

6.3 Authorities and References

6.3.1 Authorities

In the context of this EOP, a major emergency or disaster is characterized as an incident requiring the coordinated response of all government levels to save the lives and protect the property of a large portion of the population. This plan is issued in accordance with, and under the provisions of, ORS, Chapter 401, which establishes the authority for the County to establish an Emergency Management Organization (EMO) and appoint a CCDM Director who will be responsible for the organization, administration and operation of the EMO.

The County Disaster Management Structure will, at a minimum:

- Coordinate planning activities necessary to prepare and maintain the County EOP.
- Manage and maintain the County EOC from which County officials can coordinate emergency and disaster response activities.
- Establish an Incident Command structure for management of incidents by all local emergency service agencies.
- Coordinate with County and State agencies to integrate effective practices in emergency preparedness and response in a manner consistent with NIMS.

Through promulgation of this plan, CCDM has been identified as the lead agency in the EMO. The CCDM Director has authority and responsibility for the organization, administration, and operations of the EMO. The CCDM Director may delegate any of these activities to designees, as appropriate.

The County EMO is consistent with NIMS, and procedures supporting NIMS implementation and training for the County will be developed and formalized by the CCDM Director.

Table 1-1 sets forth the federal, State, and local legal authorities upon which the organizational and operational concepts of this EOP are based.

Table 1-1. Legal Authorities

Federal
<ul style="list-style-type: none"> • Federal Emergency Management Agency (FEMA) Policy <ul style="list-style-type: none"> ○ Crisis Response and Disaster Resilience 2030 (January 2012) ○ FDOC 104-008-1: A Whole Community Approach to Emergency Management (December 2011) ○ FEMA Administrator’s Intent (2015-2019) ○ FEMA Incident Management and Support Keystone (January 2011) ○ FEMA Publication 1 We are FEMA: Helping People Before, During, and After Disasters (November 2010) ○ FEMA Strategic Plan 2014-2018 ○ National Disaster Housing Strategy (January 2009) ○ National Disaster Recovery Framework (June 2016, 2nd edition) ○ National Incident Management System (December 2008) ○ National Preparedness Goal (September 2011) ○ National Response Framework (January 2008) • Executive Order 13347, July 26, 2004, Individuals with Disabilities in Emergency Preparedness • Homeland Security Presidential Directive 5: Management of Domestic Incidents (2003) • Public Law 109-308 Pet Evacuation and Transportation Standards Act of 2006 • Presidential Policy Directive 8: National Preparedness (2011) • Public Law 107-296 The Homeland Security Act of 2002 • Public Law 109-295 The Post-Katrina Emergency Management Reform Act (2006) • Public Law 93-288 Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (last amended in 2019 by HR 639)
State
<ul style="list-style-type: none"> • Oregon Administrative Rules Chapter 104 Oregon Military Department, Office of Emergency Management • ORS 279B.080 Emergency Procurements • ORS 294.481 Authorization to Receive Grants or Borrow or Expend Moneys to Respond to Public Emergency • ORS Chapter 401 Emergency Management and Services • ORS Chapter 402 Emergency Mutual Assistance Agreements • ORS Chapter 403 Emergency Communications System; 2-1-1 System; Public Safety Communications System • ORS Chapter 404 Search and Rescue • ORS Chapter 431 State and Local Administration and Enforcement of Health Laws • ORS Chapter 433 Disease and Condition Control; Mass Gatherings; Indoor Air • ORS Chapter 476 State Fire Marshal; Protection From Fire Generally • ORS Chapter 477 Fire Protection of Forests and Vegetation • State of Oregon Emergency Operations Plan
County
<ul style="list-style-type: none"> • County Code Chapter 6.03 Emergency Regulations • Resolution 2005-26, February 2005 – Adoption of NIMS/ICS • Board Order #2008-154, September 2008 – Local Public Health Administrator Appointment

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6.3.1.2 Mutual Aid and Intergovernmental Agreements

State law (ORS 402.010 and 402.015) authorizes local governments to enter into Cooperative Assistance Agreements with public and private agencies in accordance with their needs (e.g., the Omnibus Mutual Aid Agreement). Personnel, equipment, supplies, and services may be used by a requesting agency if the granting agency cooperates and extends such services. However, without a mutual aid pact, both parties must be aware that State statutes do not provide umbrella protection, except in the case of fire suppression pursuant to ORS Chapter 476 (the Oregon State Emergency Conflagration Act).

Mutual aid establishes a network among agencies to share critical emergency resources. The agreements prescribe procedures for requesting and responding in a timely and efficient manner. Resources include equipment, supplies, personnel, and services. The County is a signatory party to multiple mutual aid agreements. Two prominent agreements are:

- Inter-County mutual aid agreement
- Intra-County emergency resource sharing with cities and special districts

Copies of existing agreements can be accessed through CCDM. During a major emergency or disaster situation, a local declaration may be necessary to activate these agreements and allocate appropriate resources.

6.3.2 References**Federal**

- Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288) as amended, April 2013. Accessed on 20 December 2013 at: <http://www.fema.gov/robert-t-stafford-disaster-relief-and-emergency-assistance-act-public-law-93-288-amended>
- Homeland Security Act of 2002 (Public Law 107-296). Accessed on 20 December 2013 at: <http://www.dhs.gov/key-dhs-laws>
- Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295). Accessed on 20 December 2013 at: <http://www.dhs.gov/key-dhs-laws>
- Homeland Security Policy Directive/HSPD-5: Management of Domestic Incidents. Accessed on 20 December 2013 at: <http://www.fas.org/irp/offdocs/nspd/hspd-5.html>
- Presidential Policy Directive/PPD-8: National Preparedness. Accessed on 20 December 2013 at: <http://www.dhs.gov/presidential-policy-directive-8-national-preparedness>

FEMA Policy

- The Federal Emergency Management Agency Publication 1: The Federal Emergency Management Agency, November 2010. Accessed on 20 December 2013 at: <http://www.fema.gov/media-library/assets/documents/25272>
- A Whole Community Approach to Emergency Management: Principles, Themes, and Pathways for Action, FDOC 104-008-1, December 2011. Accessed on 20 December 2013 at: http://www.emd.wa.gov/about/documents/FEMA_Whole_Community.pdf
- FEMA Incident Management and Support Keystone, January 2011. Accessed on 20 December 2013 at: <http://www.fema.gov/media-library/assets/documents/26688>
- National Incident Management System, December 2008. Accessed on 20 December 2013 at: <http://www.fema.gov/national-incident-management-system>
- National Preparedness Goal, First Edition, September 2011. Accessed on 20 December 2013 at: <http://www.fema.gov/national-preparedness-goal>

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- FEMA Administrator’s Intent (FY 2015-2019). Pub. April 2013. Accessed on 20 December 2013 at: <http://www.fema.gov/media-library/assets/documents/31808>
- FEMA Strategic Plan, FY 2011-2014, FEMA P-806, February 2011. Accessed on 20 December 2013 at: <http://www.fema.gov/fy-2011-2014-strategic-plan>
- Crisis Response and Disaster Resilience 2030: Forging Strategic Action in an Age of Uncertainty, January 2012. Accessed on 20 December 2013 at: <https://www.fema.gov/media-library/assets/documents/24174>
- National Response Framework, Second Edition, May 2013. Accessed on 20 December 2013 at: <http://www.fema.gov/national-response-framework>
- National Disaster Recovery Framework, Strengthening Disaster Recovery for the Nation, September 2011. Accessed on 20 December 2013 at: <http://www.fema.gov/media-library/assets/documents/24647?fromSearch=fromsearch&id=5124>
- National Disaster Housing Strategy, January 2009. Accessed on 20 December 2013 at: <http://www.fema.gov/media-library/assets/documents/24600>
- Developing and Maintaining Emergency Operations Plans, Comprehensive Preparedness Guide (CPG) 101, Version 2.0, November 2010. Accessed on 20 December 2013 at: <http://www.fema.gov/media-library/assets/documents/25975>

State

- State of Oregon Emergency Operations Plan, as revised November 2013. Accessed on 20 December 2013 at: http://www.oregon.gov/OMD/OEM/Pages/plans_train/EOP.aspx
- Oregon State Fire Marshal, Fire Service Mobilization Plan. 2013. Accessed on 20 December 2013 at: <http://www.oregon.gov/osp/SFM/docs/2013MobPlan.pdf>
- Emergency Declaration Guidelines for Local Elected and Appointed Officials. September 2011. Accessed on 20 December 2013 at: http://www.oregon.gov/OMD/OEM/docs/library/ea_officials_guide_sept_2011.pdf
- Oregon Revised Statutes (ORS) 2011 Edition. Chapters 401 through 404. Accessed on 20 December 2013 at: https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx
- Oregon Administrative Rules (OAR) 104: Oregon Military Department. Accessed on 20 December 2013 at: http://arcweb.sos.state.or.us/pages/rules/oars_100/oar_104/104_tofc.html

County

Copies of the following documents can be obtained by contacting the CCDM:

- Board Order #2008-154, September 2008
- Emergency Operations Plan, 2011
- Natural Hazard Mitigation Plan, 2013
- Community Wildfire Protection Plan, 2012
- Mt. Hood Coordination Plan, 2013
- Damage Assessment Plan
- Debris Management Plan, 2015
- Memoranda of Agreement / Understanding
- Resolution 2005-26, February 2005
- Code Section 6.03

Other

- All other federal, state, or local laws, regulations, executive orders, directives, resolutions, or other applicable laws enacted or to be enacted which pertain to emergencies/disasters.