

House Resources Committee  
Water and Power Subcommittee  
April 6, 2006 Hearing

Testimony of William Lokey

Good morning, Mr. Chairman and members of the Committee. My name is William Lokey. I am Chief of the Operations Branch of the Response Division of the Federal Emergency Management Agency. Also with me today is Ms. Nancy Ward, the Response and Recovery Division Chief from FEMA Region IX in California. On behalf of the Federal Emergency Management Agency and the Department of Homeland Security, I would like to thank you for the opportunity to brief you today. I plan to cover three topics. FEMA's general authority to mitigate, prepare for, respond to and recover from disaster; FEMA's role and activities in emergency planning in California and FEMA's specific response to Governor of California's State of Emergency; and the request for a Presidential Emergency Declaration for a potential levee break in one of the six Central Valley Counties of Colusa, Sacramento, Solano, Sutter, Yolo, and Yuba.

FEMA derives its authority from the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288 (Stafford Act), as amended. Simply put, this provides the authority for mitigating the effects of disasters through pre-disaster grants to states, the authority for preparedness planning with our Federal, State, Local and private sector partners, the authority for the Federal response, the authority for our recovery programs, and the authority for the Federal Coordinating Officer.

Also, under FEMA's mitigation grant programs -- Pre-Disaster Mitigation (PDM), Flood Mitigation Assistance (FMA) and the post-disaster Hazard Mitigation Grant Program (HMGP), FEMA provides funds and technical assistance to develop State and Local Mitigation Plans (LMP), which assess the communities' risks and vulnerabilities and propose mitigation solutions to reduce those risks. Mitigation planning should be included as part of a communities overall planning effort. By having an LMP, communities have a better understanding of their risks and an awareness of the infrastructure and properties vulnerable to those risks, and can apply for mitigation funding when it is made available under the mitigation grant programs mentioned. Mitigation grant programs are 75% Federal 25% State or local cost share program.

The role of FEMA, the Department of Homeland Security and other Federal, State, Local and Private Sector Partners is further outlined in the National Response Plan (NRP), the nation's all discipline, all-hazard plan for establishing a single, comprehensive framework for the management of domestic incidents.

FEMA and the new Preparedness Division in the Department of Homeland Security coordinate initiatives that include planning and technical assistance for state and local governments, and provide support to National Incident Management System (NIMS) implementation and the National Emergency Management Baseline Capability Assessment Program. Further, FEMA operates the National Emergency Training Center and the Emergency Management Institute (EMI) , a national training center for emergency planning, exercise design, and incident command operations for Federal, State, local and private sector individuals.

FEMA's Region IX continually supports all hazards emergency response planning. With the ever present potential for an earthquake impacting millions of people in California, FEMA Region IX staff is acutely aware of the importance of catastrophic emergency response planning in particular. As a result, Region IX has a close working relationship with both California State and local officials and conducts proactive regional and incident specific planning.

As an example, Regional staff has been working with Federal, State and local officials in the Los Angeles area to develop a proactive approach of notification and deployment of Federal resources in anticipation of or in response to a catastrophic incident where federal assistance is immediately needed. Many of the concepts developed during this initiative have a broader application to the planning efforts in response to any levee failure.

Publication of the NRP-Catastrophic Incident Supplement (NRP-CIS) also contributes to the Los Angeles planning effort. The NRP-CIS established a coordinated strategy for accelerating the delivery and application of Federal resources and capabilities in support of a response to a no-notice catastrophic event. After the experiences from Hurricane Katrina, this concept of pushing resources toward an event instead of waiting to be asked is being updated and strengthened.

Additionally, FEMA Region IX continues to chair the Regional Interagency Steering Committee composed of National Response Plan (NRP) Emergency Support Function (ESF) agency representatives. Meetings are conducted every other month, often with the participation of State emergency officials, addressing issues such as an incident and hazard specific response and multi-agency coordination. FEMA Region IX has also identified federal operational support facilities, including California State specific Mobilization Centers and Staging Areas, and continues to provide National Incident Management System/Incident Command System (NIMS/ICS) compliant training and exercise opportunities, with a specific focus on joint, unified State/Federal operations.

Under the Stafford Act, FEMA is authorized to supplement the efforts and available resources of State, local governments and disaster relief organizations for an emergency or major disaster declared by the President. We can lean forward and move Federal teams, commodities and equipment to Federal facilities to increase our preparedness, but we can not actually provide pre-disaster assistance under the law, unless the Governor asks, certifying that it is beyond the State's capability and the President approves a declaration.

The State of California has a very capable and professional Office of Emergency Services (OES). Specifically with regard to response to a California levee emergency or disaster, it is important to distinguish between the Sacramento-San Joaquin Delta levees and the levees referenced in the Governor Schwarzenegger February 27, 2006, request for a Presidential Emergency Declaration.

The response to any emergency in the State of California including a widespread, massive levee failure would be under the authority of the State of California governed by California's Standardized Emergency Management System (SEMS), which incorporates the State's mutual aid system and principles of the ICS, and provides the structure through which State and local government agencies coordinate their emergency response and request resources from one another.

While FEMA has no direct role in the maintenance of levees, California levee maintenance and flood fighting operations are primarily handled at a local level through Local Maintenance Agencies (LMAs). The USACE provides technical assistance, flood fighting assistance, and support for emergency repairs in situations where a levee meets the criteria for participation under COE authority. The state may request support from the USACE directly through this program without a Presidential disaster declaration under the Stafford Act.

The Local Maintenance Agencies also play a key role in planning for levee emergencies. If the event is severe enough to threaten life and property, the LMA coordinates with the local Emergency Operations Center (EOC), which may request resources from other jurisdictions or OES through SEMS.

California's OES will be responsible for the overall management of the emergency and for requesting support and resources from other State agencies, including the California Department of Water Resources (DWR). DWR is the lead state agency for flood response operations, and coordinates requests for flood fighting assistance with the U.S. Army Corps of Engineers (USACE).

If the emergency is such that support beyond these authorities is required, a Stafford Act declaration would be necessary to authorize Federal assistance. In the event of levee failure and a Stafford Act Presidential Emergency or Major Disaster Declaration, the Department of Homeland Security's Federal Emergency Management Agency (DHS-FEMA) will provide supplemental assistance to the State of California and local jurisdiction Operational Area via the National Response Plan (NRP). The planning we are doing to be ready for the 2006 Hurricane season and the ongoing planning with the State of California will ensure that we are ready to respond quickly. We have strengthened our evacuation and search and rescue capabilities, our emergency medical response and the movement and tracking of commodities.

Existing protocols call for the activation of the Regional Response Coordination Center and the deployment of FEMA Liaison and Emergency Response Team (ERT) personnel to tie in with State emergency management officials to address life saving and live threatening response requirements.

According to the USACE, the exact risks from catastrophic levee failure are unknown and studies are being conducted in support of the larger California Department of Water Resources (DWR) Delta Risk Management Strategy (DRMS). According to the USACE, the DRMS will provide the basis for further feasibility studies in support of a comprehensive San Francisco Bay-Delta Plan.

As part of this planning effort and consistent with the States plans and priorities, FEMA will continue to work with the Corps, the State and other stakeholders to:

- Improve Federal support to the emergency management response capability of local, State and Federal agencies to rapidly respond to levee emergencies and other Incidents of National Significance
- Streamline emergency contracting procedures and plan to ensure an adequate inventory of flood flight assets are strategically pre-positioned.
- Establish regular communication and planning activities among all emergency responders and affected communities and

landowners.

Currently contingency planning is underway as a result of the Governor of California's State of Emergency for a potential levee break in one of the six Central Valley Counties of Colusa, Sacramento, Solano, Sutter, Yolo, and Yuba included in the proclamation. FEMA Region IX and California OES are engaged in the Sacramento Valley Levee Response Plan Project (SVLRPP), including stakeholder participation from the USACE, California Department of Social Services (CDSS), California Department of Water Resources (DWR), six Central Valley counties' Emergency Management Agencies (Colusa, Sacramento, Solano, Sutter, Yolo, and Yuba), and the City of Sacramento.

The purpose of this Project is to conduct an assessment of vulnerabilities, identify capabilities and shortfalls, and develop a regional plan to provide proactive response to create a comprehensive, venue-specific mass evacuation and mass care plan for the population at risk from a breach of 24 critical erosion sites in the Central Valley Counties of Colusa, Sacramento, Solano, Sutter, Yolo, and Yuba. Besides assisting local government planning efforts, this project is intended to enable FEMA to identify specific resources needed immediately, mid-term, and long-term for response and recovery operations. The greatest need is to develop regional mass evacuation and shelter plans for the City of Sacramento and the greater Sacramento area.

Though this plan is still in the development/coordination stage and has not yet been completed, a number of preliminary steps have been achieved and are in place should something happen before publication. For example, transportation and logistical requirements have been identified, potential mobilization centers and staging areas have been evaluated, and a preliminary execution schedule has been developed.

FEMA may also need to provide support to transportation, fueling, and emergency medical assistance efforts along major transportation and evacuation corridors. With up to 220,000 people potentially displaced, including 36,000 people in an area known as the Pocket, a natural depression surrounded on three sides by levees, Sacramento City has far and away the greatest threat due to a levee failure along the Sacramento River.

Mr. Chairman, Members of the Committee, thank you again for the opportunity to be before you today. I would be pleased to answer any questions you may have.