

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA



Executive Order S-1-05

WHEREAS, a series of severe rainstorms swept through Southern California beginning on December 28, 2004; and

WHEREAS, the series of storms brought heavy rains that caused flash floods, mudslides, the accumulation of debris, washed out and damaged roads, and the loss of human life; and

WHEREAS, due to the extensive damage caused by these storms on January 12, 2005, I declared a State of Emergency in Ventura County, and on January 15, 2005, I declared a State of Emergency in the counties of Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Santa Barbara; and

WHEREAS, it is imperative in the circumstances to bring every necessary resource to bear to alleviate the individual, social and economic impacts of these events and to remove bureaucratic barriers to recovery and to Californians in need of services.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

1. The California Department of Transportation shall formally request immediate assistance through the Federal Highway Administration's Emergency Relief Program, 23 U.S.C. §125, in order to obtain federal assistance for highway repairs or reconstruction in Kern, Los Angeles, Riverside, San Bernardino, Santa Barbara, Ventura, Orange and San Diego Counties.
2. The statutes, rules and regulations, as they apply to the excavation of rock, gravel, sand or soil from public or private lands under the Surface Mining and Reclamation Act of 1975 (as amended) (Public Resources Code, Division 2, Chapter 9) are hereby suspended for excavation that is for the sole purpose of reconstructing state or local transportation facilities in the counties of Kern, Los Angeles, Riverside, San Bernardino, Santa Barbara, Ventura, Orange and San Diego that were damaged in these storms.
3. That statutes, rules and regulations as they apply to California Department of Transportation contracts are suspended for 180 days following the date of this

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proclamation for the purpose of facilitating the reopening and restoration of transportation infrastructure damaged by these storms in the counties of Kern, Los Angeles, Riverside, San Bernardino, Santa Barbara, Ventura, Orange and San Diego. California Department of Transportation officers shall use sound discretion in applying this suspension to ensure that the suspension of statutes, rules and regulations serves the purpose of accelerating the reopening and restoration of transportation infrastructure damaged in the storms.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 15th day of January 2005



Arnold Schwarzenegger
ARNOLD SCHWARZENEGGER
Governor of California

ATTEST:

Kevin Shelley
KEVIN SHELLEY
Secretary of State