



Office of the Governor

ARNOLD SCHWARZENEGGER
THE PEOPLE'S GOVERNOR

PROCLAMATION

08/02/2007

Gov. Schwarzenegger Declares State of Emergency in Counties Hit Hardest by West Nile Virus

PROCLAMATION

by the
Governor of the State of California

A PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS when compared to the same time last year, there has been a three-fold increase in the number of people infected by West Nile Virus; and

WHEREAS since 2002, West Nile Virus has infected hundreds of people and caused multiple deaths in California, including four deaths this year; and

WHEREAS the recent upturn in foreclosures this year has increased the number of vacant homes this summer with unattended and untreated pools, which has exacerbated the spread of West Nile Virus; and

WHEREAS local governments have made sustained efforts to minimize the spread of the virus, and the state has supplemented these efforts by dedicating over \$15 million over the last three years to mitigate the virus's effects; and

WHEREAS despite those efforts to eradicate West Nile Virus, the virus remains a threat, and further efforts to control the spread of the virus and to reduce and minimize the risk of infection are needed; and

WHEREAS the Mosquito Vector Control Association of California, which is composed of 61 local vector control districts, is seeking state assistance in addressing the potential for a West Nile Virus epidemic in California; including a request for funding for surveillance activity and abatement efforts; and

WHEREAS control of West Nile Virus may require immediate actions to limit the population of adult mosquitoes and mosquito larvae, and those actions may include the ground and aerial application of pesticides in urban, suburban and rural areas; and

WHEREAS there are also numerous and significant incidents of Valley Fever, especially in Kern County; and

WHEREAS due to the magnitude of the threat, the size of the affected areas and the need to control the spread of the virus across jurisdictional boundaries, the conditions are 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; and

WHEREAS under section 8558(b) of the California Government Code, I find that conditions of extreme peril to the safety of persons and property exist within the Counties of Kern, Colusa and San Joaquin caused by the threat of West Nile Virus.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, in accordance with the authority vested in me by the California Constitution and the California Emergency Services Act and, in particular, sections 8625, 8567 and 8571 of the California Government Code, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist within Kern, Colusa and San Joaquin Counties, and hereby issue the following orders:

IT IS ORDERED that the Department of Public Health shall allocate up to \$1 million dollars as needed, to local vector control agencies to identify potential mosquito habitat and to treat those areas to prevent the spread of West Nile Virus in the three above-listed counties and other counties identified by the Department of Public Health.

IT IS FURTHER ORDERED that the Department of Public Health shall allocate up to \$350,000 to local vector control agencies for surveillance purposes to provide an early warning of the incidence of West Nile Virus so that proper control measures can be taken by the local vector control agencies to prevent the spread of West Nile Virus in the three above-listed counties and other counties identified by the Department of Public Health.

IT IS FURTHER ORDERED that the Department of Public Health shall coordinate with the State and Consumer Services Agency, the Resources Agency and the Department of Food and Agriculture to develop a plan using best management practices for implementation by the appropriate state agencies for the early detection of West Nile Virus on state-owned properties and appropriate mitigation and abatement measures. Funds in the amount up to \$150,000 shall be allocated for the purpose of developing this plan.

IT IS FURTHER ORDERED that the Department of Public Health and the Department of Food and Agriculture shall work with the Mosquito Research Program at the University of California, Davis, to determine what resources are needed to further advance the research on the ecology and the

epidemiology of West Nile Virus.

IT IS FURTHER ORDERED that the Department of Public Health shall work with (1) local vector control districts to utilize their existing power pursuant to Health and Safety code section 2053 to inspect and abate vector or public nuisances, with special emphasis on the removal of standing water in untended pools and containers on vacant property; and (2) the Business, Transportation and Housing Agency and local public health departments to notify lenders, realtors, mortgage brokers and others whose responsibilities include managing vacant homes to ensure that pools and other containers that can hold water are drained and maintained empty to prevent the spread of West Nile Virus.

IT IS FURTHER ORDERED that the Department of Public Health shall implement a supplemental program of mosquito control, including health advisories and technical assistance, in the above-listed counties to assist those counties and the mosquito and vector control agencies within those regions to minimize the proliferation of mosquitoes and to reduce the transmission of West Nile Virus.

IT IS FURTHER ORDERED that all agencies and departments of state government utilize and employ state personnel, equipment and facilities for the performance of any and all activities consistent with the direction of the Department of Public Health in an effort to address and mitigate this emergency, and consistent with the State Emergency Plan as coordinated by the Office of Emergency Services.

IT IS FURTHER ORDERED that the Department of Public Health enter into such contracts as it deems appropriate, in consultation with the above-listed counties and the mosquito and vector control agencies within those regions, to provide services, material, personnel and equipment to supplement the West Nile Virus mitigation efforts in those jurisdictions.

IT IS FURTHER ORDERED that the provisions of the Government Code, the Public Contract Code, the State Contracting Manual and Management Memo 03-10, along with all Department of Public Health policies, applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements and approvals for non-competitively bid contracts, are hereby temporarily suspended with respect to contracts to provide services, material, personnel and equipment to supplement the West Nile Virus mitigation and abatement efforts in the above-listed counties to the extent that such laws would prevent, hinder or delay prompt mitigation of the effects of this emergency.

IT IS FURTHER ORDERED that the Department of Public Health shall consult with the county agricultural commissioner prior to the application of "prohibited materials," as defined in subdivision (p) of section 110815 of the Health and Safety Code, to agricultural land used for the production of certified organic foods.

IT IS FURTHER ORDERED that the Department of Public Health work with local public health departments to take appropriate actions to minimize the incidents of Valley Fever in the above-listed counties.

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 to 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 2nd day of August 2007.