

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-4-24

WHEREAS on July 3, 2024, I proclaimed a State of Emergency to exist in Butte County due to the Thompson Fire; and

WHEREAS on July 26, 2024, I proclaimed a State of Emergency to exist in Butte and Tehama Counties due to the Park Fire; and

WHEREAS on July 30, 2024, I proclaimed a State of Emergency to exist in Kern County due to the Borel Fire; and

WHEREAS on September 7, 2024, I proclaimed a State of Emergency to exist in San Bernardino County due to the Line Fire; and

WHEREAS on September 11, 2024, I proclaimed a State of Emergency to exist in Los Angeles and San Bernardino Counties due to the Bridge Fire and in Orange and Riverside Counties due to the Airport Fire; and

WHEREAS these wildfires have collectively destroyed hundreds of homes and other structures, burned over 610,000 acres, and created a substantial amount of ash, burnt vegetation, and other such debris over large areas of communities within these counties; and

WHEREAS these wildfires have resulted in widespread hazardous structural debris, which may contain dangerous toxins including heavy metals such as arsenic, cadmium, copper, lead, and asbestos, which must be cautiously and expeditiously removed and properly disposed of; and

WHEREAS the Airport, Bridge, and Line Fires have resulted in poor air quality and significant impacts to schools, including prompting closures of schools and limiting outdoor physical education; 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, including the California Emergency Services Act, 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 the Borel, Park, and Thompson Fires or to address other impacts associated with that debris, for implementing any restoration plan necessary for mitigation of the effects of the emergency, or conducting other fire recovery activities.
2. Individuals or entities who desire to conduct activities under the suspension of statutes, rules, regulations, and requirements specified in

Paragraph 1 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 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. Each Agency shall maintain on its website a list of all activities approved to be conducted under the suspension.

3. Any activities performed under the suspension of statutes, rules, regulations, and requirements specified in Paragraph 1 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.
4. Paragraph 5 of my State of Emergency proclamation issued on July 30, 2024, for the Borel Fire is withdrawn and replaced with the following:

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 Borel Fire in Kern County and apply for unemployment insurance benefits during the time period beginning July 24, 2024, and ending on the close of business on January 24, 2025, in Kern County and who are otherwise eligible for unemployment insurance benefits.

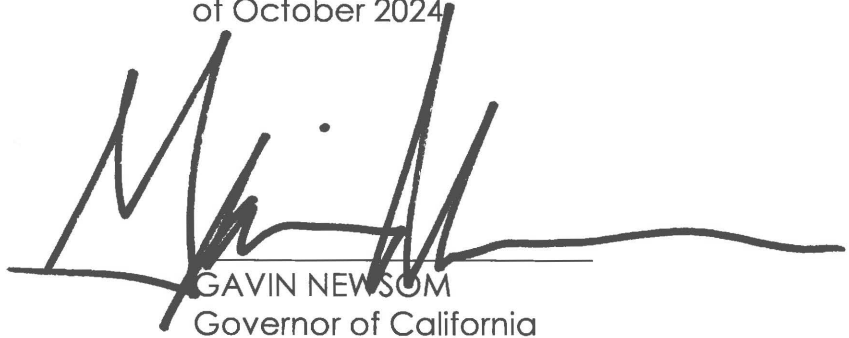
5. Adequate state staffing during these emergencies is necessary for all state agencies and departments with an assigned response and/or recovery role. Consistent with applicable federal law, work hour limitations for retired annuitants, permanent and intermittent personnel, and state management and senior supervisors, are suspended. Furthermore, reinstatement and work hour limitations in Government Code sections 21220, 21224(a), and 7522.56(b), (d), (f), and (g), and the time limitations in Government Code section 19888.1 and California Code of Regulations, title 2, sections 300-303 are suspended. All other restrictions must be adhered to for retired annuitants. The Director of the California Department of Human Resources must be notified of any individual employed in state government pursuant to these suspensions. The suspension of statutes identified in this Paragraph shall also apply to local governments, as applicable, to ensure adequate staffing to appropriately respond to the Thompson Fire in Butte County and the Line Fire in San Bernardino County. Local governmental agencies shall notify the California Public Employees' Retirement System of any individual employed by an agency pursuant to this Paragraph.
6. The limitation for the period of employment for State Personnel Board emergency appointments, as provided in Government Code section 19888.1, is suspended for positions required for emergency response and/or recovery operations related to the Thompson Fire in Butte County and the Line Fire in San Bernardino County. The requirements and period of employment for such appointments will be determined by the Office of Emergency Services, but shall not extend beyond the termination date of the State of Emergency.

7. The requirements to provide minimum instructional minutes in physical education for grades 1 through 12 as provided by Education Code sections 51210, 51220, 51222, and 51223 are suspended during periods of poor air quality due to the Airport Fire in Orange and Riverside Counties, the Bridge Fire in Los Angeles and San Bernardino Counties, and the Line Fire in San Bernardino County with respect to school buildings or temporary facilities in which indoor space for physical education is unavailable. To the extent that students displaced by these wildfires significantly impact local educational agencies in other counties, these sections and all implementation regulations are also suspended for impacted local educational agencies.

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 4th day of October 2024.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State