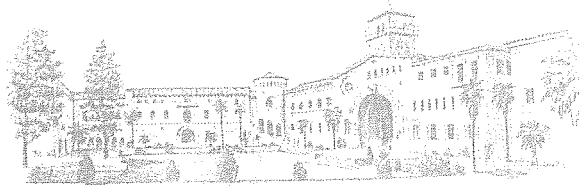


COUNTY OF SANTA BARBARA

Michael F. Brown
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EXECUTIVE OFFICE

June 16, 2009

Honorable Judge J. William McLafferty
Santa Barbara County Superior Court
1100 Anacapa St., 2nd Floor
Santa Barbara, CA 93121-1107

Board of Supervisors' responses to Fiscal Year 2008-2009 Grand Jury Report on 'Santa Barbara County Emergency Communications – Further Improvement Needed'

Dear Judge McLafferty:

During its regular meeting on June 16, 2009, the Board of Supervisors (Board) adopted the following as the Board's response to the relevant findings and recommendations in their Fiscal Year 2008-2009 Grand Jury Report entitled "Santa Barbara County Emergency Communications – Further Improvement Needed."

SUMMARY

As highlighted in previous Grand Jury reports, the challenges associated with working out of an interim Emergency Operations Center (EOC) continues to impact the County's emergency managers' response capabilities, including delivery of emergency information to the public and the news media. Despite the limitations of a non-permanent EOC, County staff continues to proactively work with various emergency and non-emergency personnel, public information professionals, members of the news media, volunteer organizations and other jurisdictional and civilian groups or individuals to improve the delivery of emergency public information.

The Board of Supervisors wishes to thank the Grand Jury for its report. The Board of Supervisors also agrees with the Grand Jury that improvements have been made and further improvements are always possible and desirable.

BACKGROUND

Emergencies occur every day in Santa Barbara County and most incidents are efficiently handled at a local level, including interaction with the news media, and do not require activation of the County's interim Emergency Operations Center or countywide emergency public information protocols.

When a single incident becomes—or is likely to grow—much larger in size and complexity, or impacts multiple jurisdictions, the interim EOC can be activated to assist in management of the incident(s), including distribution of emergency public information.

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Activating the EOC creates an opportunity for public information professionals from those jurisdictions and agencies involved to work together in an effort to communicate with the public in an organized “single voice” that reduces duplication or contradictions and improves the timely distribution of emergency public information.

A system of coordinated emergency information delivered to the news media and the public can be best provided through a “Joint Information Center” (JIC). The JIC provides the physical location where the public information professionals from the various organizations and agencies responding to the emergency can work together to ensure that timely, accurate, easy-to-understand and consistent information is disseminated to the public. The Board of Supervisors supports the use of JICs for multijurisdictional incidents that require a high degree of information coordination.

To be effective, the JIC must include public information officers and support staff from each organization involved in the incident. The Grand Jury recognized the successful formation of a JIC for the Tea Fire. The Grand Jury also discussed the need for an immediate JIC opening that coincides with the EOC opening. While the Board of Supervisors supports the use of a JIC, the Board also is aware that without a permanent EOC, it takes the County up to three hours to convert the existing classroom training facility—a modular, “temporary” structure—into a functional, interim EOC that currently does not have space for a JIC or the public Call Center operated by the County during the Jesusita, Tea and Gap fires.

The Board of Supervisors is also supportive of the County’s efforts, meanwhile, to partner with local news media organizations to strengthen the County’s abilities to provide emergency public information in the critical time while both the interim EOC and a JIC are being prepared. The Board notes that the County’s current Memorandum of Understanding (MOU) between the County and several local radio stations is part of the positive efforts to improve the delivery of time-sensitive emergency public information.

While the Grand Jury’s report recommends that the County focus on two radio stations, the County, since 2007, has been working with numerous radio stations in order to have as many radio stations as possible that can be available in case some stations are damaged or knocked off the air due to a major earthquake or other disaster. The County also has sought to utilize stations already familiar to, and trusted by, their regular listeners; including the local Spanish-speaking community.

The Board’s responses below will show that the County has been proactive in its strategic plans for disseminating emergency public information and that the County is taking steps to further improve its efforts to build redundancy into those communication plans.

RESPONSES TO FINDINGS & RECOMMENDATIONS

Finding 1a: Contrary to statements by the CEO and the Office of Emergency Services, there are two radio stations that cover the entire County.

Response: Partially Agree.

The Grand Jury report indicates that two FM radio stations, KRUZ, 97.5 and KVYB, 103.3, provide county-wide coverage. The Board of Supervisors agrees that the signals from these, and other, radio stations are transmitted throughout Santa Barbara County. However, local mountains, canyons, the atmosphere and other environmental factors can have an impact on the public’s ability to clearly receive and hear those signals. A radio station’s broadcast area is no guarantee that the signal can actually be heard, and the Board understands that County staff has found numerous places where the signals fail to reach, including areas near the Gaviota tunnels on Highway 101; in canyon areas and other spots throughout the county.

It is also important to note that both radio stations referenced by the Grand Jury are not Spanish-language format and the County must partner with radio stations that already broadcast in Spanish in order to reach (approximately 30 percent) of Santa Barbara County’s total households whose primary language is Spanish.

In an effort to improve distribution of emergency public information when the interim EOC is activated, County staff in 2007 initiated discussions with local radio stations to enhance the broadcasting of critical information. The result was the Memorandum of Understanding (MOU) with several radio stations that broadcast on AM and FM frequencies, in English and Spanish formats, throughout the County. These stations already have worked cooperatively with the County and with each other, faithfully providing hundreds of hours of news and emergency information—at times foregoing paid advertising—during the Zaca, Gap, Tea and Jesusita fires without any cost to the County or the taxpayers.

In 2009, the County's Office of Emergency Services (OES) further strengthened the MOU and the County's cooperative relationship with many of the MOU radio stations by designating them as part of the "Radio Ready" program. Approved by the Board of Supervisors, Radio Ready has placed sophisticated mobile Inmarsat satellite telecommunications equipment, with full broadband wireless Internet, at the stations to communicate, via satellite, directly with the interim EOC facility in the event that a disaster knocks out fiber optic systems, land lines and cell phone towers.

These "Radio Ready" stations—at their own expense, not the County or the taxpayers—have agreed to maintain operational readiness with generators, fuel and other emergency supplies, plus staffing commitments, at both their studios and transmitter sites in exchange for the Inmarsat systems, funding for which was generously donated to the County by the Orfalea Foundation.

County staff, meanwhile, continues to meet with local radio stations owners and management to further refine the MOU; including discussions to expand activation authority to city emergency services directors for isolated large incidents within a city; and to clarify protocols for dependable communications with radio broadcasters.

Finding 1b: The County has not established specific airtimes with any radio station to air emergency broadcasts.

Response: Agree.

It is difficult to establish specific airtimes prior to an incident. Prior to the Grand Jury report, however, County staff had been engaging the MOU radio stations, TV stations and other members of the local press corps in "roundtable discussions" to develop ways to improve the frequency of emergency communications based on the media representatives' own suggestions.

Part of those discussions resulted in the County offering to "embed" a local broadcast news media representative with the Public Information Officer's staff at the interim EOC, which would allow that outlet to broadcast live from the EOC whenever—and for as long as—the outlet wanted to do so, but no outlet has accepted the offer, including during the recent Jesusita Fire.

The County did provide working space for the San Marcos Pass Emergency Radio System (SMPERS) within the Public Information area during the Gap Fire and SMPERS did provide regular broadcasts from the interim EOC. During the Jesusita Fire, meanwhile, the County did establish a regular schedule for press conferences, primarily at 8:00 a.m. and 5:00 p.m., which most TV media covered with live TV coverage. Many of the local radio stations generally did not carry the press conferences live. In order to help radio stations with live coverage, the County currently is testing equipment to provide a telephonic "conference bridge" that would enable radio stations to obtain a live audio output feed during press conferences or other briefings so that the stations can provide live broadcasts from a remote site.

Recommendation 1: That the County negotiate a purchase of airtime with a countywide radio station to broadcast emergency messages at specific times.

Response: The recommendation will not be implemented.

The Board of Supervisors supports County staff's plans to pursue relationships with as many radio stations as possible in order to provide multiple pathways for emergency news since there are no guarantees that any specific radio station(s) selected for the purchase of an airtime contract would actually survive a catastrophic disaster such as an earthquake.

Spending taxpayer money on one radio station or designating one radio station as THE radio resource for emergency public information is a mistake since all radio and TV stations are susceptible to a catastrophic earthquake, or other disasters, which could cause any of the local stations to go off the air for indefinite periods of time.

The 2006 earthquake in Hawaii serves an important reminder of this fact. On October 15, 2006, at 7:08 a.m., HST, a 6.7-magnitude earthquake occurred in the vicinity of Kiholo Bay, Hawai'i, and approximately 80 percent of all media stations statewide were knocked off the air, according to the January 5, 2007 report by the Hawaii Governor's Comprehensive Communications Review Committee.ⁱⁱ The earthquake resulted in power outages, fears of a Tsunami and the loss of all but a "handful" of radio stations primarily due to electrical outages or problems with transmitter tower sites.^{iii iv} According to the UC Davis Geology Department, an 8.3-magnitude earthquake in the LA basin will result in "(Perhaps) half the radio stations will be put off the air".^v

To better serve our residents, businesses and visitors, the Board of Supervisors supports the County's partnership with as many radio stations as possible so that we have multiple, redundant means to communicate with the public and the news media during major emergencies or disasters.

Further, the current Grand Jury recommendation would, if adopted, weaken the County's MOU system already in place which a previous Grand Jury had recommended that the County pursue. Using taxpayer money to purchase airtime for emergency information purposes with a non-MOU station could prompt the MOU radio stations to withdraw from the agreement since they already work cooperatively with the County at no cost to the public.

The Board of Supervisors wishes to congratulate the efforts of the MOU broadcasters who have consistently reiterated their commitment to broadcasting critical emergency public information without the need for an advertising contract, since, as the federally licensed users of the public airwaves, they recognize their responsibility to provide the public with the emergency information.

Finding 2: The County did not activate the Emergency Alert System in either the Gap or the Tea Fires to notify the public about mandatory evacuations.

Response: Agree.

The Emergency Alert System (EAS) is built on an aging architecture conceived in the 1950s^{vi}. EAS (originally referred to as the Emergency Broadcast System (EBS)) was created in 1963 as a mechanism for the President of the United States to speak with the public during a national emergency such as a nuclear war. Local emergency officials may request broadcasters to transmit emergency information using the EAS, however, County staff has determined that they cannot force broadcasters to use the EAS for local emergencies. The Federal Communications Commission has previously ruled that the broadcasters, not the state or local authority, have the final authority to transmit a message^{vii}.

The County did not activate the EAS in either the Gap or Tea fires because the antiquated EAS does not have a robust television component that allows for additional information beyond the emergency alert headline to be communicated. Many people have commented to County staff with concerns about insufficient information transmitted on television during EAS alerts. Scrolls such as "*Civil authorities have issued an Amber Alert, Santa Barbara County*" have caused frustration with the viewing public. The EAS has continually revealed so many shortcomings, particularly in the lack of information provided on television, that the EAS was not used during the September 11, 2001 terrorist attacks^{viii}.

If OES had activated the EAS evacuation code during the Tea Fire, tens-of-thousands of KEYT viewers would have received the following limited message, "*Civil Authorities, Evacuation Order, Santa Barbara County Evacuation.*"

The Board of Supervisors supports the County's efforts to communicate with the news media and the public through multiple paths. EAS remains a potential communication tool despite its limited technology and County staff continues to explore alternative ways to use and improve EAS.

Recommendation 2: That the Office of Emergency Services activate the Emergency Alert System in accordance with the Santa Barbara County Emergency Alert System Plan.

Response: The recommendation will not be implemented.

The EAS is of limited use and, at times, its activation can cause unnecessary fear and panic by our citizens. Due to its limitations, EAS should not be relied upon for regional emergency information.

The County already engages multiple pathways to alert the public about evacuations, including, among other means, the Reverse 9-1-1[®] system, e-mail blasts and faxes to the news media and other groups, public address systems on squad cars and helicopters, cooperative agreements with local radio stations, the use of the County's government TV station and website, bulletin boards, door-to-door contact, press conferences and press releases. In addition, the Board supports County staff's on-going efforts to explore new technologies and methods that are more efficient than the EAS.

Finding 3: There was no Joint Information Center during the course of the Gap Fire. The Joint Information Center was not set up until 21 hours after the start of the Tea Fire.

Response: Agree.

During the Gap Fire, the Public Information function in the County's interim EOC had public information officers from a variety of agencies and jurisdictions working together at various times in the same room, including the County, school officials, City of Goleta, California Highway Patrol and the U.S. Forest Service. The Public Information Officer and staff also kept in regular contact with information officers for the fire agencies involved, the local utilities, CalTrans, the City of Santa Barbara and volunteer agencies like the Red Cross. Although County staff did not formally name it as a Joint Information Center (JIC), the Public Information area was working collaboratively as a JIC.

The County also established a public Call Center after the U.S. Forest Service's Call Center became overwhelmed due several other fires burning within the Los Padres National Forest. The County Call Center also acted as a coordinated point for the release of joint information.

The Board of Supervisors acknowledges that post-incident discussions clearly revealed, however, that communication efforts needed improvement. Communication issues regarding the clarity and consistency of evacuation information were particularly problematic during the rapidly changing times of the Gap Fire when a series of evacuation orders or warnings were quickly issued by the Incident Commanders. As a result of the findings, and to improve the coordinated release of emergency information, numerous discussions have occurred regarding the proactive use of a JIC and significantly stronger information ties between the Incident Commanders and the Public Information Officer at the interim EOC.

During the Tea Fire, County staff moved immediately to activate the interim EOC, including activation plans for a JIC. By the time a JIC location was identified and equipped—and the appropriate agencies and jurisdictions agreed to support it and assign staff—the Tea Fire JIC was opened as quickly as possible the following afternoon. Full-time staffing came from the U.S. Forest Service, CalFire, several departments from the County—including CEO, OES, Sheriff and Fire—the cities of Goleta and Santa Barbara, the Red Cross and several other agencies. It was the first time a JIC was formally established and successfully operated in the County during a real large-scale emergency.

The Board of Supervisors supports the operations of a JIC and recognizes that the timeframe to establish a JIC needs to be improved, if possible. The lessons learned in the Tea and Jesusita fires will be used to enhance the County's emergency information delivery systems; much as the Grand Jury noted about the improvements in communications from the Gap Fire to the Tea Fire.

Recommendation 3: When the Emergency Operations Center is set up, the Joint Information Center should be activated immediately.

Response: Agree, however the recommendation has not yet been implemented, but will be implemented in the future.

The Board of Supervisors agrees with the Grand Jury's recommendation that opening a JIC in concert with the opening of the EOC is optimal. Every emergency is different, however, and immediately opening a JIC might not be possible, or required. In order to best serve the public's emergency information needs, the Board supports County staff's pursuit of cooperative relationships with public information professionals from the cities and other agencies within the county's Operational Area so that they are prepared to issue joint press statements and other joint emergency information as quickly as possible during emergencies.

The Board recognizes that a JIC's success to distribute joint emergency information in support of a unified command structure is dependent on there first being an emergency with a unified command response for the incident and, second, the ability to bring together the various public information staff from the federal, state, county and local agencies that are responding to the emergency. JICs historically are formed a few days into a major disaster once all of the various agencies have arrived and the emergency public information duties can be efficiently passed from the EOC to the JIC. However, in order to ensure a Joint Information Center is operational in the future, the Office of Emergency Services will develop appropriate communication and operational protocols.

Finally, due to the lack of a permanent EOC, the County's current focus continues to be on first using its limited available staffing and other resources to open a fully operational interim EOC to support the incident management priorities.

Finding 4: In an emergency, the Santa Barbara Independent and the City of Goleta send out e-mail alerts to their subscribers. The County of Santa Barbara has not set up a similar alert system.

Response: Partially Agree.

The Board of Supervisors agrees that the City of Goleta and the Independent sent out e-mail text alerts to their respective subscribers.

The County's website does feature an automated "RSS" feed for subscribers on the website's Press Release page, where emergency information is posted to automatically alert subscribers when the press release page is updated.

The Reverse 9-1-1[®] system operated by the Sheriff's Department has multiple, existing capabilities involving e-mail and text messaging and the Sheriff's Department is working to more fully realize the Reverse 9-1-1[®] capabilities and is exploring partnerships with cities to further utilize the system.

County staff, meanwhile is exploring other Internet, e-mail and texting options, including the use of the new generation of "social media" sites such as Twitter, FaceBook and others. While some of these sites may be available at no cost to the County or its residents, other systems may require policy direction and funding allocation by the Board of Supervisors.

Recommendation 4: That the County develop an e-mail alert system which would cover all residents in the County.

Response: "The recommendation has not yet been implemented, but will be implemented in the future."

The County already uses several electronic, telephonic and other means to contact the public and the news media during emergencies and the Board of Supervisors supports the emergency planning efforts by staff to engage as many pathways as possible to ensure that the highest percentage of residents, businesses and visitors can be contacted during an emergency. No one system is fool proof and it is unlikely that one system can cover—or should be depended up to reach—every resident in the County. Multiple pathways must be used in case one or more system fails during a catastrophic event. In addition, these multiple platforms are best achieved through a consistent source that combines responding jurisdictions or agencies in a JIC as part of the EOC operations.

As new systems, technologies and methods of communication becomes available, the Board of Supervisors supports the efforts of the County's emergency planners and managers to explore ways to best utilize the new systems for mass alerts.

Finding 5: The Reverse 9-1-1[®] system can be an effective method of notifying residents. However, it has had limited coverage in the County, communications are limited to English and many homeowners may not receive messages for a variety of reasons.

Response: Partially agree.

The Board of Supervisors agrees with the Grand Jury that the Sheriff's Department use of the Reverse 9-1-1[®] system for mass telephonic notification of emergency information is indeed effective. The Board also supports the Sheriff's Department continued use of the current system to notify as many citizens and businesses as possible in the unincorporated areas of the county as well as within the cities of Buellton, Solvang, Goleta, Guadalupe and Carpinteria where the Department maintains cooperative agreements to use the alert system.

The Board understands that the Sheriff's Department continues to expand the system by working with telephone service providers to regularly update the system's database and by registering thousands of additional telephone numbers registered by citizens on the Sheriff's Department website. The system has the potential to cover the entire county, however, some cities outside the Sheriff's Department jurisdiction have opted to utilize different systems, thereby limiting its reach.

The Board agrees that the current system sends messages in English, but the Board understands that the Sheriff's Department is working to expand the system with Spanish-language messages. Further, the Board acknowledges that, for a variety of reasons, it is possible that some homeowners may not receive emergency calls for a variety of reasons. This is another reason why the Board supports County staff's efforts to use multiple pathways to reach our citizens with emergency information.

Recommendation 5a: That the Sheriff's Department inform and educate all County residents about the Reverse 9-1-1[®] system.

Response: The recommendation has been implemented.

The Board of Supervisors supports the continual efforts of the Sheriff's Department to inform and educate the public and all other agencies and jurisdictions within the County about the benefits of using the Reverse 9-1-1[®] system.

Recommendation 5b: That the Sheriff's Department monitor and improve the Reverse 9-1-1[®] system to reach all residents, including those who are Spanish speaking.

Response: The recommendation has been implemented.

The Board of Supervisors recognizes the importance of bilingual emergency public information in all formats used by the County's emergency managers, including the Reverse 9-1-1[®] system, in order to reach the Spanish-speaking community. The Board supports the Sheriff's Department efforts to improve the system and to partner with all other agencies and jurisdictions within the County to utilize the system to its full potential.

The Sheriff's Department has already indicated it is pursuing options to include Spanish language messages on its emergency alerts.

FOOTNOTES

ⁱ http://www.fema.gov/txt/nims/nims_doc1.txt Chapter I NIMS – Introduction and Overview

ⁱⁱ *Recommendations for Improving Public Communications During Emergencies*, Hawaii Governor Linda Lingle's Governor's Comprehensive Communications Review Committee, January 5, 2007, Final Report (attached)

ⁱⁱⁱ <http://nytimes.com/2006/10/15/us/15cnd-quake.html?pagewanted...> NewYorkTime.com October 2006

^{iv} <http://honoluluadvertiser.com/article/2006/Oct/17/op/...> Honoluluadvertiser.com October 2006

^v <https://www.geology.ucdavis.edu/~cowen/~gel115/quakenotes.html> Cowen, Richard PhD U Davis Geology Department

^{vi} *The Emergency Alert System (EAS) and All-Hazard Warnings* Congressional Research Service, Moore, et al. 2008

^{vii} FCC, *Report and Order and Further Notice of Proposed Rule Making*, Released December 9, 1994

^{viii} Collins, Glenn (December 21, 2001), "The Silence of the Alert System; Experts Urge Overhaul of Plan Unused Even on Sept. 11", *New York Times* Section D (Column 2; Metropolitan Desk) Sincerely,

Honorable Judge J. William McLafferty

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Centeno". The signature is written in black ink and is positioned above the printed name.

Joseph Centeno
Board of Supervisors, Chair

cc: Santa Barbara County Civil Grand Jury Foreman