

Executive Department

State of California

EXECUTIVE ORDER B-38-17

WHEREAS on January 23, 2017, I proclaimed a state of emergency to exist within 49 counties due to a storm system resulting from an atmospheric river that swept across California beginning on January 3, 2017, and I ordered the California Department of Transportation to formally request immediate assistance through the Federal Highway Administration's Emergency Relief Program for those 49 counties; and

WHEREAS the storm system, which brought high winds, substantial rain, snowfall, and flooding, caused harm to people and property by damaging public and private facilities, forcing the evacuation of residents, and requiring the opening of emergency shelters; and

WHEREAS the effects of the storm system caused damage to roads and highways throughout the state as a result of flooding, mud and debris flows, and erosion; and

WHEREAS these conditions require continuing emergency response, including significant repair and reconstruction work and debris removal; and

WHEREAS under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to the storm damage in Amador, Mono, and Riverside Counties; and

WHEREAS under the provisions of Government Code section 8571, 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 the storm system; and

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, including the Emergency Services Act and in particular, Government Code sections 8567 and 8625, do **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist within Amador, Mono, and Riverside County, and issue the following orders to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The provisions of my January 23, 2017, State of Emergency Proclamation for the storm system occurring beginning on January 3, 2017, hereby also apply to the counties of Amador, Mono, and Riverside.
2. The California Department of Transportation shall formally request immediate assistance through the Federal Highway Administration's Emergency Relief Program, Title 23, United States Code section 125, in order to obtain federal assistance for highway repairs or reconstruction to the counties of Amador and Riverside.
3. Based upon the damage assessments for the time period of January 3 through January 12, 2017, 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., I hereby authorize California Disaster Assistance Act funding to the counties of Alameda, Amador, Butte, Calaveras, Contra Costa, El Dorado, Humboldt, Inyo, Lake, Lassen, Marin, Mendocino, Merced, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Luis Obispo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Trinity, Tuolumne, Yolo, and Yuba.

4. It is hereby ordered that the limitation for the period of employment for State Personnel Board emergency appointments, as provided in Government Code section 19888.1, is waived for positions required for emergency and/or recovery operations. The requirements and period of employment for such appointments will be determined by the Office of Emergency Services, but shall not extend beyond the termination date of the State of Emergency.

This Order 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 Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of February 2017.


EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State