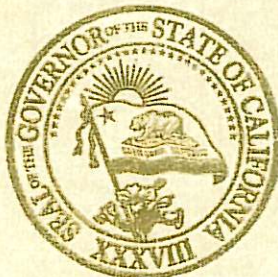


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EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

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**PROCLAMATION OF A STATE OF EMERGENCY**

**WHEREAS** on November 18, 2010, a massive stockpile of highly explosive materials was discovered in an unincorporated area of the County of San Diego; and

**WHEREAS** these highly explosive, unstable materials are on privately-owned property that includes a residential structure, located in a populated area and in close proximity to an interstate highway; and

**WHEREAS** the presence of these highly explosive, unstable materials and efforts for their removal have caused the evacuation of neighboring homes and the closure of roadways; and

**WHEREAS** these highly explosive, unstable materials create an ongoing condition of extreme peril directly endangering persons and property, and consequently must be removed; and

**WHEREAS** the removal of these highly explosive materials will require the closure of portions of roadways and the diversion of traffic; and

**WHEREAS** on November 30, 2010, the San Diego County Board of Supervisors proclaimed a local emergency and requested that I declare a state of emergency; and

**WHEREAS** the circumstances attendant to the removal of this stockpile of highly explosive, unstable materials, by reason of their volatility and magnitude, are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat; and

**WHEREAS** under the provisions of section 8558(b) of the California Government Code, I find that conditions of extreme peril to the safety of persons and property exist due to the recently discovered stockpile of highly explosive, unstable materials in San Diego County.

**NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER**, Governor of the State of California, in accordance with the authority vested in me by the California Constitution and statutes, including the California Emergency Services Act, and in particular, section 8625 of the California Government Code, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist within San Diego County.

**IT IS HEREBY ORDERED** that all agencies of the state government utilize and employ state personnel, equipment and facilities for the performance of any and all activities needed to assist San Diego County in mitigating the effect of this state of emergency.

**I FURTHER DIRECT THAT:**

1. The California Emergency Management Agency (Cal EMA) shall coordinate the efforts of all state agencies and provide local government assistance under the authority of the California Disaster Assistance Act and consistent with the State Emergency Plan.

2. All State agencies with the responsibility, regulatory authority, or expertise related to recovery efforts in connection with the removal of the stockpile of highly explosive materials shall cooperate fully and act expeditiously in coordination with the California Resources Agency and the California Environmental Protection Agency, to facilitate the mitigation of the effects of the removal of the stockpile of highly explosive materials and the environmental restoration of the affected areas.

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 materials and any related debris. Because strict compliance with the provisions of the Government Code and the Public Contract Code applicable to state contracts would prevent, hinder, or delay these efforts, applicable provisions of those statutes, including, but not limited to, advertising and competitive bidding requirements, are suspended to the extent necessary to address the effects of the removal of the stockpile of highly explosive materials.

4. Statutes, rules, regulations and requirements are hereby suspended to the extent they apply to the following activities: (a) release, removal, storage, transportation, treatment, destruction and disposal of hazardous and non-hazardous materials and debris resulting from removal of the stockpile of highly explosive materials, (b) necessary restoration, and (c) related activities. Such statutes, rules, regulations and requirements are suspended only to the extent necessary for expediting the removal and cleanup of hazardous materials and debris from the area. This order shall apply to, but is not necessarily limited to, solid waste facility permits, and waste discharge requirements for storage, disposal, emergency construction activities, along with waste discharge requirements and/or Water Quality Certification for discharges of fill material or pollutants, air quality control requirements and hazardous materials release reporting laws regarding waste treatment/disposal. To the extent it is within their administrative authority and discretion, the boards, departments and offices within the California Environmental Protection Agency and the California 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 removal of the stockpile of highly explosive materials, and for other actions necessary for the protection of public health and the environment.

5. The California Emergency Management Agency (Cal EMA) and all affected State agencies and departments shall provide assistance to the San Diego, including the use of state personnel and state contractors to support recovery operations, including assisting local officials to develop and implement a comprehensive structural debris removal.

This Proclamation does not and is not intended to 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 proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 1<sup>st</sup> day of December, 2010

  
ARNOLD SCHWARZENEGGER  
Governor of California

**ATTEST:**

DEBRA BOWEN  
Secretary of State