

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): Siskiyou County Environmental
1312 Farline Rd, Yreka, CA 96097

County Clerk
County of: Siskiyou
311 Fourth Street, Room 108
Yreka, CA 96097

(Address)

Project Title: 2022 Fire Disaster Debris Clean Up

Project Applicant: Siskiyou County Enviomental Health

Project Location - Specific:
Yreka / Walker / Klamath River / Weed and surrounding areas. - McKinney, Mountain, Mill Fires

Project Location - City: Yreka Project Location - County: Siskiyou

Description of Nature, Purpose and Beneficiaries of Project:
Please see attached local emergency declarations for all 3 fires.
McKinney Fire Public Health Proclamation

Name of Public Agency Approving Project: Siskiyou County

Name of Person or Agency Carrying Out Project: Governors Office of Emergency Services

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number:
Statutory Exemptions. State code number:

Reasons why project is exempt:
Please reference attached EO's

Lead Agency
Contact Person: Rick Dean Area Code/Telephone/Extension: 530-598-1531

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 10/14/22 Title: Community Development Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-17-22

WHEREAS on July 30, 2022, I proclaimed a State of Emergency to exist in Siskiyou County due to the McKinney, China 2, and Evans wildfires; and

WHEREAS on September 2, 2022, I proclaimed a State of Emergency to exist in Siskiyou County due to the Mill Fire; and

WHEREAS these wildfires have collectively burned more than 64,000 acres of land, destroyed over a hundred homes and other structures, and the Mill Fire destroyed the historically Black neighborhood of Lincoln Heights in the City of Weed; and

WHEREAS the wildfires created a substantial amount of ash, burnt vegetation, and other such debris over large areas within communities of Siskiyou County; 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 8571, I find that strict compliance with various statutes and regulations specified in this Order 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, and in particular, Government Code sections 8567, 8571, and 8627 do hereby issue the following Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. 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.
2. Individuals who desire to conduct activities under this suspension of statutes, rules, regulations, and requirements 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 this 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 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.

3. Any activities performed under this suspension of statutes, rules, regulations, and requirements shall be in accordance with the State Environmental Protection Plan, or a comparable plan describing how such actions will balance expeditious wildfire recovery and environmental protection.

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.

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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of September 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State

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:

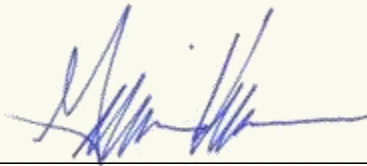
1. All agencies of the state government utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan. Also, all residents are to obey the direction of emergency 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



Siskiyou County Office of Emergency Services



Bryan Schenone
Director, OES

Proclamation by the Director of Emergency Services

SISKIYOU COUNTY PROCLAMATION OF LOCAL EMERGENCY

WHEREAS, on August 2, 2022, A plume of monsoonal moisture produced heavy rain over Northern Siskiyou County that caused localized flash-flooding in the McKinney Fire active burn scar, and;

WHEREAS, the storm significantly impacted the steep-sloped, newly burned hillsides of the Highway 96 Corridor, causing massive mud and debris flows that inundated the tributary streams and deposited into the Klamath river, and;

WHEREAS, debris flows consisting of mud, silt, toxic ash, and burnt trees from the monsoonal downpour led to destructive damage to vital roadways that significantly hindered firefighting capabilities during the critical response phase of the McKinney Fire, and;

WHEREAS, these debris flows resulted in substantial damage and unparalleled ecological destruction to the Klamath Watershed, ultimately impacting the Klamath River and its tributaries, which resulted in a significant endangered species fish die-off, including Suckers which are a fully protected species and;

WHEREAS, while in a fire suppression response to the McKinney Fire that started on July 29, 2022, that prompted immediate evacuations to the surrounding towns; the low relative humidity, dry fuels, and heavy winds grew the McKinney fire into a 56,459-acre fire within five days, and;

WHEREAS, the Director of Emergency Services of Siskiyou County does hereby finds the conditions of the debris flows to be highly impactful and ongoing into the monsoonal season and winter months of Siskiyou County, its residents, and the impact on the County as a whole.


NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a Local State of Emergency now exists throughout Siskiyou County, and;

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of the local emergency, the powers, functions, and duties of the emergency organization of Siskiyou County shall be those prescribed by state law, by the ordinance, and by resolution of this County, and: that this emergency proclamation shall expire in 7 days after its issuance unless confirmed and ratified by the governing body of the County of Siskiyou, and;

IT IS FURTHER PROCLAIMED AND ORDERED that Siskiyou County is requesting any available state and/or federal assistance, and that this Proclamation be incorporated as part of the California Disaster Assistance Act that was approved by the Governor as part of the McKinney Fire emergency proclamation adopted by the Director of Emergency Services and ratified by the Siskiyou County Board of Supervisors on August 2, 2022.

IT IS FURTHER PROCLAIMED AND ORDERED that this proclamation be forwarded to the Governor of the State of California.

Date: Aug 19 2022

By: 
Director of Emergency Services

Printed Name: BRYAN SCHENONE
Address: 1312 Fairlane Road, Yreka Ca 96097



SISKIYOU COUNTY

Health and Human Services Agency Public Health Division

810 South Main Street
Yreka, CA 96097
(530) 841-2134 / Fax (530) 841-4094

SARAH COLLARD, PH.D.
Director of Health and Human Services Agency
AARON STUTZ, M.D.
Public Health Officer
SHELLY DAVIS, MN BSN PHN CCHP
Director of Public Health Division
Director of Nursing/Inmate Medical

PROCLAMATION OF LOCAL HEALTH EMERGENCY BY THE COUNTY HEALTH OFFICER

WHEREAS, the California Health and Safety Code, Division 101, Part 3, Chapter 2, commencing with § 101080 confers upon the Local Health Officer of the political subdivisions of this state emergency powers necessary to protect public health and safety; and

WHEREAS, § 101080 of the California Health and Safety Code, states that "the local Health Officer may declare a local health emergency in the jurisdiction or any area thereof" affected by hazardous waste which is an imminent threat to the public health; necessary to protect public health and safety; and

WHEREAS, Health and Safety Code Section § 101080 empowers the local Health Officer to proclaim the existence of a local health emergency when this county or any area of the county is affected or likely to be affected by such a public health threat while the Board of Supervisors is not in session, which shall expire if not ratified by the Board of Supervisors within seven days and is subject to reaffirmation every 14 days thereafter until such local health emergency is terminated; and

WHEREAS, On July 29th, 2022 the McKinney and China-2 fires started near the community of Yreka, CA. These fires produced hazardous conditions including unhealthy air quality, hazardous products of combustion, water quality and threats to the health and safety of the residents of Siskiyou County; and

WHEREAS, the local Health Officer of the County of Siskiyou do hereby find:

1. That conditions of certain hazardous waste in Siskiyou County in the form of contaminated debris from household hazardous waste/materials and structural debris due to the destruction of a number of structures, poses a substantial present or potential hazard to human health and the environment unless immediately addressed and managed; and
2. That there is an imminent threat to water sheds and domestic water supply as a result of hazardous debris.
3. That there is an imminent and proximate threat of infectious or communicable disease and/or non-communicable biologic agent due to accumulations of perishable foods and other organic materials that normally require refrigeration but have been left to spoil due to lack of electricity, and also due to potential contamination of destruction of residential and commercial water supply in the burned areas.

4. That the Board of Supervisors of the County of Siskiyou is not in session and cannot immediately be called into session.
5. That the aforesaid threat to public health necessitates the proclamation of the existence of a local health emergency.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local health emergency is now threatened to exist in the burned area in this County due to hazardous waste in the form of contaminated debris from hazardous waste/materials and structural debris from a recent fire and due to contamination of residential food and water supply.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions and duties of the Health Officer shall be those prescribed by state law, including the provisions of Sections §101040 and §101085 of the Health and Safety Code, and by ordinances and resolutions of this county approved by the Board of Supervisors.

This order may be signed in counterparts.



Aaron Stutz, MD FAAEM
Siskiyou County Public Health Officer

7/30/2022

Date

**PROCLAMATION OF LOCAL HEALTH EMERGENCY BY THE
COUNTY HEALTH OFFICER**

WHEREAS, the California Health and Safety Code, Division 101, Part 3, Chapter 2, commencing with section 101080 confers upon the Local Health Officer of the political subdivisions of this state emergency powers necessary to protect public health and safety; and

WHEREAS, section 101080 of the California Health and Safety Code, states that “the local Health Officer may declare a local health emergency in the jurisdiction or any area thereof” affected by hazardous waste which is an imminent threat to the public health: necessary to protect public health and safety: and

WHEREAS, Health and Safety Code Section 101080 empowers the local Health Officer to proclaim the existence of a local health emergency when this County or any area of the County is affected or likely to be affected by such a public health threat while the Board of Supervisors is not in session, which shall expire if not ratified by the Board of Supervisors within seven days and is subject to reaffirmation every 30 days thereafter until such local health emergency is terminated: and

WHEREAS, On September 2, 2022 the Mill and Mountain fires started within the community of Weed and near Gazelle mountain respectively. These fires have produced hazardous conditions including unhealthy air quality, hazardous products of combustion, water quality and threats to the health and safety of the residents of Siskiyou County; and

WHEREAS, the local Health Officer of the County of Siskiyou does hereby find:

1. That conditions of certain hazardous waste is Siskiyou County in the form of contaminated debris from household hazardous waste/materials and structural debris due to the destruction of a number of structures, poses a substantial present or potential hazard to human health and the environment unless immediately addressed and managed; and
2. That there is an imminent threat to water sheds and domestic water supply as a result of hazardous debris.
3. That there is an imminent and proximate threat of infectious or communicable disease and/or non-communicable biologic agent due to accumulations of perishable foods and other organic materials that normally require refrigeration but have been left to spoil due to lack of electricity, and also due to potential contamination of destruction of residential and commercial water supply in the burned areas.
4. That the Board of Supervisors of the County of Siskiyou is not in session and cannot immediately be called into session.
5. That the aforesaid threat to public health necessitates the proclamation of the existence of a local health emergency.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local health emergency is now threatened to exist in the burned area in this County due to hazardous waste in the form of contaminated debris from hazardous waste/ materials and structural debris from a recent fire and due to contamination of residential food and water supply.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions and duties of the Health Officer shall be those prescribed by state law, including the provisions of

Sections 101040 and section 101085 of the Health and Safety Code, and by ordinances and resolutions of this County approved by the Board of Supervisors.

This order may be signed in counterparts.

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a long, sweeping horizontal stroke that ends in a small hook.

Aaron Stutz, MD FAAEM

Siskiyou County Public Health Officer

9/2/2022

DATE



Siskiyou County Office of Emergency Services



Bryan Schenone
Director, OES

Proclamation by the Director of Emergency Services

SISKIYOU COUNTY PROCLAMATION OF LOCAL EMERGENCY

WHEREAS, the destructive threat of wildfires coupled with constant drought, extreme heat, Red Flag Warnings, and changing dryer climate has progressively created a destructive wildfire season, and;

WHEREAS, the Mill Fire (2600+ acres) and Mountain Fire (300+) acres started on September 2, 2022, and prompted immediate evacuations to the surrounding towns; the low relative humidity, dry fuels, and heavy winds grew both fires into a destructive event requiring an all-county response,

WHEREAS, the Mill Fire's initial dangerous rate of spread quickly obliterated the community of Weed which within minutes annihilated 60 structures and is threatening an additional 4,500 structures with no estimated containment, and

WHEREAS, Siskiyou County has been heavily impacted by wildfires and is currently recovering from the 60,000-acre McKinney Fire; additionally, the Community of Weed was affected by Boles in 2014, and the Lava Fire in 2021, the Community Resilience score of 51.15, which is below the California score of 52.85 and significantly impacts the Counties ability to recover and rebuild from these disasters, and;

WHEREAS, the Director of Emergency Services of Siskiyou County does hereby find the conditions of the evolving situation to be highly volatile and perilous to the continuity of operations of Siskiyou County, its residents, and the impact on the County as a whole, and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local state of emergency now exists throughout the said County, and:

IT IS FURTHER PROCLAIMED AND ORDERED, Siskiyou County is requesting any available State and/or Federal assistance to include California Disaster Assistance Act funding and that this proclamation be forwarded to the Governor of the State of California, and that the Governor proclaim a State of Emergency for Siskiyou County and that the Governor requests a Presidential Declaration from the President of the United States; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of the local emergency, the powers, functions, and duties of the emergency organization of Siskiyou County shall be those prescribed by state law, by the ordinance and resolution of this County and: that this emergency proclamation shall expire in 7 days after its issuance unless confirmed and ratified by the governing body of the County of Siskiyou.

Date: ____September 2, 2022____ By:_____

Director of Emergency Services

Printed Name:____Bryan Schenone_____

Address: 1312 Fairlane Road, Yreka Ca 96097