and other state agencies and departments as deemed necessary by the Secretary of CAL EMA) 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 CAL EMA, 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 CAL EMA, in consultation and coordination with the California Natural Resources Agency and the California Environmental Protection Agency, initiate necessary 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 Natural 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, CAL EMA, and the Federal Emergency Management Agency (FEMA).

IT IS FURTHER ORDERED that CAL FIRE shall conduct vigorous defensible space inspections pursuant to applicable authority.

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 CAL EMA, in coordination with CAL FIRE, 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 CAL EMA 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 5th day of May 2009.

ARNOLD SCHWARZENEGGER
Governor of California

ATTEST:
DEBRA BOWEN
Secretary of State