

Executive Department

State of California

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS on October 8, 2017, the Tubbs Fire began burning in Napa County, the Atlas Fire began burning in Napa County and quickly spread into Sonoma County, and multiple other fires began burning in Napa, Sonoma, and Yuba Counties; and

WHEREAS these fires have destroyed structures and continue to threaten thousands of homes, necessitating the evacuation of thousands of residents; and

WHEREAS these fires have damaged and continue to threaten critical infrastructure and have forced the closure of major highways and local roads; and

WHEREAS extreme weather conditions including strong winds have further increased the spread of these fires; and

WHEREAS the Federal Emergency Management Agency has granted Fire Management Assistance Grants to assist with the mitigation, management, and control of the Tubbs Fire and Atlas Fire; and

WHEREAS the circumstances of these fires 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 section 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property exists in Napa, Sonoma, and Yuba Counties due to these fires; and

WHEREAS under the provisions of section 8571 of the Government Code, I find that strict compliance with the various statutes and regulations specified in this order would prevent, hinder, or delay the mitigation of the effects of these fires.

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

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 consistent with the direction of the Office of Emergency Services and the State Emergency Plan. Also, all residents are encouraged to heed the advice of emergency officials with regard to this emergency in order to protect their safety.

2. The California National Guard shall mobilize under Military and Veterans Code section 146 (mobilization in case of catastrophic fires) to support disaster response and relief efforts and coordinate with all relevant state agencies, including the Office of Emergency Services, and all relevant state and local emergency responders and law enforcement within the impacted areas.
3. The Office of Emergency Services shall provide local government assistance to Napa, Sonoma, and Yuba Counties, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
4. 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 these fires that have burned and continues to burn in areas 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 these fires, and for implementing any restoration plan. Individuals who desire to conduct activities under this suspension of statutes, rules, regulations, and requirements shall first request that the appropriate Agency Secretary, or his delegate, make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary for the California Environmental Protection Agency and the Secretary for the California Natural Resources Agency shall use sound discretion in applying this Executive 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 these fires, 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 assist with the response to and recovery from the impacts of these fires. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of the fires.

6. The provisions of Unemployment Insurance Code section 1253 imposing a one-week waiting period for unemployment insurance applicants are suspended as to all applicants who are unemployed as a direct result of these fires, who applied for unemployment insurance benefits during the time period beginning October 8, 2017 and ending on the close of business on April 8, 2018, and who are otherwise eligible for unemployment insurance benefits.
7. Vehicle Code sections 9265(a), 9867, 14901, 14902, and 15255.2, requiring the imposition of fees, are suspended with regard to any request for replacement of a driver's identification card, vehicle registration certificate, or certificate of title, by any individual who lost such records as a result of these fires. Such records shall be replaced without charge.
8. The provisions of Vehicle Code sections 4602 and 5902, requiring the timely registration or transfer of title are suspended with regard to any registration or transfer of title by any resident of Napa, Sonoma, and Yuba County who is unable to comply with those requirements as a result of these fires. The time covered by this suspension shall not be included in calculating any late penalty pursuant to Vehicle Code section 9554.
9. Health and Safety Code sections 103525.5 and 103625, and Penal Code section 14251, requiring the imposition of fees are hereby suspended with regard to any request for copies of certificates of birth, death, marriage, and dissolution of marriage records, by any individual who lost such records as a result of these fires. Such copies shall be provided without charge.

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 9th day of October 2017.




EDMUND G. BROWN JR.
Governor of California

ATTEST:


ALEX PADILLA
Secretary of State