WHAT IS A STATE OF EMERGENCY

The proclamation of a state of emergency declares the governor is vested with the power to use and commandeer public and private property and personnel, to ensure all resources within California are available and dedicated to the emergency when requested, and can direct all state agencies to utilize and employ personnel, equipment and facilities for the performance of any and all activities designed to prevent or alleviate actual and threatened damage due to the emergency.

To simplify, a state of emergency tries to mitigate the effects of the emergency during both the response and recovery phases. For example, a proclamation for a fire will often send additional firefighting resources to the area. In several cases, the [California National Guard](http://www.ca.ang.af.mil/) has been activated to assist with firefighting. A proclamation usually includes provisions waiving fees to replace items that may have been destroyed in the fire such as birth certificates, driver’s licenses, car registration and marriage certificates, among other items.

Not all declared state of emergencies demand the same response.

The governor may proclaim a state of emergency in an area affected by a natural or intentional disaster, when he is requested to do so by the governing body of the local agency affected, or if local authority is inadequate to cope with the emergency. A local jurisdiction should request the governor to proclaim a state of emergency when the governing body of a city, county, or city and county determine emergency conditions are beyond the control of the services, personnel, equipment, and facilities of any single county, city, or city and county, and emergency conditions require the combined forces of the mutual aid system, managed by Cal OES, to combat.

If a local government determines effects of an emergency are beyond the capability of local resources to mitigate effectively, the local government must proclaim a local emergency within 10 days of the incident, and it should be ratified by the governing body within seven days. It should be noted, a local emergency proclamation is not required for fire or law mutual aid, direct state assistance, Red Cross assistance, a Fire Management Assistance Grant ([FMAG](http://www.oesnews.com/cal-oes-director-secures-fire-management-assistance-grant-fema-assist-response-agencies-battling-soberanes-fire-burning-monterey-county/)), or disaster loan programs from the U.S. Department of Agriculture ([USDA](http://www.usda.gov/wps/portal/usda/usdahome)) or the U.S. Small Business Administration ([SBA](https://www.sba.gov/)).

When the governing body submits its local proclamation of emergency to the California Governor’s Office of Emergency Services ([Cal OES](http://www.caloes.ca.gov/)), it first is submitted to the Regional Operations Area, and should include an Initial Damage Estimate ([IDE](http://www.caloes.ca.gov/cal-oes-divisions/recovery/proclamation-process)), especially if requesting California Disaster Assistance Act ([CDAA](http://www.caloes.ca.gov/cal-oes-divisions/recovery/public-assistance/california-disaster-assistance-act)). An IDE is the local government’s identification of the impacts and local response and recovery activities and also assists Cal OES to understand the jurisdiction’s damages and prioritize Preliminary Damage Assessment ([PDA](http://www.caloes.ca.gov/for-individuals-families/individual-assistance)) efforts, which in turn can lead to a state or federal disaster declaration.

**The Emergency Proclamation Process works as follows:**

**simplified**

* Cities and Counties declare a local emergency through their city councils or board of supervisors
* The Cal OES Director can declare a “Director’s Concurrence” within 10 days of the disaster that allows for California Disaster Assistance Act funds to repair public facilities and infrastructure.
* The Governor (or Acting Governor) can proclaim a State of Emergency that enables the powers of the Emergency Services act and authorizes the Cal OES Director to provide financial relief for emergency actions, public facilities/infrastructure, hazard mitigation. This step is a prerequisite to the declaration of a major disaster or emergency by the President.
* The President of the United States can make a Declaration of an Emergency that authorizes federal agencies to provide emergency and essential assistance including debris removal, temporary housing and distribution of medicine, food and consumable supplies.
* The President of the United States can make a Declaration of a Major Disaster that supports response and recovery activities of the federal, state and local government and disaster relief organizations. This also authorizes the use of some or all federal recovery programs including public assistance, individual assistance and hazard mitigation.