



FEMA

OCT 23 2012



Mr. Mark Ghilarducci
Governor's Authorized Representative
California Emergency Management Agency
3650 Schriever Avenue
Mather, California 95655

Reference: Termination of the Memorandum of Understanding between the State of California Emergency Management Agency and the Federal Emergency Management Agency regarding the Sacramento San Joaquin Delta
Cal EMA Log 460876; FEMA Log 306486.1

Dear Mr. Ghilarducci:

This letter constitutes written notification of the need for the Federal Emergency Management Agency (FEMA) to terminate the Memorandum of Understanding Regarding Criteria for Public Assistance Eligibility for Reclamation Districts in the Sacramento/San Joaquin Legal Delta (MOU). See MOU Section XI (February 25, 2010).

FEMA has determined that the MOU as currently drafted is vague and fails to adequately address both current levee standards and FEMA Public Assistance Policy. For these reasons – and as a result of recent communications with the California Emergency Management Agency (CalEMA), the California Department of Water Resources, and other effected parties – we have determined that terminating the MOU at this time is the best course of action. The effective date of termination of the MOU is forty-five (45) days from today's date, which is December 8, 2012. *Id.*

Although the rainy season is quickly approaching, FEMA's Public Assistance staff have already begun work with your staff to determine the best standards and terminology for a new agreement. We look forward to working through these issues in the coming months and finalizing a new MOU.

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If you have any questions regarding this matter, please contact me at (510) 627-7100 or Terrie Zuiderhoek, Director of our Recovery Division, at (510) 627-7250.

Sincerely,



Nancy Ward
Regional Administrator
FEMA Region IX