



**To:** RCRC Board of Directors  
**From:** Tracy Rhine, Legislative Advocate  
**Date:** January 8, 2019  
**Re:** Emergency Alert System Update

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### **Summary**

This memo provides an update on legislative efforts to make local Emergency Alert Systems more effective in California.

### **Background**

In the last five years the number and voracity of wildfires affecting large populations in California has dominated the conversation in Sacramento. With each wildfire and/or other natural disasters, deficiencies in the current emergency response system become more apparent. Without the ability to stop the increased incidences of wildfires, floods, mudslides, and earthquakes, some focus has been shifted to implementing a more robust and reliable emergency warning system to safely evacuate communities.

Currently, alerting residents of an emergency is the responsibility of a local jurisdiction. There are several emergency warning structures in place at the federal level that can be utilized by the state and local jurisdictions. The National Integrated Public Alert & Warning System (IPAWS) administered by the Federal Emergency Management Agency (FEMA) is a holistic system of alerting, and it includes all modes of notification, such as radio and television warnings, internet and website announcements and wireless alerts. Alerts using television and radio are part of the Emergency Alert System (EAS). Notifications sent via cellphone, internet or websites are part of the Wireless Emergency Alert (WEA) System. In rural areas of the state, emergency notification can range from door-to-door law enforcement visits to mass autodialed calls on landline telephones and WEA alerts in affected areas.

The WEA system includes three categories of alerts: 1) emergencies and weather; 2) Amber alerts for child abductions; and, 3) Presidential alerts. WEA works if a phone has the technological capability to receive alerts (usually those devices manufactured after 2012). Furthermore, the phone must be "on" and in range of a cell tower. Most importantly, the wireless provider must participate in IPAWS. Residents may opt out of all types of WEA communications except presidential alerts. WEA is managed by FEMA, and authorized alerting authorities can use the system to issue alerts.

“Authorized alerting authorities” are other entities such as state, local and tribal governments that have registered to use the system. There is no cost to use WEA, but the authorized alerting authority must have software that meets the WEA system requirements in order to utilize the system. In the past, one of the issues with WEA has been the lack of specificity in the alerting message and the geographic region notified regarding the emergency, causing individuals to be alerted that are not actually affected by the emergency. According to FEMA, though WEA was only able to alert at the county level when the system first came online, in 2017 WEA was required to use the “best approximate of the area.” Additionally, in 2019, WEA will be required to geo-target alerts with no more than a 1/10 of a mile overshoot. Many local jurisdictions have complained in the past that the WEA system created chaos by over-notifying unaffected residents, and was not detailed enough to be useful. Changes to WEA in 2019 should drastically aid in the use of the system. However, alerts will remain general, without specific evacuation information or shelter direction.

In addition to EAS and WEA, many local jurisdictions use stand-alone emergency alert system products, such as “Code Red,” which residents can sign-up for through a website. These products provide wireless text alerts and website or cell phone application information in cases of an emergency. These products are purchased by the local jurisdiction and can provide very detailed information during evacuation.

### **Issue**

During the 2017-2018 Legislative Session, the Legislature held numerous informational hearings to examine the effectiveness of California’s public warning systems during disasters. As a result of information gathered during those hearings several bills were signed into law by Governor Brown.

RCRC was a leading supporter of Senate Bill 821, authored by Senator Hannah-Beth Jackson (D-Santa Barbara), which allows counties to enroll residents into its emergency warning system utilizing account holder information from public utility records. Most residents are unaware that they must sign-up to receive emergency alerts from their county in order to be informed in cases of emergencies or natural disasters. SB 821 will allow counties to warn all its residents of impending danger without requiring action by each individual.

RCRC also supported Senate Bill 833, authored by Senator Mike McGuire (D-Healdsburg), which requires the development of new statewide guidelines for public warning systems and an annual training for emergency managers on the new protocols. Creating standards for all jurisdictions based on best practices for early warning systems and including all methods of notification such as landline telephones, radio, television and wireless technology, further increases the ability of safe evacuations.

After the deadly Camp Fire in Butte County and reported issues of emergency notification and evacuation issues, Senator Jackson convened a special informational hearing in December 2018 to discuss how to further strengthen the public alert systems in California. Building off of SB 821 and SB 833, as well as other related legislation, Senator Jackson brought together representatives from the California Office of Emergency Services (OES), the Department of Forestry and Fire Protection (CAL FIRE) and law enforcement,

including representatives from the Tuolumne County Sheriffs' Department, to discuss improvements to the system of emergency warnings.

One issue discussed during the hearing that received media attention was the number of local jurisdictions that do not use WEA. As of December 3, 2018, only forty-five counties (twenty-seven RCRC member counties) are authorized alerting authorities with FEMA to utilize WEA.

Senator Jackson has recently introduced legislation, Senate Bill 46, which will allow cities and universities to automatically enroll residents in emergency alerts. This bill also permits local governments to collect residents' contact information from wireless providers and allows local governments to identify residents with access and functional needs for the purpose of sending specialized emergency alerts.

### **Staff Recommendation**

Information only. RCRC staff will continue to engage with the Legislature, the Administration, and key regulatory bodies on ways to improve emergency communication, especially in rural areas where unreliable wireless service and difficult terrain pose challenges to residents during times of emergency.

### **Attachments**

- Senate Bill 821 (Chapter 615, Statutes of 2018)
- Senate Bill 833 (Chapter 617, Statutes of 2018)
- Senate Bill 46 (Jackson)