

GOVERNOR BROWN DIRECTS RECOVERY ASSISTANCE FOR RIM FIRE AND REQUESTS PRESIDENTIAL MAJOR DISASTER DECLARATION

10-23-2013

SACRAMENTO - In order to help mitigate the effects of the devastating Rim Fire in Tuolumne and Mariposa Counties, Governor Edmund G. Brown Jr. today signed an Executive Order that provides financial assistance to local agencies and non-profit organizations and directs additional assistance to support local recovery efforts.

Earlier this month in a letter to President Barack Obama, the Governor also requested a Presidential major disaster declaration for the state as a result of this devastating wildfire - the third largest in California history - that started on August 17, 2013 and has burned more than 250,000 acres.

This request follows emergency proclamations issued for Tuolumne County on August 22, 2013, the City and County of San Francisco on August 23, 2013 and Mariposa County on August 29, 2013.

The full text of the Executive Order is below.

EXECUTIVE ORDER B-23-13

WHEREAS due to the destruction caused by wildfires beginning on August 17, 2013, I have proclaimed a State of Emergency to exist in Tuolumne and Mariposa Counties; and

WHEREAS these wildfires caused harm to people and property, burned over 257,000 acres, damaged or destroyed numerous homes and other structures, caused evacuations, and caused damage to resources and watershed; and

WHEREAS the unanticipated costs of responding to and recovering from these wildfires has severely impacted local government public safety agencies' budgets; and

WHEREAS the wildfires created a substantial amount of ash, burnt vegetation and other such debris over a large area of communities; and

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

WHEREAS workers are, or may be, unemployed as a result of the wildfires and are in need of immediate financial assistance; and

WHEREAS the suspension of the statutory one-week waiting period for unemployment insurance applicants who are unemployed due to the wildfires would provide these unemployed workers with immediate financial assistance.

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 section 8567, do hereby issue this Executive Order, effective immediately, to mitigate the effects of the fire related hazards on the people and property within Tuolumne and Mariposa Counties.

IT IS HEREBY ORDERED THAT:

1. The Office of Emergency Services shall provide financial assistance to the local agencies and non-profit organizations, as eligible, under the California Disaster Assistance Act.
2. The Office of Emergency Services shall coordinate assistance programs offered by all relevant federal, state and local agencies and departments.
3. State agencies shall, as necessary for the protection of public health and the environment, enter into contracts and arrange for, or assist local governments to enter into contracts and arrange for the procurement of materials, goods, and services necessary to quickly remove dangerous debris, repair damaged resources, and restore and protect the impacted watershed.
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 the Rim Fire 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 fires, and for implementing any restoration plan. Individuals whodesire 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; stream environment zones; 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 fires, and for other actions necessary for the protection of public health and the environment.
5. The Office of Emergency Services and all affected State agencies and departments shall provide assistance to Tuolumne and Mariposa Counties to support recovery operations, including assisting local officials to develop and implement comprehensive structural debris removal plans.
6. The Office of Emergency Services, in partnership with other State agencies and departments, shall provide resources and technical assistance to the California communities affected by the Rim Fire and the associated debris and watershed issues and emergency protective measures for Tuolumne and Mariposa Counties.

7. The Department of Forestry and Fire Protection, the California Department of Corrections and Rehabilitation, and the California Conservation Corps, shall use employees, corps members, inmate and ward labor, where appropriate, to protect public health, safety, and water quality on public lands.

8. 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 the wildfires in Tuolumne and Mariposa Counties, who apply for unemployment insurance benefits during the time period beginning August 17, 2013, and ending on the close of business on October 30, 2013, and who are otherwise eligible for unemployment insurance benefits in California

9. All State agencies with responsibility, regulatory authority, or expertise related to recovery efforts in connection with these fires shall cooperate fully and act expeditiously in coordination with the California Natural Resources Agency and the California Environmental Protection Agency to facilitate the mitigation of the effects of the wildfires and the environmental restoration of the affected areas.

IT IS FURTHER REQUESTED that the Department of Housing and Community Development use its administrative powers where appropriate to allow existing grantees of Community Development Block Grants to re-program their grants to provide funding assistance to survivors for eligible activities related to the disaster.

IT IS ALSO REQUESTED that the Public Utilities Commission direct utility companies with transmission lines in the affected areas to completely clear all dead and dying trees and vegetation from their utility right-of-ways to mitigate the potential threat to human health and safety and public property.

This Executive 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 shall be filed in the Office of the Secretary of State and that widespread publicity and notice be given to 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  
23rd day of October, 2013

EDMUND G. BROWN JR.  
Governor of California