



MARIPOSA COUNTY

Administration • 209-966-3222



RESOLUTION - ACTION REQUESTED 2015-21

MEETING: January 13, 2015

TO: The Board of Supervisors

FROM: Mary Hodson, Interim CAO

RE: Proclaim the Termination of the El Portal Fire Local Emergency

RECOMMENDATION AND JUSTIFICATION:

Adopt a Resolution Proclaiming the Termination of the El Portal Fire Local Emergency.

On August 12, 2014, the Board of Supervisors declared a local emergency due to the conditions brought about by the El Portal Fire. Such a declaration allows for access to mutual aid and to potential access to Federal and State assistance. The Governor's Office of Emergency Services (Cal OES) conducted an assessment and the County's request for funding from the California Disaster Assistance Act and the request of a Presidential Disaster Declaration has been denied.

Since all avenues for aid have been pursued and concluded it is appropriate for the Board of Supervisors to make this proclamation.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On September 23, 2014, the Board adopted Resolution 14-489 proclaiming the termination of the Rim Fire local emergency.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The El Portal Fire local emergency will not be formally terminated.

ATTACHMENTS:

El Portal Fire Emergency Termination 2015(DOC)

El Portal Fire Emergency Declaration Exhibit A (PDF)

El Portal Fire Cal OES Letter Exhibit B (PDF)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hodson

Mary Hodson, Interim CAO 1/7/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier

Mariposa County Resolution 15-21

**PROCLAMATION TERMINATING THE LOCAL EMERGENCY KNOWN AS THE
EL PORTAL FIRE**

WHEREAS, on August 12, 2014, as a result of conditions of extreme peril to the safety of persons and property, the Board of Supervisors Proclaimed the Existence of the Local Emergency known as the El Portal Fire, a copy of which is attached as Exhibit "A" and incorporated by this reference; and

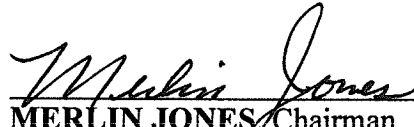
WHEREAS, the Governor's Office of Emergency Service has now made the determination that the County's request for funding from the California Disaster Assistance Act and the request for a Presidential Disaster Declaration for the El Portal Fire has been denied, a copy of which is attached as Exhibit "B;" and

WHEREAS, the emergency conditions, and their effects, are now be deemed to be within the control of the normal protective services, personnel, equipment, and facilities of and within said County of Mariposa.

NOW, THEREFORE, the Mariposa County Board of Supervisors, State of California, does hereby proclaim the termination of said local emergency, and declares that any orders made by the Board of Supervisors or the Mariposa County Fire Chief in connection with the local emergency are immediately rescinded and that this Proclamation takes effect upon approval.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 13th day of January, 2015 by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, CARRIER
NOES: NONE
ABSENT: NONE
EXCUSED: NONE



MERLIN JONES, Chairman
Mariposa County Board of Supervisors

ATTEST:



RENÉ LaROCHE
Clerk of the Board

APPROVED AS TO FORM:



STEVEN W. DAHLEM
County Counsel

Exhibit 'A'

**DECLARATION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY
AND REQUESTING (1) THE GOVERNOR TO PROCLAIM A STATE OF
EMERGENCY AND (2) A PRESIDENTIAL DECLARATION OF A STATE OF
EMERGENCY**

WHEREAS, Section 8630 of the Government Code and Chapter 2.80 of the Mariposa County Code authorize the Director of Emergency Services to proclaim the existence of a local emergency within the County of Mariposa when it is affected or likely to be affected by the existence or threatened existence of conditions of emergency or of extreme peril to the safety of persons and property within the territorial limits of Mariposa County; and

WHEREAS, the Director of Emergency Services does hereby find that conditions of extreme peril to the safety of persons and property have arisen within Mariposa County, caused by the El Portal Fire which started on or about July 26, 2014; and

WHEREAS, on August 2 2014, the Governor of the State of California declared a state of emergency for the County of Mariposa and other counties; and

WHEREAS, the El Portal Fire is causing ongoing damage to County and other public and district facilities, including but not limited to roads and structures within Mariposa County, the extent of which has not been completely compiled; and

WHEREAS, the aforesaid conditions warrant and necessitate the proclamation of a local emergency; and

WHEREAS, it has now been found that local resources are unable to cope with the effects of this emergency;

NOW, THEREFORE, BE IT HEREBY DECLARED that a local emergency now exists throughout Mariposa County; and

IT IS FURTHER DECLARED AND ORDERED that during the existence of the local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency services organization of the County shall be those prescribed by state law, and by ordinances and resolutions of Mariposa County approved by the Board of Supervisors; and

IT IS FURTHER DECLARED AND ORDERED that a copy of this Declaration be forwarded to the Governor of the State of California and to the President of the United States with the request that they proclaim the County of Mariposa to be in a state of emergency; and

IT IS FURTHER ORDERED that a copy of this Declaration be forwarded to the State Director of the Office of Emergency Services; and

IT IS FURTHER ORDERED that Richard J. Benson, County Administrative Officer and Emergency Services Officer, or his designee, is hereby designated as the local Hazard Mitigation Coordinator of the County of Mariposa for the purpose of assessing damage within Mariposa County and consulting with federal/state survey teams about hazard mitigation actions; and


IT IS FURTHER ORDERED that Richard J. Benson, or his designee, is hereby designated as the authorized representative for public assistance, and Richard J. Benson, or his designee, is hereby designated as the authorized representative for individual assistance of the County of Mariposa for purposes of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance; and

BE IT FURTHER RESOLVED that the County of Mariposa also requests the State of California to waive regulations that may hinder response and recovery efforts, to make available recovery assistance under the California Disaster Assistance Act, and to expedite access to federal resources and any other appropriate federal relief programs; and

BE IT FURTHER RESOLVED AND ORDERED that the local State of Emergency shall be deemed to continue to exist until its termination is proclaimed by the Mariposa County Board of Supervisors.


PASSED AND ADOPTED by the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, this 12th day of August, 2014 by the following vote:

AYES: Stetson, Jones, Cann, Carrier
NOES: None
EXCUSED: Bibby



KEVIN CANN, Chair
Mariposa County Board of Supervisors

ATTEST:



RENÉ LaROCHE
Clerk of the Board

APPROVED AS TO FORM:



STEVEN W. DAHLEM
County Counsel

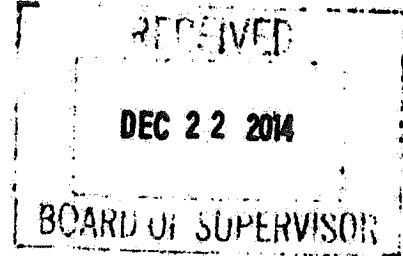
EDMUND G. BROWN JR.
GOVERNOR

Exhibit "B"

CC BOS
CAO COB
MARK S. GHILARDUCCI
DIRECTOR



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES



December 16, 2014

The Honorable Kevin Cann
Mariposa County Board of Supervisors
Post Office Box 784
Mariposa, California 95338

Dear Chairman Cann:

This is in response to Mariposa County's (County) request seeking California Disaster Assistance Act (CDAA) funding and a Presidential Disaster Declaration due to damages caused by the Bridge and El Portal Fires.

As a result of 17 fires burning throughout the state, including one that crossed over from the state of Oregon, the Governor declared a State of Emergency to exist in California on August 2, 2014, in accordance with the California Emergency Services Act. However, as a result of the assessments conducted following the wildfires, the County's request for funding from CDAA and the request of a Presidential Disaster Declaration for the Bridge and El Portal incidents has been denied.

To assist with firefighting related costs, however, Cal OES made an immediate request on your behalf to the Federal Emergency Management Agency (FEMA) for a Fire Management Assistance Grant (FMAG) for the Bridge Fire, which FEMA approved on August 5, 2014. The County was not the incident command for the El Portal Fire, as the California Fire and Protection Agency held that role and did not request an FMAG. The FMAG for the Bridge Fire will provide federal reimbursement of 75 percent of the eligible fire suppression costs associated with it. My staff is currently working with the affected jurisdictions on the reimbursement process.

Please know Cal OES will continue to work closely with your team during the recovery efforts and please feel free to contact me directly at (916) 845-8506 if you have any additional questions or if you would like to discuss this matter further.

Sincerely,

MARK S. GHILARDUCCI
Director