

I attended the recent port meeting at Orcas Center to listen and view Dowl's presentation of the new airport master plan. I have resided at 162 Aviator Dr. (formerly Grasssylvania) for 21 years and am pro expansion on the west side of the airport. The problem is Dowl hasn't done their due diligence to see if developing the Westside with new hangars and buildings to house aeronautical services and FedEx is even feasible. When I asked the project manager Leah Henderson how Dowl was going to address the problems with Seaview St being a dead end street, her response was that will have to be addressed when the development occurs, I asked again what happens if there's an emergency where do people go it's a dead end there's no outlet? Her response was that will have to be answered by another agency. Look, my wife/partner and I have been developers of a few subdivisions, and before you even present the idea of a project to the municipalities you complete a feasibility study, you make sure you address all the infrastructure questions before you start drawing up your development plans, does the road meet the needs and requirements of the proposed use?, if not, what will I be required to do to bring it up to those standards Width, Visibility, loads, pedestrian separation, lighting and most importantly an inlet and an outlet to ways in two ways out, connectivity. When there is an emergency, and people have to flee there is no way out other than the Mt Baker road inlet (it may be blocked), and no turn around. The only other way is to cross the runway.

Most mixed use development, residential/commercial, and especially industrial use require two way accesses by municipal code,

The authority of the Fire Marshal to employ vacation via private property is viable upon the situation of a declared emergency, however in the planning stages of development there is no such emergency and no authority by the Fire Chief to declare neighboring property open for public use or egress.

Those are my comments, Mike McKinstry Aviator Drive Eastsound Orcas Island

# Emergency Authority and Immunity Toolkit

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## ASTHO LEGAL PREPAREDNESS SERIES EMERGENCY AUTHORITY & IMMUNITY TOOLKIT

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### ASTHO Legal Preparedness Series and EAI Toolkit Overview

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The *Emergency Authority & Immunity (EAI) Toolkit* addresses key concepts regarding federal and state emergency declarations and the various response authorities and liability protections these declarations can initiate. The toolkit component documents are designed to be used as a resource to assist in education, training, and planning activities to prepare for emergencies, as well as to serve as a quick reference resource during an emergency response to an event. The *EAI Toolkit* is one of six toolkits in ASTHO's Legal Preparedness Toolkit Series. Please see the Introduction document for additional background on the project and the other toolkits.

### Intended Audiences

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*These documents are specifically designed to address the different needs of discrete audiences within a state health agency:*

- State health officers, agency directors, or other senior governmental officials may find the executive overviews and fact sheets of particular interest.
- Preparedness directors and other programmatic staff will find the fact sheets, issue briefs, state analysis guides, and resource materials useful in understanding and gaining more in-depth knowledge about particular concepts and legal issues.
- Legal counsel will find the fact sheets about particular federal laws and regulations, issue briefs, state analysis guides, and citations within the resource materials a good basis from which to conduct additional research and analyze their particular state's authorities on these issues.
- The current issue updates are a good resource for all audiences to learn the latest developments on issues related to the toolkit topic.

### EAI Toolkit Contents

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*All documents are listed alphabetically within each document category*

#### **Executive Overviews**

*One-page snapshots of key concepts and issues*

- [Key Emergency Authority and Immunity Concepts](#)
- [Key Federal Laws and Policies Regarding Emergency Authority and Immunity](#)

#### **Fact Sheets**

*One-page documents addressing fundamental issues or legal authorities*

- [Emergency Declarations and Authorities](#)
- [Emergency Management Assistance Compact](#)
- [Federal Emergency Preparedness Directives and Systems](#)
- [Immunity Issues in Emergencies](#)
- [Liability Issues and Emergencies](#)
- [Mutual Aid and Assistance Agreements](#)
- [National Emergencies Act, Sections 201 and 301](#)

- [Pandemic and All Hazards Preparedness Act](#)
- [Public Health Service Act, Section 319: Public Health Emergencies](#)
- [Public Readiness and Emergency Preparedness Act](#)
- [Robert T. Stafford Disaster Relief and Emergency Assistance Act](#)
- [Social Security Act Section 1135 Waivers](#)
- [Workers' Compensation Issues in Emergencies](#)

### **Issue Briefs**

*In-depth information and analyses of fundamental issues*

- [Liability, Immunity, and Workers' Compensation Issues in Public Health Emergencies](#)

### **State Analysis Guides**

*Aids to assist states in identifying and analyzing their own statutes, regulations, and policies*

- [Emergency Declarations and Authorities](#) (Word document will download)
- [Liability, Immunity, and Workers' Compensation Issues](#) (Word document will download)

### **Current Issues and Updates**

*Periodic updates on new and evolving issues*

- [Winter 2012—Pandemic and All-Hazards Preparedness Act Reauthorization](#)
- [Summer 2011—New Presidential Policy Directive Replaces HSPD-8](#)

### **Resource Materials**

*Bibliographies and links to key agencies, organization, laws, and other documents*

- [Emergency Authority and Immunity Resource Materials Document](#)

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