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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 COUNTY OF SANTA CLARA,  
15 Plaintiff,  
16 v.

Case No. 17-cv-00574-WHO

**DECLARATION OF DANA REED,  
DIRECTOR OF EMERGENCY  
MANAGEMENT FOR THE COUNTY OF  
SANTA CLARA**

17 DONALD J. TRUMP, President of the  
18 United States of America, JOHN F. KELLY,  
19 in his official capacity as Secretary of the  
20 United States Department of Homeland  
21 Security, JEFFERSON B. SESSIONS, in his  
22 official capacity as Attorney General of the  
23 United States, JOHN MICHAEL "MICK"  
MULVANEY, in his official capacity as  
Director of the Office of Management and  
Budget, and DOES 1-50,

Date: April 5, 2017  
Time: 2:00 p.m.  
Dept.: Courtroom 2  
Judge: Hon. William H. Orrick

Date Filed: February 3, 2017

Trial Date: Not yet set

Defendants.

1 I, DANA REED, hereby declare:

2 1. I have personal knowledge of all the matters stated herein and could and would  
3 testify truthfully thereto if called to do so.

4 2. I am the Director of Emergency Management for the County of Santa Clara  
5 (County), where I oversee the Office of Emergency Services (OES) as well as the Office of  
6 Emergency Management for the Santa Clara County Fire Department. I have held these positions  
7 for three years. Previously, I was a Deputy Fire Chief with the City of San José, California, and  
8 also served as an Emergency Services Specialist with the NASA Ames Fire Department at the  
9 Moffett Field Federal Airfield. Overall, I have worked in incident management and emergency  
10 management for nearly 35 years, including managing Emergency Operations Centers and serving  
11 as an Incident Commander in the field during emergency incidents. I also currently chair the  
12 Emergency Managers Committee of the Santa Clara County Operational Area Signatories and  
13 serve on the Approval Authorities for the Bay Area Urban Area Security Initiative (UASI) and  
14 the State Homeland Security Grant Program (SHSGP), two emergency management grant  
15 funding programs.

16 3. Under California's emergency management framework, OES is the lead  
17 emergency management agency for the entire Santa Clara County Operational Area (Op Area),  
18 which encompasses the geographical region of Santa Clara County and all the local  
19 jurisdictions—including cities, towns, and special districts—within it. In its lead Op Area role,  
20 OES's core function is to promote, facilitate, and support the efforts of the County and of all of  
21 the cities, towns, and local districts within the County to prepare for, respond to, and recover from  
22 disasters, emergencies and complex incidents of all types, including both natural disasters, such  
23 as earthquakes, and manmade incidents and events, such as terrorist attacks. OES is also  
24 responsible for direct emergency management in the unincorporated areas of the County. This  
25 includes determining resource priorities and coordinating the response during a proclaimed  
26 emergency, including mutual aid or other resources from the State and federal governments.

27 4. Among its many responsibilities, OES provides emergency management training;  
28 engages in region-wide hazard planning; activates, staffs, and operates the Santa Clara County

1 Emergency Operations Center, which serves the County and the entire Op Area during  
2 emergency incidents; and coordinates public and private efforts to recover following incidents.

3 5. OES receives a significant amount of federal grant funding from the Department  
4 of Homeland Security's Federal Emergency Management Agency (FEMA) that is administered  
5 by the State of California Governor's Office of Emergency Services (Cal OES).

6 6. OES receives federal grants from four different grant programs: SHSGP, the  
7 Emergency Management Performance Grant (EMPG) program, UASI, and the Pre-Disaster  
8 Mitigation (PDM) program. All four grant programs are critical to keeping our community safe.

9 7. All funds under these grant programs are given on a reimbursement basis – in  
10 other words, although an overall sub-grant amount is determined by FEMA and Cal OES in  
11 advance for each fiscal year, the County actually receives the funds only after it submits  
12 documentation showing it has completed qualifying projects. In the meantime, the projects are  
13 funded by the County and by the cities, towns, and special districts that are carrying them out.

14 8. This federal grant funding represented about two-thirds of OES's total budget for  
15 fiscal year 2016. OES could not perform its current functions without it. The County currently  
16 has more than \$3 million in outstanding federal grant funding that has been expended, but not yet  
17 reimbursed, for fiscal year 2016.

18 9. SHSGP provides funding to ensure that local communities have the capability to  
19 prevent, protect against, mitigate, respond to, and recover from acts of terrorism.

20 10. Loss of federal SHSGP funding would significantly impact the County's ability to:

- 21 i) identify and address local vulnerabilities to specific hazards;  
22 ii) fund community-wide exercises to test responses to catastrophic events;  
23 iii) train first responders; and  
24 iv) create plans to ensure access and functional needs for residents with  
25 mobility or other issues.

26 11. Losing SHSGP funding would also mean the County would not be reimbursed for  
27 salary and benefit costs of two existing positions at OES and three other positions that serve the  
28 entire Op Area, as well as purchases of critical equipment for hazard response.

1           12.     Losing federal SHSGP finding would also affect OES’s ability to continue offering  
2 several planned terrorism response courses, and would impact the sharing of criminal and  
3 terrorism-related intelligence with law enforcement agencies.

4           13.     EMPG funding supports state and local government activities to prevent, prepare  
5 for, mitigate against, respond to, and recover from emergencies and disasters of all types – such  
6 as earthquake, fire, and flood hazards; transportation system hazards; and intentional and/or  
7 terrorism-related threats.

8           14.     OES currently uses EMPG funding to support a strong network of public and  
9 private agencies that work together to ensure community-wide emergency preparedness,  
10 including by:

- 11                   i)     distributing emergency planning materials to schools, community groups,  
12 and faith-based organizations;
- 13                   ii)    stocking emergency supply points for the community;
- 14                   iii)   obtaining specialized earthquake response training; and
- 15                   iv)   providing supplies and support to volunteer Community Emergency  
16 Response Teams, who are often the first line in assisting with disaster response before  
17 professional first responders are available.

18           15.     Because EMPG funding is crucial to OES’s efforts to train local government  
19 employees throughout the County in how best to respond to disasters, loss of that funding would  
20 significantly jeopardize community preparedness and resiliency throughout the County. Without  
21 EMPG funding, the County could not engage in collaborative and coordinated community-wide  
22 response efforts.

23           16.     In addition, if it were to lose EMPG funds, the County would not be reimbursed  
24 for the salary and benefit costs of one existing OES staff position. This staff position is a liaison  
25 to the Santa Clara County Emergency Operational Area Council, which is a regional body  
26 consisting of elected and appointed officials from jurisdictions throughout the Op Area that exists  
27 to ensure unity of purpose in emergency planning and preparedness efforts; make  
28

1 recommendations regarding disaster response policies and procedures; and foster an effective  
2 flow of disaster information throughout the Op Area.

3 17. UASI funding, which is sub-awarded to the County by the City and County of San  
4 Francisco as part of the Bay Area UASI network, supports the County and other local agencies in  
5 building region-wide capacity to prevent, protect against, mitigate, respond to, and recover from  
6 terrorist attacks and other catastrophes.

7 18. UASI funding addresses multiple homeland security needs, including  
8 cybersecurity, communications interoperability, emergency medical needs and public health  
9 preparedness, public information and warning needs, and infrastructure protection.

10 19. Without UASI funding, the County would lose funds needed to cover expenditures  
11 it has already made to replace a current, obsolete radio system with a modern communications  
12 infrastructure that will be used on a daily basis by law enforcement agencies, fire departments,  
13 and emergency medical technicians throughout the County, and that is also needed to allow  
14 communication among emergency responders during critical incidents.

15 20. Finally, the PDM program supports local government agencies in creating pre-  
16 disaster hazard mitigation programs to reduce public exposure to risk. With PDM funds, the  
17 County is creating a Local Hazard Mitigation Plan that lays out region-wide disaster mitigation  
18 priorities, including for water, power, wastewater, communications, and transportation systems.  
19 This process ensures that state and local hazard mitigation planning is coordinated to the greatest  
20 extent possible and that local strategies are in place to reduce vulnerabilities.

21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing is true and correct and that this Declaration was executed on February 21, 2017 in  
23 Santa Clara County, California.

24   
25 \_\_\_\_\_  
26 DANA REED