

GOVERNOR BROWN DIRECTS ASSISTANCE FOR MONO COUNTY WILDFIRE

2-26-2015

A PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS a fire started on February 6, 2015, in Mono County; and
WHEREAS the fire burned thousands of acres, destroying over 40 structures, including residences, necessitating the evacuation of residents and the opening of emergency shelters; and

WHEREAS the fire created a substantial amount of hazardous debris over a large area, affecting the community of Small Meadows; and

WHEREAS this debris is threatening public health and safety and the environment, and it must be removed and disposed of quickly and properly to ensure that the area can be reoccupied safely; and

WHEREAS on February 6, 2015, Mono County proclaimed a local emergency declaring that conditions of extreme peril to the safety of persons and property exists, and on February 11, 2015, the Mono County Health Officer declared a local health emergency due to hazardous debris from this fire; and

WHEREAS the circumstances of this fire, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of sections 8567 and 8571 of the Government Code, I find that strict compliance with the various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the fire; and

WHEREAS under the provisions of section 8558(b) of the California Government Code, I find that conditions of extreme peril to the safety of persons and property exists within Mono County due to this fire.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, section 8625 of the California Government Code, HEREBY PROCLAIM A STATE OF EMERGENCY to exist within Mono County.

IT IS HEREBY ORDERED THAT:

1. All agencies of the state government utilize and employ state personnel, equipment, and facilities for the performance of any and all activities related to this state of emergency consistent with the direction of the Office of Emergency Services and the State Emergency Plan.
2. The Office of Emergency Services shall provide local government assistance, as appropriate, under the authority of the California Disaster Assistance Act, California Government Code section 8680 et seq. and California Code of Regulations, Title 19, section 2900 et seq.
3. State statutes, rules, regulations, and requirements are hereby suspended to the extent they apply to the following activities: (a) removal, storage, transportation, and disposal of hazardous and non-hazardous solid waste and debris resulting from the fire that has burned in Mono County and that are subject to the jurisdiction of agencies within the California Environmental Protection Agency and the California Natural Resources Agency; and (b) necessary restoration and rehabilitation of timberland, streams, rivers, and other waterways. Such statutes, rules, regulations, and requirements are hereby suspended only to the extent necessary for expediting the removal and cleanup of debris from the fire and for implementing any restoration plan by Mono County. Individuals who desire to conduct activities under this suspension of statutes, rules, regulations, and

requirements shall first request that the appropriate Agency Secretary, or that Agency Secretary's delegate, make a determination that the proposed activities are eligible to be conducted under this suspension.

4. The Secretary for the California Environmental Protection Agency and the Secretary for the California Natural Resources Agency shall use sound discretion in applying this order to ensure that the suspension serves the purpose of accelerating cleanup and recovery, while at the same time protecting public health and the environment. This order shall apply to, but is not necessarily limited to: solid waste facility permits, waste discharge requirements for storage and disposal; emergency timber harvesting; emergency construction activities; and waste discharge requirements and/or Water Quality Certification for discharges of fill material or pollutants. To the extent it is within their administrative authority, the boards, departments, and offices within the California Environmental Protection Agency and the California Natural Resources Agency shall expedite the granting of other authorizations, waivers, or permits necessary for the removal, storage, transportation, and disposal of hazardous and non-hazardous debris resulting from the fire and for other actions necessary for the protection of public health and the environment.

5. As necessary to assist local governments and for the protection of public health and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services necessary to quickly remove dangerous debris and repair damaged resources. Because strict compliance with the provisions of the Government Code and the Public Contract Code applicable to state contracts would prevent, hinder, or delay these efforts, applicable provisions of those statutes, including but not limited to travel, advertising, and competitive bidding requirements are suspended to the extent necessary to address the effects of the fire.

6. State agencies and departments within my administration shall work with local officials to assist them in establishing and implementing a comprehensive debris removal plan.

This Proclamation is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of February 2015.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State