

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS on August 19, 2023, I proclaimed a State of Emergency to exist in Fresno, Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Tulare, and Ventura Counties as a result of the extreme peril posed by Hurricane Hilary, now called Tropical Storm Hilary; and

WHEREAS confidence remains high that Tropical Storm Hilary, despite being downgraded to a tropical storm, will bring a rare and dangerous rainfall and wind event with dangerous to catastrophic flooding and debris flows expected in the proclaimed counties, as well as in Mono County; and

WHEREAS the National Weather Service issued a Flood Watch on August 20, 2023, for Mono County, warning of the potential for flash flooding caused by excessive rainfall; and

WHEREAS swift water rescue resources have been prepositioned in Mono County to assist with potential life-saving efforts resulting from anticipated flooding and debris flows; and

WHEREAS local governments in several proclaimed counties have issued evacuation orders and warnings to numerous communities due to anticipated impacts from Tropical Storm Hilary; and

WHEREAS at least one care facility has already been evacuated, and the closure or evacuation of health and other care facilities will increase pressure on those facilities that continue to provide much needed care; 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 Tropical Storm Hilary in Mono County; and

WHEREAS under the provisions of Government Code section 8558(b), I find that the conditions caused by Tropical Storm Hilary, 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 extreme peril posed by Tropical Storm Hilary; 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 Tropical Storm Hilary.

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 Mono County.

IT IS HEREBY ORDERED THAT:

1. All operative provisions contained in my August 19, 2023, Proclamation of a State of Emergency continue to have effect and are hereby incorporated and applicable to Mono County as a result of Tropical Storm Hilary.
2. In order to ensure hospitals, clinics, and other health facilities remain open, the Director of the California Department of Public Health (CDPH) may waive any of the licensing requirements of chapters 1, 2, 8, and 8.5 of division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital, clinic, other health facility, home health agency, or hospice agency identified in Health and Safety Code sections 1200, 1250, 1727, or 1746 that is impacted by Tropical Storm Hilary. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to remain open while protecting public health and safety. Any health facilities or agencies being granted a waiver shall be established and operated in accordance with their disaster and mass casualty plan or emergency preparedness plan. Any waivers granted pursuant to this paragraph shall be posted on the CDPH website and shall be in effect only so long as necessary to address the direct impacts of Tropical Storm Hilary in Mono County and in the counties identified in my August 19, 2023, Proclamation.
3. In order to directly respond to the needs of impacted adult and senior care facilities, child care facilities, children's residential facilities, resource family homes, home care organizations, and other similar care facilities and care providers within the California Department of Social Services' (CDSS) jurisdiction, the Director of CDSS may waive any provisions of the Family Code, Health and Safety Code, or Welfare and Institutions Code, and accompanying regulations or written directives, with respect to the use, licensing, certification, registration or approval of care providers, facilities, or homes within CDSS jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), Child Care Provider Registration (Health and Safety Code section 1596.60 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), Residential Care Facilities for Persons With Chronic Life-Threatening Illness (Health and Safety Code section 1568.01 et seq.), the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.), Continuing Care Contracts (Health and Safety Code section 1770 et seq.), the Home Care Services Consumer Protection Act (Health and Safety Code section 1796.10 et seq.), and the Resource Family Approval Program (Welfare and Institutions Code section 16519.5 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the CDSS website and shall be in effect only so long as necessary to address the direct impacts of Tropical Storm Hilary in Mono County and in the counties identified in my August 19, 2023, Proclamation.

4. In order to directly respond to the needs of behavioral health programs and facilities impacted by the storm, including alcohol and other drug programs, adult alcoholism or drug abuse recovery or treatment facilities, driving-under-the-influence programs, narcotic treatment programs, psychiatric health facilities, mental health rehabilitation centers, social rehabilitation programs, skilled nursing facilities with special treatment programs, Lanterman-Petris-Short Act designated facilities, community treatment facilities, short term residential therapeutic programs, and children's crisis residential programs, the Director of the Department of Health Care Services (DHCS) may waive any licensing, certification, or approval requirements for such programs under its jurisdiction set forth in Welfare and Institutions Code, divisions 4, 5, and 9 and in Health and Safety Code, divisions 2 and 10.5 and accompanying regulations, written standards, or information notices. Any waivers granted pursuant to this paragraph shall be posted on the DHCS website and shall only be in effect so long as necessary to address the direct impacts of Tropical Storm Hilary in Mono County and in the counties identified in my August 19, 2023, Proclamation.

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 20th day
of August 2023.



GAVIN NEWSOM
Governor of California

ATTEST:


SHIRLEY N. WEBER, Ph.D.
Secretary of State