

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS starting August 29, 2022, through September 10, 2022, a large area of high pressure that extended through a deep portion of the atmosphere trapping heat beneath it, commonly referred to as a “heat dome,” moved across most of California and grew in strength; and

WHEREAS on August 31, 2022, I proclaimed a State of Emergency to exist in California due to the Extreme Heat Event, which brought record high temperatures and exacerbated drought conditions, dry fuels, and the intensity and spread of wildfires during the heat dome period, including the Mill Fire in Siskiyou County for which I proclaimed a State of Emergency on September 2, 2022; and

WHEREAS on September 2, 2022, the Mountain Fire also began burning in Siskiyou County, has since burned more than 13,400 acres, threatened and continues to threaten homes, destroyed two homes, and continues to burn necessitating evacuation orders and warnings that remain in place; and

WHEREAS on September 7, 2022, the Barnes Fire began to burn in Modoc County, continues to threaten homes, destroyed one home and one other structure, and continues to burn necessitating evacuation orders and warnings that remain in place; and

WHEREAS on September 7, 2022, the Fork Fire began to burn in Madera County, destroyed 25 homes and one other structure, and threatened lives, property, and critical infrastructure; and

WHEREAS these wildfires created a substantial amount of ash, burnt vegetation, and other debris over large areas within communities in Madera, Modoc, and Siskiyou Counties; and

WHEREAS widespread hazardous structural debris, which may contain dangerous toxins including heavy metals such as arsenic, cadmium, copper, lead, and asbestos, must be cautiously and expeditiously removed and properly disposed of; 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 in Madera County due to the Fork Fire, Modoc County due to the Barnes Fire, and Siskiyou County due to the Mountain Fire; and

WHEREAS under the provisions of Government Code section 8558(b), I find that the conditions caused by these wildfires, 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 appropriately respond; and

WHEREAS under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the magnitude of the damage caused by these wildfires; and

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

NOW, THEREFORE, I, GAVIN NEWSOM, 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, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Madera County due to the Fork Fire, Modoc County due to the Barnes Fire, and Siskiyou County due to the Mountain Fire.

IT IS HEREBY ORDERED THAT:

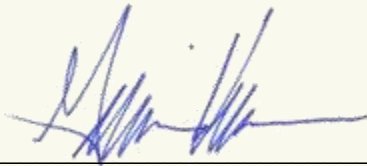
1. All agencies of the state government utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan. Also, all residents are to obey the direction of emergency officials with regard to this emergency in order to protect their safety.
2. The Office of Emergency Services shall provide assistance to local governments, 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.
3. 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 these fires.
4. 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 and who applied or apply for unemployment insurance benefits during the time period beginning September 2, 2022, and ending on the close of business on March 3, 2023, for the Mountain Fire, and beginning September 7, 2022 and ending on the close of business on March 8, 2023, for the Barnes Fire and Fork Fire, and who are otherwise eligible for unemployment insurance benefits.

5. 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 an identification card, driver's license card, vehicle registration certificate, certificate of title, or registration stickers, by any individual who lost such records as a result of these fires. Such records shall be replaced without charge.
6. 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 Madera, Modoc, and Siskiyou counties, 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.
7. 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.
8. State statutes, rules, regulations, and requirements that fall within the jurisdiction of boards, departments, and offices within the California Environmental Protection Agency and the California Natural Resources Agency are hereby suspended to the extent necessary for expediting the removal and cleanup of debris from these fires or to address other impacts associated with that debris, for implementing any restoration plan, or conducting other fire recovery activities.
9. Individuals who desire to conduct activities under the suspension of statutes, rules, regulations, and requirements specified in Paragraph 8 shall first request that the appropriate Agency Secretary, or the Secretary's designee, make a determination that the proposed activities are eligible to be conducted under the suspension. The Secretary of the California Environmental Protection Agency and the Secretary of the California Natural Resources Agency shall use sound discretion in applying this Proclamation to ensure that the suspension serves the purpose of accelerating cleanup and recovery, while at the same time protecting public health and the environment.
10. Any activities performed under the suspension of statutes, rules, regulations, and requirements specified in Paragraph 8 shall be in accordance with the State Environmental Protection Plan, or a comparable plan describing how such actions will balance expeditious fire recovery and environmental protection.

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.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 19th day of September 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State