



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
September 9, 2020**

**Emergency  
Item**

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** **Resolution 2020-\_\_ : Ratifying and Proclaiming a District Local Emergency in Response to the Impact of the El Dorado Fire**

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**Staff Recommendation**

Adopt Resolution 2020-\_\_ : Ratifying and Proclaiming a District Local Emergency in Response to the Impact of the El Dorado Fire and Authorizing the General Manager and Director of Finance and Administrative Services to act as Authorized Agents on Behalf of the District.

**Background**

As authorized by the California Disaster Assistance Act (CDAA) the Director of the California Governor's Office of Emergency Services (Cal OES) administers a disaster assistance program that provides financial assistance from the state for costs incurred by local governments as a result of a disaster event. Funding for the repair, restoration, or replacement of public real property damaged or destroyed by a disaster is made available when the Director concurs with a local emergency proclamation requesting state disaster assistance. The program also provides for the reimbursement of local government costs associated with certain emergency activities undertaken in response to a state of emergency proclaimed by the Governor.

Pursuant to the Beaumont-Cherry Valley Water District (BCVWD) Policies and Procedures Manual, Section 1E, and California Government Code Section 8630, the General Manager in consultation with the President of the Board of Directors may declare a District Local Emergency when said District is affected or likely to be affected by a public calamity and the Board of Directors is not scheduled to meet in a timely manner. The Board must ratify the declaration within 7 days at a regular, special, or emergency Board meeting and must review the need for continuing the local emergency at least once every 60 days.

**Summary**

On Saturday, September 5, 2020, a fire broke out at El Dorado Ranch Park in Yucaipa within the boundaries of Yucaipa Valley Water District and quickly spread to areas within the BCVWD and immediately created a significant impact on District operations. The fire is currently estimated at 11,500 acres with 19% containment.

The fire has grown to include the communities of Cherry Valley, Oak Glen, Forest Falls, and the San Bernardino National Forest. The El Dorado Fire burn scar currently includes sections of District-owned property in Edgar Canyon. Staff understands that the fire is continuing to grow and is now prompting evacuations along Highway 38 in the community of Angeles Oaks. Further, the fire has created a burn area that significantly covers drainage areas tributary to the west branch of Noble Creek in the Little San Gorgonio Creek Drainage (above Cherry Valley), which may also create future debris flow issues from this area into the Community of Cherry Valley and



which could affect certain District facilities and further add to the issues previously identified by staff due to the Apple Fire Burn Scar.

Beginning Sunday September 6<sup>th</sup>, 2020 and continuing through the weekend, firefighting crews were staged at District properties in and around Edgar Canyon. BCVWD employees were on duty to provide water and logistics for firefighting efforts. Additionally, District staff was in continuous contact with firefighters identifying crucial water infrastructure, directing emergency personnel to the best sources of water as conditions changed, operating standby power systems, monitoring system pressure, and coordination with other local entities. Firefighting Helicopters were heavily dependent on the District's Noble Creek Recharge Facility and the pond at Bogart Park which also is provided water supply through District water meters and an on-site well to provide fire suppression efforts. Continuous use of the facility through the weekend and into the following week has been a valuable supply for dozens of rotary wing aircraft. The cost of this use of the District's increased groundwater production to support the firefighting efforts together with purchased imported water supply (Noble Creek Recharge Facility Water) may be eligible for reimbursement.

### **Fiscal Impact**

Unknown.

### **Attachments**

1. Proposed Resolution 2020-\_\_: Ratifying and Proclaiming a District Local Emergency in Response to the Impact of the El Dorado Fire
  - Exhibit A – General Manager's Proclamation of a State of Emergency dated September 9, 2020
  - Exhibit B - FEMA Release: FEMA Fire Management Assistance Granted for El Dorado Fire
  - Exhibit C – Executive Department State of California, Gavin Newsom Proclamation of a State of Emergency, September 6, 2020
  - Exhibit D - Exhibit D Perimeter for El Dorado Fire 2020\_09\_09-09.21.23.881-CDT
2. National Interagency Fire Center Inciweb data Riverside County – Cal FIRE Incident Report (retrieved 9/9/20 at 3:39 p.m.)
3. BCVWD Policies and Procedures Manual Part III, Section 1

## RESOLUTION 2020-\_\_

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT RATIFYING AND PROCLAIMING A DISTRICT LOCAL EMERGENCY IN RESPONSE TO THE IMPACT OF THE EL DORADO FIRE**

**WHEREAS**, the governing body of the District has the authority to proclaim a local emergency; and

**WHEREAS**, California Government Code Section 3100 states that all public employees are declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law, and the District needs to provide potable water deemed as an essential public service; and

**WHEREAS**, pursuant to the BCVWD Policies and Procedures Manual, Section 1E, the General Manager in consultation with the President of the Board of Directors may declare a District Local Emergency when said District is affected or likely to be affected by a public calamity and the Board of Directors is not scheduled to meet in a timely manner; and

**WHEREAS**, any actions that the District may take to ensure the continuation of critical services to protect the safety of customers and to provide for immunities that will protect the District for actions taken, as covered under the California Emergency Services Act; and

**WHEREAS**, working with the County of Riverside, this proclamation authorizes the undertaking of powers and invoking and disseminating emergency orders (e.g., emergency orders, emergency spending authorities, emergency or pre-established contracting, order necessary Personal Protective Equipment, recovery, etc.) and regulations necessary to provide for the protection of life, property, and the environment; and

**WHEREAS**, this proclamation establishes that an emergency exists, and that if mutual aid of in-county resources are needed, as covered under the California Master Mutual Aid Agreement and any local agreements to provide mutual aid should be sufficient to establish, and that the Emergency Services Act applies; and

**WHEREAS**, if out-of-county assistance is needed, requests for mutual aid should follow procedures set forth by the Standardized Emergency Management System (SEMS) and the Governor's Office of Emergency Services (CalOES), including obtaining mission numbers through the County of Riverside Emergency Management Department from CalOES for responding agencies. This is particularly important for possible reimbursement of extraordinary expenses in the event of a proclaimed "State of Emergency" or in the event of a presidential declaration of disaster when state or federal disaster relief funds become available; and

**WHEREAS**, conditions of disaster or of extreme peril to the health and safety of persons and property have arisen within the Counties of Riverside and San Bernardino as a result of the outbreak of the El Dorado Fire on September 5, 2020 which prompted California Governor Gavin Newsom to request and receive from the Federal Emergency Management Agency (FEMA) a Fire Management Assistance Grant; and

**WHEREAS**, by September 9, 2020 the fire had grown to more than 11,000 acres into the communities of Cherry Valley, Oak Glen, Forest Falls and wildlands including sections of District-

owned property, and is continuing to grow and threaten thousands of homes and structures prompting evacuations and has created conditions that are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

**WHEREAS**, the District's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek future reimbursement by State and Federal governments will be critical to successfully responding to the El Dorado Fire; and

**WHEREAS**, the ratepayers of the District are likely experiencing financial hardship during this time of the COVID-19 pandemic and it is the responsibility of every level of government to protect the public and take the necessary action to eliminate or reduce its expected negative consequences including assuring the safety of District employees, property and infrastructure to minimize financial impact to the ratepayers; and

**WHEREAS**, the Board of Directors of the Beaumont-Cherry Valley Water District restates its responsibility to the ratepayers and residents of the District: to provide safe, clean and reliable water, and recognizes this is an essential requirement for public health; and

**WHEREAS**, the Board of Directors finds and determines that:

1. The conditions of extreme peril to the safety of persons caused by the El Dorado Fire exist and are beyond the control of the services, personnel, equipment and facilities of BCVWD and will require the combined forces of all governmental agencies to appropriately respond, and
2. Preparing for, responding to, mitigating and recovering from the El Dorado Fire requires the District to divert resources from normal day-to-day operations and has and will continue to impose extraordinary requirements on and expenses to the District, and
3. That resources of the Beaumont-Cherry Valley Water District may be insufficient, and the magnitude of the disaster created by the El Dorado Fire may be beyond the capabilities of the District, and
4. The mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, employment of sufficient personnel, use of mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to the Apple Fire, the District may require additional assistance in the future, and proclamation of Local Emergency allows additional resources to flow to the District in a timely manner

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Beaumont-Cherry Valley Water District that:

1. The Board of Directors hereby ratifies and proclaims that a Local Emergency now exists throughout the Beaumont-Cherry Valley Water District, and
2. The Board of Directors hereby directs staff to implement its Emergency Plan as applicable and outlined in the District's Policies and Procedures Manual, Part III, Section 1, and
3. The Board of Directors hereby directs staff to request concurrence in local emergency by the State Director of the Office of Emergency Services and to notify the Cal-OES Southern Region Administrator of this proclamation of local emergency; and
4. The Board of Directors hereby suspends its rules and policies regarding personnel and procurement to the extent necessary within the law to allow full and expedited response to any unforeseen emergency situations to address the effects of the El Dorado Fire to

protect public health, District employees, and District facilities; and

5. The Board of Directors hereby authorizes the General Manager or his designee to request or provide Mutual Aid assistance per the District's Policies and Procedures Manual, Part III, Section 1G
6. The Board of Directors hereby authorizes the General Manager and Director of Finance and Administrative Services to execute for and on behalf of the Beaumont-Cherry Valley Water District, a public entity established under the laws of the state of California, an application for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act
7. The Board of Directors hereby directs staff to provide a review of this Local Emergency proclamation at every regularly scheduled Board of Directors meeting until terminated, with no review to exceed 60 days from the last review.

**IT IS FURTHER RESOLVED AND ORDERED** that during the existence of said Local Emergency the powers, functions and duties of the District shall be those prescribed by state law, by ordinances, and resolutions of the Beaumont-Cherry Valley Water District, and that this Local Emergency Proclamation is in effect until rescinded by the Board of Directors of the Beaumont-Cherry Valley Water District.

**BE IT FURTHER RESOLVED AND ORDERED** that a copy of this Proclamation be forwarded to the Riverside County Emergency Management Department to be forwarded to the Director of the California Governor's Office of Emergency Services.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by the following roll call vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

\_\_\_\_\_  
Director John Covington, President of the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

\_\_\_\_\_  
Director Lona Williams, Secretary to the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

APPROVED AS TO FORM:

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James Markman, Legal Counsel  
To the Beaumont-Cherry Valley Water District

Attachments:

- Exhibit A - General Manager's Proclamation of a State of Emergency dated September 9, 2020
- Exhibit B - FEMA Release: FEMA Fire Management Assistance Granted for Apple Fire
- Exhibit C - Announcement from the office of Governor Gavin Newsom
- Exhibit D - Perimeter for El Dorado Fire 2020\_09\_09-09.21.23.881-CDT

DKJ:ljk

## PROCLAMATION 2020-03

### A PROCLAMATION OF THE GENERAL MANAGER OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT DECLARING A DISTRICT LOCAL EMERGENCY WITHIN THE DISTRICT IN RESPONSE TO THE IMPACT OF THE EL DORADO FIRE

**WHEREAS**, on Saturday, September 5, 2020, a brush fire broke out in El Dorado Ranch Park within the boundaries of the Yucaipa Valley Water District (YVWD) and quickly spread to within the boundaries of the Beaumont-Cherry Valley Water District (BCVWD), immediately creating a significant impact on District operations; and

**WHEREAS**, by September 9, 2020 the fire had grown to more than 11,000 acres into the communities of Cherry Valley, Oak Glen, Forest Falls and wildlands including sections of District-owned property, and is continuing to grow and threaten thousands of homes and structures prompting evacuations, and has created conditions that are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

**WHEREAS**, the District's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek future reimbursement by State and Federal governments will be critical to successfully responding to the El Dorado Fire; and

**WHEREAS**, pursuant to the BCVWD Policies and Procedures Manual, Section 1E, the General Manager in consultation with the President of the Board of Directors may declare a District Local Emergency when said District is affected or likely to be affected by a public calamity and the Board of Directors is not scheduled to meet in a timely manner; and

**WHEREAS**, on September 8, 2020, the Governor of California secured a Fire Management Assistance Grant from the Federal Emergency Management Agency (FEMA) to help ensure the availability of vital resources to suppress the El Dorado Fire allowing the District to apply for 75 percent reimbursement for its eligible fire suppression costs; and

**WHEREAS**, resources beyond the capability of the District may be necessary to protect its employees and infrastructure and provide mutual aid to assist with firefighting efforts; and

**WHEREAS**, the Beaumont-Cherry Valley Water District has a responsibility to the ratepayers and residents of the District: to provide safe, clean and reliable water, and recognizes this is an essential requirement for public health and safety; and

**WHEREAS**, per Government Code 8630 a Local Emergency declared by the General Manager shall not remain in effect for a period in excess of seven (7) days unless it has been ratified by the Board of Directors; and

**WHEREAS**, after consideration of all facts reasonably available presently for review and all items, the General Manager now desires to proclaim the existence of a state of Local Emergency to make additional resources available to address the impacts of the Apple Fire; and

**WHEREAS**, the General Manager finds and determines that:

1. The conditions of extreme peril to the safety of persons and property caused by the El Dorado Fire exist and are beyond the control of the services, personnel, equipment and facilities of BCVWD and will require the combined forces of many governmental agencies to appropriately respond, and

2. Preparing for, responding to, mitigating and recovering from the El Dorado Fire requires the District to divert resources from normal day-to-day operations and has and will continue to impose extraordinary requirements on and expenses to the District, and
3. That resources of the Beaumont-Cherry Valley Water District are insufficient, and the magnitude of the disaster created by the El Dorado Fire will likely be beyond the capabilities of the District, and
4. The mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, employment of sufficient personnel, use of mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to the El Dorado Fire, the District may require additional assistance in the future, and proclamation of Local Emergency allows additional resources to flow to the District in a timely manner, and
5. The Board of Directors of the Beaumont-Cherry Valley Water District are not currently meeting and cannot be immediately called into session;

**NOW THEREFORE, IT IS HEREBY PROCLAIMED** by the General Manager of the Beaumont-Cherry Valley Water District that:

1. A Local Emergency now exists throughout the Beaumont-Cherry Valley Water District, and
2. Staff is directed to implement the District's Emergency Plan as applicable and outlined in the District's Policies and Procedures Manual, Part III, Section 1

**IT IS FURTHER PROCLAIMED AND ORDERED** that during the existence of said Local Emergency the powers, functions and duties of the District shall be those prescribed by state law, by ordinances, and resolutions of the Beaumont-Cherry Valley Water District, and that this Local Emergency Proclamation shall expire in seven (7) days after issuance unless confirmed and ratified by the Board of Directors of the Beaumont-Cherry Valley Water District and is in effect until rescinded by said Board of Directors.

**DATED** this 09 day of September, 2020 by:

ATTEST:

Daniel K. Jagers

Digitally signed by Daniel K. Jagers  
DN: cn=Daniel K. Jagers, o=Beaumont Cherry Valley Water District, ou, email=dan.jagers@bcvwd.org, c=US  
Date: 2020.09.09 16:46:20 -0700

Daniel K. Jagers, General Manager



Digitally signed by Yolanda Rodriguez  
DN: cn=Yolanda Rodriguez, o=Finance and Administration, ou=Finance and Administration, email=yolanda.rodriguez@bcvwd.org, c=US  
Date: 2020.09.09 16:38:37 -0700


Yolanda Rodriguez  
Director of Finance and Administration

APPROVED AS TO FORM:

James Markman, Legal Counsel  
To the Beaumont-Cherry Valley Water District

Attachments: FEMA Release: FEMA Fire Management Assistance Granted for El Dorado Fire Announcement from the office of Governor Gavin Newsom



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## Attachment 1

# FEMA Fire Management Assistance Granted for the El Dorado Fire

Release Date	Release Number
Sep 8, 2020	RIX-NR-20-46

**OAKLAND, Calif.** – The Federal Emergency Management Agency (FEMA) has authorized the use of federal funds to assist the state of California in combating the El Dorado Fire burning in San Bernardino County.

On Sept. 6, 2020, the state of California submitted a request for a Fire Management Assistance Grant (FMAG) for the El Dorado Fire. At the time of the request, the fire threatened approximately 3,700 homes around Yucaipa, Oak Glen, Mountain Home and Forest Falls, with mandatory evacuations in place for more than 1,600 people. The fire also threatened a power plant and associated transmission lines.

The FEMA regional administrator approved the state's request on Sept. 6, 2020, as the fire threatened to become a major incident.

FMAGs provide federal funding for up to 75 percent of eligible firefighting costs. The Disaster Relief Fund provides allowances for FMAGs through FEMA to assist in fighting fires that threaten to cause major disasters. Eligible costs covered by FMAGs can include expenses for field camps, equipment use, materials, supplies and mobilization, and demobilization activities attributed to fighting the fire.

For more information on FMAGs, visit [fema.gov/assistance/public/fire-management-assistance](https://www.fema.gov/assistance/public/fire-management-assistance).

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Last updated Sep 8, 2020

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## Attachment 2

### PROCLAMATION OF A STATE OF EMERGENCY

**WHEREAS** on September 3, 2020, I proclaimed a State of Emergency for an Extreme Heat Event affecting California, causing near-record temperatures throughout California; and

**WHEREAS** on September 4, 2020, the Creek Fire began burning in Fresno County, and has since spread into Madera County and is threatening Mariposa County; and

**WHEREAS** on September 5, 2020, the El Dorado Fire began burning in San Bernardino County and the Valley Fire began burning in San Diego County; and

**WHEREAS** the Creek, El Dorado, and Valley Fires have collectively burned tens of thousands of acres, destroyed homes and other structures, forced the evacuation of thousands of residents, and continue to threaten homes and critical infrastructure; and

**WHEREAS** the number of fires actively burning statewide has resulted in a significant strain on California's mutual aid system, making it increasingly difficult for jurisdictions to obtain the necessary in-state and out-of-state firefighting resources to respond to these fires; and

**WHEREAS** high temperatures and dry conditions are expected to continue, which, combined with extremely dry fuels, will further exacerbate the current wildfire situation in California; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to the Creek, El Dorado, and Valley Fires; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that the conditions caused by the Creek, El Dorado, and Valley Fires, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the Creek, El Dorado, and Valley Fires; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified

in this order would prevent, hinder, or delay the mitigation of the effects of the Creek, El Dorado, and Valley Fires.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Fresno, Madera, and Mariposa counties due to the Creek Fire; in San Bernardino County due to the El Dorado Fire; and in San Diego County due to the Valley Fire.

**IT IS HEREBY ORDERED THAT:**

1. All agencies of the state government are to utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Governor's Office of Emergency Services and the State Emergency Plan. Also, to protect their safety, all residents are to obey the direction of emergency officials with regard to this emergency in order to protect their safety.
2. The Governor's Office of Emergency Services shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
3. As necessary to assist local governments and for the protection of public health and safety, public and private property, and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, equipment, and services necessary to quickly assist with the response to and recovery from the impacts of these fires. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of these fires.
4. The California National Guard is hereby mobilized under Military and Veterans Code section 146 to support disaster response and relief efforts, as directed by the Governor's Office of Emergency Services, and to coordinate with all relevant state agencies and state and local emergency responders and law enforcement within the impacted areas. Sections 147 and 188 of the Military and Veterans Code are applicable during the period of participation in this mission, exempting the California Military Department from applicable procurement rules for specified emergency purchases, and those rules are hereby suspended.

5. The provisions of Unemployment Insurance Code section 1253 imposing a one-week waiting period for unemployment insurance applicants are suspended as to all applicants who are unemployed as a direct result of these fires who applied for unemployment insurance benefits during the time period beginning September 4, 2020, and ending on the close of business on March 4, 2021, and who are otherwise eligible for unemployment insurance benefits.
6. Vehicle Code sections 9265(a), 9867, 14901, 14902, and 15255.2, requiring the imposition of certain fees, are suspended with regard to any request for replacement of a driver's license or identification card, vehicle registration certificate, or certificate of title, by any individual who lost such records as a result of these fires. Such records shall be replaced without charge.
7. The provisions of Vehicle Code sections 4602 and 5902, requiring the timely registration or transfer of title, are suspended with regard to any registration or transfer of title by any resident who is unable to comply with those requirements as a result of these fires. The time covered by this suspension shall not be included in calculating any late penalty pursuant to Vehicle Code section 9554.
8. Health and Safety Code sections 103525.5 and 103625, and Penal Code section 14251, requiring the imposition of fees, are hereby suspended with regard to any request for copies of certificates of birth, death, and marriage, and dissolution of marriage records, by any individual who lost such records as a result of these fires. Such copies shall be provided without charge.
9. In order to directly respond to the needs of impacted assisted living facilities, adult residential facilities, child care facilities, children's residential facilities, resource family homes, and other similar facilities within the State Department of Social Services' jurisdiction, the Director of the State Department of Social Services may waive any provisions of the Health and Safety Code or Welfare and Institutions Code, and accompanying regulations or written directives, with respect to the use, licensing, or approval of facilities or homes within the Department's jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), and the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the Department's website and shall only be in effect so long as necessary to address the direct impacts of these fires.

10. In order to ensure hospitals, clinics, and other health facilities remain open, the Director of the Department of Public Health may waive any of the licensing requirements of Chapters 1 and 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital, clinic or health facility identified in Health and Safety Code sections 1200 and 1250 that is impacted by the fires. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to remain open while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with their disaster and mass casualty plan. Any waivers granted pursuant to this paragraph shall be posted on the Department's website and shall only be in effect so long as necessary to address the direct impacts of these fires.

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

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 6th day of September 2020.

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GAVIN NEWSOM  
Governor of California

**ATTEST:**

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ALEX PADILLA  
Secretary of State

**PROCLAMATION OF A STATE OF EMERGENCY**

**WHEREAS** on September 3, 2020, I proclaimed a State of Emergency for an Extreme Heat Event affecting California, causing near-record temperatures throughout California; and

**WHEREAS** on September 4, 2020, the Creek Fire began burning in Fresno County, and has since spread into Madera County and is threatening Mariposa County; and

**WHEREAS** on September 5, 2020, the El Dorado Fire began burning in San Bernardino County and the Valley Fire began burning in San Diego County; and

**WHEREAS** the Creek, El Dorado, and Valley Fires have collectively burned tens of thousands of acres, destroyed homes and other structures, forced the evacuation of thousands of residents, and continue to threaten homes and critical infrastructure; and

**WHEREAS** the number of fires actively burning statewide has resulted in a significant strain on California's mutual aid system, making it increasingly difficult for jurisdictions to obtain the necessary in-state and out-of-state firefighting resources to respond to these fires; and

**WHEREAS** high temperatures and dry conditions are expected to continue, which, combined with extremely dry fuels, will further exacerbate the current wildfire situation in California; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to the Creek, El Dorado, and Valley Fires; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that the conditions caused by the Creek, El Dorado, and Valley Fires, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the Creek, El Dorado, and Valley Fires; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified

in this order would prevent, hinder, or delay the mitigation of the effects of the Creek, El Dorado, and Valley Fires.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Fresno, Madera, and Mariposa counties due to the Creek Fire; in San Bernardino County due to the El Dorado Fire; and in San Diego County due to the Valley Fire.

**IT IS HEREBY ORDERED THAT:**

1. All agencies of the state government are to utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Governor's Office of Emergency Services and the State Emergency Plan. Also, to protect their safety, all residents are to obey the direction of emergency officials with regard to this emergency in order to protect their safety.
2. The Governor's Office of Emergency Services shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
3. As necessary to assist local governments and for the protection of public health and safety, public and private property, and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, equipment, and services necessary to quickly assist with the response to and recovery from the impacts of these fires. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of these fires.
4. The California National Guard is hereby mobilized under Military and Veterans Code section 146 to support disaster response and relief efforts, as directed by the Governor's Office of Emergency Services, and to coordinate with all relevant state agencies and state and local emergency responders and law enforcement within the impacted areas. Sections 147 and 188 of the Military and Veterans Code are applicable during the period of participation in this mission, exempting the California Military Department from applicable procurement rules for specified emergency purchases, and those rules are hereby suspended.



5. The provisions of Unemployment Insurance Code section 1253 imposing a one-week waiting period for unemployment insurance applicants are suspended as to all applicants who are unemployed as a direct result of these fires who applied for unemployment insurance benefits during the time period beginning September 4, 2020, and ending on the close of business on March 4, 2021, and who are otherwise eligible for unemployment insurance benefits.
6. Vehicle Code sections 9265(a), 9867, 14901, 14902, and 15255.2, requiring the imposition of certain fees, are suspended with regard to any request for replacement of a driver's license or identification card, vehicle registration certificate, or certificate of title, by any individual who lost such records as a result of these fires. Such records shall be replaced without charge.
7. The provisions of Vehicle Code sections 4602 and 5902, requiring the timely registration or transfer of title, are suspended with regard to any registration or transfer of title by any resident who is unable to comply with those requirements as a result of these fires. The time covered by this suspension shall not be included in calculating any late penalty pursuant to Vehicle Code section 9554.
8. Health and Safety Code sections 103525.5 and 103625, and Penal Code section 14251, requiring the imposition of fees, are hereby suspended with regard to any request for copies of certificates of birth, death, and marriage, and dissolution of marriage records, by any individual who lost such records as a result of these fires. Such copies shall be provided without charge.
9. In order to directly respond to the needs of impacted assisted living facilities, adult residential facilities, child care facilities, children's residential facilities, resource family homes, and other similar facilities within the State Department of Social Services' jurisdiction, the Director of the State Department of Social Services may waive any provisions of the Health and Safety Code or Welfare and Institutions Code, and accompanying regulations or written directives, with respect to the use, licensing, or approval of facilities or homes within the Department's jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), and the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the Department's website and shall only be in effect so long as necessary to address the direct impacts of these fires.

10. In order to ensure hospitals, clinics, and other health facilities remain open, the Director of the Department of Public Health may waive any of the licensing requirements of Chapters 1 and 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital, clinic or health facility identified in Health and Safety Code sections 1200 and 1250 that is impacted by the fires. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to remain open while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with their disaster and mass casualty plan. Any waivers granted pursuant to this paragraph shall be posted on the Department's website and shall only be in effect so long as necessary to address the direct impacts of these fires.

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

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 6th day of September 2020.



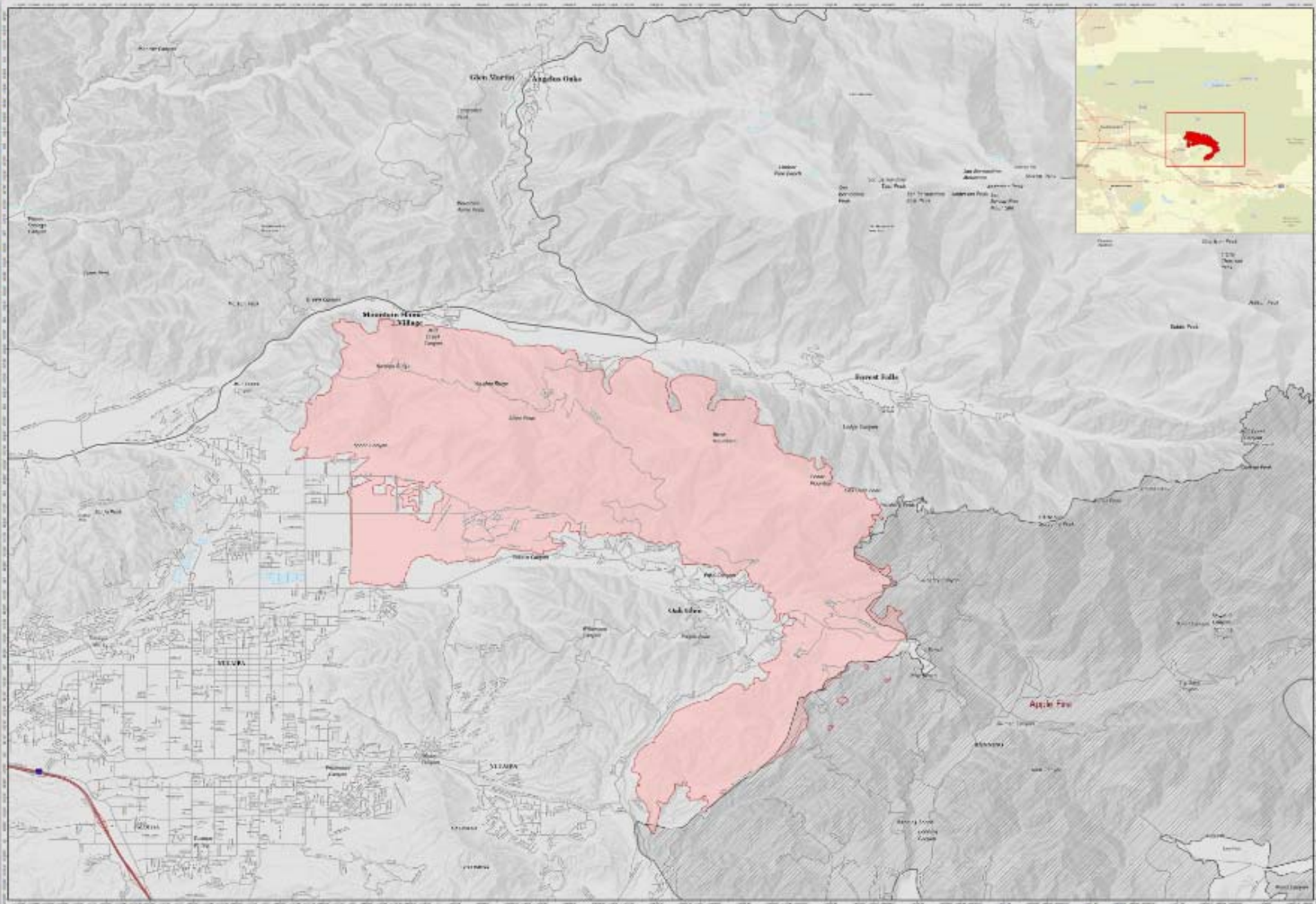
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GAVIN NEWSOM  
Governor of California

**ATTEST:**

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ALEX PADILLA  
Secretary of State

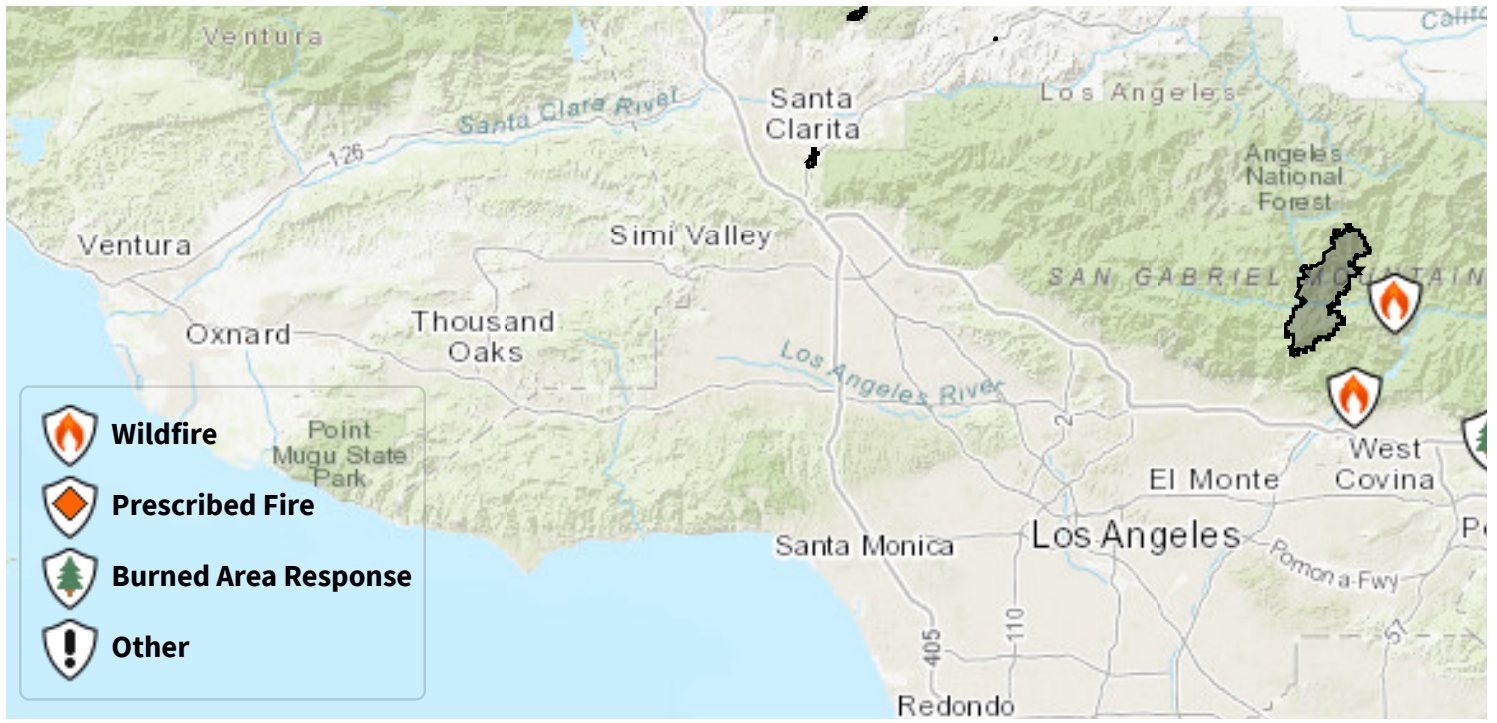


■ El Dorado Fire Perimeter

PUBLIC INFORMATION

EL DORADO  
CA-BDF-13409  
09/09/2020





# El Dorado

## Unit Information

San Bernardino National Forest  
U.S. Forest Service  
602 S. Tippecanoe Ave.  
San Bernardino, CA 92408



## Incident Contact

**San Bernardino Incident Information Call Center**

Phone: 909-383-5688

Hours: 8 a.m. - 12 a.m.

## Incident Overview



The El Dorado Fire started at approximately 10:30 a.m. on Saturday, September 5 at El Dorado Ranch Park in Yucaipa, Calif. The fire is currently estimated at 11,479 acres with 19% containment. View the Current Fire Map.

(<https://inciweb.nwcg.gov/incident/map/7148/0/105426>) Read the September 9th Morning Fire Update. ([https://inciweb.nwcg.gov/photos/CABDF/2020-09-05-1424-El-Dorado/related\\_files/pict20200809-115956-0.pdf](https://inciweb.nwcg.gov/photos/CABDF/2020-09-05-1424-El-Dorado/related_files/pict20200809-115956-0.pdf))

Fire Crews conducted firing operations along Oak Glen Road, and in areas south of Mountain Home Village / Highway 38 and east toward Forest Falls to create defensible space between homes and the current fire perimeter. This allows firefighters to pick the spot where the fires edge will stop, providing a higher degree of safety to firefighters and to structures. Fire crews and equipment will continue to extinguish hot spots along the fires edge continuing to secure fire lines. Red Flag Warnings are in effect through this evening. Damage assessment teams are currently working in the area to confirm the extent of the damages, the number of structures involved and their locations. Smoke will continue to impact portions of the Inland Empire and the San Gorgonio Pass area today and tonight, although much of the smoke in the upper atmosphere is from fires in central California.. The Southern California AQMD has issued a Smoke Advisory (<http://www.aqmd.gov/docs/default-source/news-archive/2020/south-coast-aqmd-issues-smoke-advisory-due-to-bobcat-fire-and-el-dorado-fire%20september-7-2020.pdf>) due to smoke from the El Dorado Fire and the Bobcat Fire (<https://inciweb.nwcg.gov/incident/7152/>). Visit [www.airnow.gov](http://www.airnow.gov) (<http://www.airnow.gov>) for air quality updates in your area.

## A Recording of the Virtual Facebook Public Meeting

(<https://www.facebook.com/SanBernardinoCountyFire/videos/2841033916127820/>), which was held Monday evening is available on the @SanBernardinoCountyFire Facebook Page (<https://www.facebook.com/SanBernardinoCountyFire/>)

## Santa Ana winds - what are they? The National Weather Service

([https://en.wikipedia.org/wiki/National\\_Weather\\_Service](https://en.wikipedia.org/wiki/National_Weather_Service)) defines Santa Ana winds as "Strong down slope winds that blow through the mountain passes in southern California. These winds, which can easily exceed 40 miles per hour (64 km/h), are warm and dry and can severely exacerbate brush or forest fires, especially under drought conditions. Because of the fire dangers associated with Santa Ana Winds, the Forest Service has created an app called the Santa Ana Wildfire Threat Index (SAWTI (<https://fsapps.nwcg.gov/psp/sawti/>)) to inform the public about Santa Ana Winds and when and how severe the winds are expected to be. Currently, the Inland Empire is anticipating a "Moderate" event, with northeast to east winds of 20 to 30 mph with gusts to 50 mph developing across the mountains and below the canyons and passes in the afternoon on Tuesday and Wednesday. Humidity will drop down into the single digits and teens this afternoon and there will be poor humidity recovery tonight. Fuels are already critically dry.

## **Evacuation:**

Residents and businesses may check to see if they are within evacuation order or warning areas by going to the San Bernardino County Sheriffs Interactive Mapping Tool.

([https://sbcounty.maps.arcgis.com/apps/webappviewer/index.html?id=9b818cd8a7a24c9a96361f5fc3be0803&fbclid=IwAR33PqXod-8sxkNcargjW254CVDYR0sj1fz5EWoFgtDPT49G\\_dqCB268j34](https://sbcounty.maps.arcgis.com/apps/webappviewer/index.html?id=9b818cd8a7a24c9a96361f5fc3be0803&fbclid=IwAR33PqXod-8sxkNcargjW254CVDYR0sj1fz5EWoFgtDPT49G_dqCB268j34))



## Evacuations Orders (red)

- Areas east of Bryant from Highway 38 South to Yucaipa Blvd, then east on Yucaipa Blvd at Bryant intersection to Freemont Street, then South to Grande View Drive, then along Ave E southeast to the intersection of Mesa Grande, east to Wildwood Canyon Rd to include all portions of Hidden Meadows, and east to Edgar Canyon Road.
- The portion of the Cherry Valley Community that is north of Orchard St to the County Line , and East of Nancy Ave. and west of Beaumont Ave..
- Oak Glen (partial, see road closures), Mountain Home Village and Forest Falls

## Evacuation Warning (yellow) - Voluntary, but you should be prepared to leave at any time.

- Evacuation warning in place for east of Beaumont Ave east to Hillside Place in the Highland Springs area , North to Cherry Valley Blvd to the County Line Road.
- North of Oak Glen Road, West of Bryant, South of Highway 38, East of Garnet. Those who require additional time to evacuate, and those with pets and livestock should leave now.

**A Red Cross reception site has moved. It is now located in the cafeteria of the Redlands East Valley High School, 31000 E. Colton Ave. Redlands**

## Emergency Notification Systems:

San Bernardino County Assistant Fire Chief Kat Opliger talks about the importance of the Telephone Emergency Notification System (TENS)

(<https://twitter.com/SBCOUNTYFIRE/status/1303393508955389954>) in helping San Bernardino County manage evacuation notifications during fires and other emergencies.

**San Bernardino County Residents: Sign up for San Bernardino County Telephone Emergency Notification System,** (<http://www.sbcounty.gov/SBCFire/TENS/TENSContact.aspx>) **or call 1-888-435-7565.**

**Riverside County Residents: Sign up for the Riverside County Swift911 System.**

(<https://countyofriverside.us/Residents/Emergencies/AlertRivCo.aspx#gsc.tab=>**Visit <https://www.rivcoready.org/> (<https://www.rivcoready.org/>) for updated information and preparedness information.**

#### **Road Closures:**

- **Highway 38 between Bryant St. in Yucaipa and Sugar Pine Drive in the community of Angelus Oaks**
- **Bryant Street Between Hwy 38 and Carter Street.**
- **Oak Glen Rd. between Pine Bench Rd. and Cherry Croft Dr.**
- **Cross Streets East of Bryant Street Between Yucaipa Blvd. and Carter St.**
- **Wildwood Canyon Drive between Mesa Grande and Oak Glen Road.**

*There is a soft closure on Highway 38 at Lake Williams Dr. (south of Big Bear, CA) to warn drivers of the closure in Angelus Oaks*

#### **Forest Closure Order of 8 National Forests:**

**As of 5:00 PM on Monday, September 7, the Regional Forester is closing 8 National Forests in Southern California**

([https://twitter.com/R5\\_Fire\\_News/status/1303084955166072833](https://twitter.com/R5_Fire_News/status/1303084955166072833)), including the San Bernardino National Forest. This means the National Forest is temporarily closed to ALL public use due to the threat from high fire danger and firefighting resources being spread stretched to the limit. This includes driving Forest Roads, Hiking on Forest Trails, and being in any Forest Service Developed Recreation Areas. Please take the time to read and understand the Regional Forester's Decision Letter (<https://inciweb.nwcg.gov/photos/CABDF/2020-09-05-1424-El->



**Dorado/related\_files/pict20200807-154404-0.pdf), and view the Forest Closure Order ([https://inciweb.nwcg.gov/photos/CABDF/2020-09-05-1424-El-Dorado/related\\_files/pict20200807-154319-0.pdf](https://inciweb.nwcg.gov/photos/CABDF/2020-09-05-1424-El-Dorado/related_files/pict20200807-154319-0.pdf)). This order will be reviewed daily.**

### **Unified Command Partners**

- **CAL FIRE BDU**
- **San Bernardino County Fire**
- **San Bernardino County Sheriff's Department**
- **California Highway Patrol**
- **City of Yucaipa**
- **San Bernardino National Forest**

### **Aviation and Drone Safety:**

**The FAA has issued a Safety No Fly Zone for civilian aircraft around the El Dorado Fire. Restricted Air Space is 5 Nautical Mile Radius from the Fire, and below 10,000 feet. This includes all types of personal hobby drones. Remember, If you Fly, We Cant! (<https://www.youtube.com/watch?v=06pz4GW7mY0>) For specifics, please visit the FAA NOTAM Webpage. ([https://tfr.faa.gov/save\\_pages/detail\\_0\\_5407.html](https://tfr.faa.gov/save_pages/detail_0_5407.html))**

## **Incident Information**

### **Basic Information**

Current as of	9/9/2020, 6:44:58 AM
Incident Type	Wildfire
Cause	Human Caused

Date of Origin	Saturday September 05th, 2020 approx. 10:30 AM
Location	Yucaipa Ridge area, West Oak Glen, San Bernardino Mountains
Incident Commander	C. Fogle, CA Interagency Incident Management Team 11 and numerous cooperators in Unified Command.
Coordinates	34.053 latitude, -116.992 longitude

## Current Situation

Total Personnel	977
Size	11,479 Acres
Percent of Perimeter Contained	19%
Fuels Involved	Grass and Chaparral transitioning to timber in higher elevations
Significant Events	Large firing operations to secure containment lines along the north and east portions of the fire.

## Outlook

Planned Actions	Crews and dozers will continue to build direct line around the fire while other resources will mop-up and secure other lines. Defensive burnout operations might continue as needed along Oak Glen road or around structures. Resources will be working to mop up and secure areas in and around structures as forecast winds continue on the fire area
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## Current Weather

Weather Concerns	<p>Red Flag Warning remain in effect for possible Santa Ana winds this morning around the El Dorado Fire. The moderate Santa Ana winds gusted between 25 &amp; 40 mph at stations located approximately 20 miles from the El Dorado fire perimeter, but conditions remained calm over the fire area. A marine layer air mass pushed into the fire area with cooler conditions and higher than expected relative humidity values.</p> <p>Conditions are expected to be breezy Wednesday morning with winds diminishing Wednesday night and Thursday. Red Flag Warning remain in effect through the day.</p> <p>For Thursday, Conditions are forecast to return to hot and dry with generally lighter winds as high pressure moves back into the region. A gradual warming trend is expected through the weekend with maximum temperature around 10 degrees above normal.</p>
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## 1. EMERGENCY PREPAREDNESS

- A. **Policy.** It is the policy of the District to create and maintain an active emergency preparedness program that includes an emergency plan that will help manage the District's critical functions during any emergency and protect the safety of staff. The District will coordinate the emergency plan, function and response with those responders from the public and private entities and organizations charged with emergency duties.
- B. **Emergency.** Emergency means the actual or threatened existence of conditions of disaster or of extreme peril to the provision of critical District functions and the health and safety of staff or the public, caused by such conditions as fire, severe storm, riot, hazardous materials releases, earthquake, power outages, dam failures, freezes, water supply contamination, and other conditions which may be beyond the capability of the services, personnel, equipment, and facilities of this District, and may require the combined forces of other political subdivisions to help respond.
- C. **Emergency Preparedness.** The Board of Directors authorizes the establishment of an Emergency Preparedness Program, which consists of the nationally-recognized four (4) phases of emergency management: mitigation, preparedness/planning, response, and recovery. District actions will include developing and maintaining a District-wide emergency plan, identifying and training District staff to activate and use the plan, appointing District staff to critical positions identified in the emergency plan, and appointing staff to represent the District in negotiations or consultations with public and private agencies on matters pertaining to response to the emergency and recovery of damaged systems and financial costs incurred during the emergency.
- D. **Standardized Emergency Management System.** The California Office of Emergency Services regulates the Standardized Emergency Management System (SEMS), which was created by Government Code §8607 following the East Bay Hills Firestorm in 1991. To ensure reimbursement for claims filed after a disaster, all District emergency plans, procedures, and training will follow the SEMS regulations, and coordinate with the District-wide emergency plan.
- E. **District Emergency Declaration.** When an emergency condition arises, the General Manager may, in consultation with the Board President, declare a "District Emergency." The Board must ratify the declaration within fourteen (14) days at a regular, special or emergency Board meeting.
- F. **Authorization During District Emergencies.** The General Manager's Declaration of a District Emergency is a public acknowledgement of the serious situation the District faces, and that the District's resources may not be adequate to respond to the emergency. The Board of Directors, in consultation with the General Manager, may delegate to the General Manager the authority to suspend competitive bidding and enter into emergency contracts of up to two-hundred fifty thousand dollars (\$250,000), as authorized by Public Contract Code §20567 and §22050.

- G. **Mutual Aid.** The California Master Mutual Aid Agreement (Government Code §8561, §8615, and §8617) allows for the implementation of mutual aid during threatened, actual, or declared emergencies. The General Manager, in accordance with the Emergency Plan, may request mutual aid assistance from other local government and public agencies, or commit District resources to other agencies requesting aid. The General Manager may sign appropriate documents to effectuate mutual aid and other emergency response agreements.
- H. **Continuity of Management.** The District's emergency plan will list at least two (2) successors to critical staff identified in the plan, including the General Manager. In the event the primary person is unable to respond to an emergency, each successor, in order, may assume all the duties and powers of the primary staff.
- I. **Status Reports.** In June of each year, the General Manager will provide annual reports to the Board of Directors on the progress of the Emergency Preparedness Program. Additional reports will be given to the Board on the effectiveness of the plan and District response within sixty (60) days of the occurrence of a declared District Emergency.

## 2. EMERGENCY RESPONSE GUIDELINE FOR HOSTILE OR VIOLENT INCIDENTS

- A. **Purpose of the Policy.** To provide direction for the District Board of Directors and staff regarding responses to hostile or violent incidents, including possible armed intruders or related threats on District facilities or properties.
- B. **Background.** The potential for hostile or violent incidents on District facilities or operational locations always exists. In recent time frames, incidents involving armed intruders have occurred in increasing frequency involving injuries and deaths at government institutions, offices and educational facilities. Often, an intruder is a person who is an ex-employee, customer or person known to the agency involved. The person often is upset at an event or person who works at the facility. However, armed intruders can be any variety of persons who have an anger situation affecting one or more staff members or other related persons to the District. Often, incidents involving armed intruders escalate to include multiple persons and potentially taking of hostages, including District customers. Threats of these types and risks are to be considered extreme emergencies and the safety and well being of employees and/or customers is the highest priority.
- C. **Response to an Incident.** Any evidence of the exposure to a hostile or violent person or situation on District facilities or operating areas should be taken seriously for safety purposes. Any Director or staff employee observing or sensing that a violent or hostile situation is occurring should consider taking precautionary and safety actions. Any event resulting in awareness of a possible violent act including possible gunfire, explosion, fighting, or scuffling could indicate an incident of violent potential. Any staff person observing such potential activities should take steps to protect themselves and others on the District premises including but not limited to: